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BUSINESS MEETING TO ADOPT THE OVERSIGHT PLAN
OF THE COMMITTEE ON ENERGY AND COMMERCE
FOR THE 113TH CONGRESS
WEDNESDAY, FEBRUARY 6, 2013
House of Representatives,
Committee on Energy and Commerce,
Washington, D.C.

The committee met, pursuant to call, at 9:34 a.m., in Room 2123, Rayburn House Office Building, Hon. Fred Upton [chairman of the committee] presiding.

Present: Representatives Upton, Barton, Whitfield, Shimkus, Pitts, Walden, Terry, Rogers, Murphy, Burgess, Blackburn, Gingrey, Scalise, Latta, McMorris Rodgers, Harper, Lance, Cassidy, Guthrie, Olson, McKinley, Gardner, Pompeo, Kinzinger, Griffith, Bilirakis, Johnson, Long, Ellmers, Waxman, Dingell, Pallone, Rush, Eshoo, Green, DeGette, Capps, Doyle, Schakowsky, Matheson, Butterfield, Barrow,

Matsui, Christensen, Castor, Sarbanes, McNerney, Braley, Welch, Lujan, and Tonko.

Staff Present: Nick Abraham, Legislative Clerk; Gary Andres, Staff Director; Charlotte, Baker, Press Secretary; Mike Bloomquist, General Counsel; Sean Bonyun, Communications Director; Matt Bravo, Professional Staff Member; Allison Busbee, Policy Coordinator, Energy & Power; Patrick Currier, Counsel, Energy & Power; Tom Hassenboehler, Chief Counsel, Energy & Power; Sean Hayes, Counsel, O&I; Peter Kielty, Deputy General Counsel; Heidi King, Chief Economist; Ben Lieberman, Counsel, Energy & Power; Alexa Marrero, Deputy Staff Director; Nick Magallanes, Policy Coordinator, CMT; Carly McWilliams, Legislative Clerk; Gib Mullan, Chief Counsel, CMT; Mary Neumayr, Senior Energy Counsel; Katie Novaria, Legislative Clerk; Andrew Powaleny, Deputy Press Secretary; Mark Ratner, Policy Advisor to the Chairman; Krista Rosenthal, Counsel to Chairman Emeritus; Charlotte Savercool, Executive Assistant, Legislative Clerk; Peter Spencer, Professional Staff Member, Oversight; Heidi Stirrup, Health Policy Coordinator; Lyn Walker, Coordinator, Admin/Human Resources; Jeff Baran, Minority Senior Counsel; Phil Barnett, Minority Staff Director; Jen Berenholz, Minority Chief Clerk; Stacia Cardille, Minority Deputy Chief Counsel; Alison Cassady, Minority Senior Professional Staff Member; Brian Cohen, Minority Staff Director, Oversight & Investigations, Senior Policy Advisor; Alli Corr, Minority Policy Analyst; Greg Dotson, Minority Staff Director, Energy and Environment; Kristina Friedman, EPA Detailee; Caitlin Haberman, Policy Analyst; Roger Sherman, Chief

Counsel; and Alexandra Teitz, Senior Counsel, Environment and Energy.

The Chairman. Committee will come back to order. At the conclusion of opening statements yesterday afternoon, the chair called up the Oversight Plan for the 113th Congress, and the Oversight Plan is now open for amendment at any point.

First, are there any bipartisan amendments?

Seeing none, do any members --

Mr. Rush. Mr. Chairman.

The Chairman. Any member wish to offer an amendment.

Gentleman from Illinois, Mr. Rush.

Mr. Rush. Mr. Chairman, I have an amendment at the desk.

The Chairman. Clerk will read the amendment.

The Clerk. Amendment to Draft Oversight Plan Offered by Mr. Rush of Illinois.

[The amendment of Mr. Rush follows:]

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The Chairman. Without objection, the reading of the amendment is dispensed with and the gentleman is recognized for 5 minutes in support of his amendment.

Mr. Rush. Mr. Chairman, the science and data are increasingly clear, climate change is real. It is already impacting each and every day in every and every way of our lives. In its report on the 2012 climate, the National Oceanic and Atmospheric Administration, NOAA, determined that last year was the warmest year on record, as Americans suffered from unprecedented weather events predicted by scientists; those events included heat waves, downpours, floods and fires.

While in some parts of the country the weather was warmer and dryer, other areas experienced record floods and unusual amounts of rainfall. In 2012, drought conditions stretched from the mountain west, through the Great Plains and into the Midwest and as far as the Southeast. Such States as New Mexico, Colorado, Kansas, Missouri, Illinois, Arkansas, Georgia, and Delaware experienced top 10 dry years. Nebraska and Wyoming experienced record dry weather in 2012, while Colorado experienced record-breaking heat in 33 counties, spawning 43 large wildfires, including the Waldo Canyon Fire that killed two people and burned down nearly 350 homes near Colorado Springs.

Mr. Chairman, scientific studies show that the extreme weather in the U.S. is becoming increasingly common, threatening our lives and livelihoods with severe drought, devastating floods, and violent storms, and with no end to these extreme weather patterns in sight.

From residents in the Northeast who witnessed one of the worst

hurricanes in U.S. history to farmers and ranchers in the Midwest and the Plains States to ordinary homeowners, these devastating impacts of climate change are being felt by citizens of this country all across our Nation. In fact, NOAA reports that extreme weather events cost, on aggregate, well over \$1 billion to the U.S. economy last year.

Mr. Chairman, Ranking Member Waxman and I have written to you over 26 times, 21 letters during the last Congress, requesting that this committee, which has sole jurisdiction, take some kind of action, and at the very, very least, at the very minimum at least hold hearings to examine the issue of climate change and how we might mitigate the risk that every American will be impacted by.

Mr. Chairman, it is distressful, distressful, and Mr. Chairman, it is very unfortunate that all of those letters went unanswered. And the Oversight Plan that we are voting on here today is equally dismissive of the monumental impacts that climate change poses. Therefore, Mr. Chairman, I would like to offer an amendment highlighting the need to open our ears and listen to the science and make climate change one of the priorities for this committee to consider.

My amendment simply states that the committee will hold hearings to examine the role of climate change in causing drought, in causing heat waves, in causing wildfires, in causing reduced crop yield, and causing impaired electricity generation from hydroelectric, coal fire and nuclear plants. Invited guests would include members of the National Climate Assessment and Development Advisory Committee and the

National Academy of Sciences.

This committee, Mr. Chairman, members of this committee, we cannot afford to put our collective heads in the sand while so many of our constituents are waiting to provide leadership -- waiting for us to provide leadership on this very, very important issue.

Mr. Chairman, I urge all of my colleagues on my committee to pull your heads and -- your collective heads up out of the sand and let's do something about climate change, at least have some hearings on it. With that, I yield back the balance of my time.

The Chairman. The gentleman's time has expired. Members wishing to speak, chair would recognize gentleman in Kentucky.

Mr. Whitfield. Thank you, Mr. Chairman. And I certainly want to thank you for, all of you, for having the opportunity to be here today to look at the Oversight Plan for the Committee on Energy and Commerce for the 113th Congress. And we certainly all appreciate the gentleman from Illinois offering this amendment.

And I would -- I would just point out that in -- last night, I had the opportunity to read the Oversight Plan, it is a seven-page document, it is pretty comprehensive. It has a section on climate change in the Oversight Plan. And it is already included in the plan. And I would just also note that certainly all of us are concerned about climate change. And in the 112th Congress, we had over 30 witnesses in our hearings that talked explicitly about climate change. And yesterday, we had the very first hearing on the Energy and Power Subcommittee. And there was a witness there from the World Resources

Institute that talked about climate change, Ms. Jennifer Morgan. And I feel quite confident that at every hearing that we have this year, we are going to have witnesses on climate change.

So I think that while there is every good intention with this amendment, it is already included in our comprehensive Oversight Plan. In reality, we hear witnesses on climate change every time that we have a hearing. And so as much as I have admiration and respect for my friend from Illinois, I would just respectfully ask that we defeat this amendment simply because it is already included.

Mr. Rush. Will the gentleman yield?

The Chairman. Will the gentleman yield for --

Mr. Whitfield. Be happy to yield.

The Chairman. Gentleman will yield.

I indicated yesterday, and not everybody was here as we gave our opening statements, that in the 113th Congress, we will invite Administration witnesses to discuss their second-term climate agenda and planned regulatory actions and to discuss the effects on energy policy and consumers.

And we do anticipate calling a hearing with EPA to examine the administration's second-term climate actions after the State of the Union, which, of course, is Tuesday, next week.

So that is -- that is on the record. And as the gentleman from Kentucky indicated in the last Congress, we had more than 30 witnesses that addressed climate change during at least a dozen different hearings and would note that even yesterday's hearing that you chaired,

there was a witness that talked a little bit about climate change.

So with that I --

Mr. Rush. Mr. Chairman, would the gentleman yield?

The Chairman. Gentleman?

Mr. Whitfield. I would be happy --

Mr. Rush. Mr. Chairman, I want to ask you a question. Do you plan to include a National Academy of Sciences at any time in any hearings that is associated with climate change or administrative policies or climate change in general? The National Academy of Sciences, as you know, was established by law in 1863. And for the past 150 years, the mission of the National Academy of Sciences has been to provide "independent to the nation on matters relating to science and technology."

Do you intend to bring the National Academy of Sciences before this committee to discuss climate change?

Mr. Whitfield. You know, Mr. Rush, in all of our hearings, you all have had the opportunity to suggest witnesses and there has always been the witnesses that you have requested. And I am sure that if you all ask for the representative of there, we will certainly -- certainly be happy to invite them and really appreciate your raising that issue.

And with that, I would yield back the balance --

Mr. Rush. Will the gentleman further yield to me?

Mr. Whitfield. Sure. Be happy to yield.

Mr. Rush. In the matter before the committee, I want to quote in the -- the Oversight Plan for this committee, under climate change,

the first sentence I believe really clearly demonstrates the framework by which this committee will move forward. And I think that it is really kind of nebulous in terms of how it will deal with climate change. The first sentence says, "The committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global and climate change."

So as I read this, we are going to monitor international negotiations rather than really deal with the question of climate change.

And I don't see anything in this document that is before us that would lead me to feel as though we are going to deal straightforward with this issue of climate change.

Yield back.

The Chairman. Gentleman's time has expired. Chair would recognize Mr. Waxman for 5 minutes.

Mr. Waxman. Thank you, Mr. Chairman. My colleagues, a lot has happened in the scientific area. Scientists have come up with new reports and new information. And to say that we explored it sufficiently is absolutely incorrect. We have had over 30 climate witnesses during the last Congress, we have been told. But these were CEOs from coal burning utilities and coal mining companies. These were policy people. Even yesterday, we had a policy person as the -- one out of -- I think there were four witnesses, one out of four that were talking about the advances in energy production. But we are -- we have not heard from the scientists, the people who are doing the research,

who -- who can educate us as to what the problems are. Now, we could have differences of opinion once we hear about that as to how to deal with it, what steps should be taken. But we should educate ourselves so we can have informed discussions about the science about this preeminent energy challenge of our times.

And that is what is missing from this Oversight Plan, and that was what was missing in the last 2 years when we requested hearings from people who were doing the research.

The committee found time to hold hearings criticizing important agency efforts to address climate change. But we didn't have hearings on new scientific findings or other important developments related to climate change.

We requested, for example, people from the National Academy of Sciences, the International Energy Agency, the World Bank, the Intergovernmental Panel on Climate Change, the National Oceanic and Atmospheric Administration, PricewaterhouseCoopers, and even the Vatican, all of whom have produced new significant reports or data.

Our committee has ignored requests to hear from researchers warning of the harm to agricultural, national security, marine ecosystems, energy-generations assets, and communities affected by extreme weather and wildfires.

The majority even ignored a request to hear from a prominent researcher and climate skeptic who, when he did his research further, became convinced of the reality of human-caused climate change after he did an exhaustive analysis of temperature records.

Now, we ought to hear from these people. You are going to bring in the administration witnesses, you are going to bring in the EPA people. These are policy people reacting to the problem. We ought to get the basis for the concerns that so many people have about climate change.

We have a -- a lot of Republicans have said they doubt the science of human-caused climate change. Because they doubt the science, they use that as a justification for not acting. So it is a catch-22. We prevent action on climate change because members of the leadership of this committee argue that -- they question the science. And yet at the same time, the committee leaders ignore repeated requests to hold hearings with the experts who could answer questions about the science. That is like willful ignorance. This is a dismal record of inaction. Climate change is happening. Its impacts are being felt. I don't think Republicans would agree with that statement.

These impacts are going to get much, much worse if we fail to act, at least that is our belief. I think that is the belief of most of the people that have looked at this problem.

Mr. Rush is absolutely right, we have a responsibility to hold hearings on these climate impacts.

Last April, we requested a hearing on the unprecedented March 2012 heat wave. Why wouldn't we want to better understand what scientists are saying about heat waves we can expect in the future about -- with the climate change.

Last July, we asked for a hearing on the link between climate

change and wildfires and drought that were occurring across the Nation. Why not agree today to hold those hearings?

Last September, we requested a hearing on the impact of climate change on the Nation's electricity generation. Nuclear power plants were shutting down because the cooling water they depend on was either too hot or too scarce as a result of the extreme heat and drought. Doesn't it make sense to hold hearings on the electric reliability impacts of climate change? I encourage all members to support the Rush Amendment. Let's at least hear from people who could inform us on the science and what is happening with climate change.

The Chairman. Gentleman's time has expired.

Other members wishing to speak? Gentleman from Texas, Mr. Barton.

Mr. Barton. Thank you, Mr. Chairman. I wish that Mr. Waxman and I each had \$10 for every climate change hearing we have attended personally. It would be a sizeable nest egg for our grandchildren's educational fund.

In the last Congress alone, Mr. Chairman, on February the 9th, March the 1st, March the 8th, March the 24th, April the 4th -- that is all in 2011 -- April the 13th, March the 20th, June the 19th, 2012, June 29, 2012, July 10, 2012, September the 11, 2012, September 13th, 2012, and September the 20th, we had hearings in this committee at the subcommittee level in which climate change with expert witnesses were part of the debate.

Mr. Waxman. Will the gentleman yield? Were any of them

scientists or were they people talking about the policy?

Mr. Barton. Well, I would think Dr. Richard Somerville, Dr. Francis Zwiers, Dr. Christopher Field, Dr. Knute Nadelhoffer, Dr. Donald Roberts, and Dr. John Christy, Dr. Roger Pielke, these sound like scientists to me. I think the Honorable Gina McCarthy, the Assistant Administrator at the time, who is now going to be the Administrator, while she is not a scientist she is certainly an expert.

So I think it's --

Mr. Waxman. Gentleman yield?

Mr. Barton. I think it is a false -- a false argument that this committee hasn't -- hasn't looked at the climate change issue. And I see no reason to support the Rush Amendment. Although I have the greatest personal respect for Mr. Rush and Mr. Waxman. With that, I yield back.

Mr. Rush. Would the gentleman yield?

Mr. Barton. I would yield to the gentleman from Illinois.

Mr. Rush. I want to thank the gentleman for yielding. It is a pretty low standard for this committee, when it determines that during the course of a hearing, some incidental remarks about something that is so significant to the American people that that becomes equated with a discussion, a well-rounded discussion on this committee for a subject like climate change.

I mean, we can have all kinds of people and they might come -- a parade of people might come and mention climate change as incidental to their main testimony. But please, let us not equate, not for

millisecond, let us, no one on this committee, equate incidental remarks from Dr. Whoever as being a substantive hearing on climate change in this committee.

Mr. Barton. We didn't hear from Dr. Whoever, Mr. Rush.

Mr. Rush. I think that that is really absurd. We have never had a hearing on climate change in this subcommittee in the last 2 years. The record will reflect that.

I yield back.

Mr. Waxman. Gentleman from Texas yield to me?

Mr. Barton. Sure.

Mr. Waxman. I just want to take issue with my colleague, Mr. Rush. We did have a hearing, and the gentleman from Texas is right.

Mr. Barton. Would you repeat that? You said the gentleman from Texas was right.

Mr. Waxman. We had one hearing, we had a hearing in 2011 when the minority threatened a Rule 11 petition that would have required a hearing. And we withdrew the petition on the agreement that we would hold a hearing. And we had a hearing from scientists early on, March or April of 2011.

But a lot of research and a lot of new findings have come about since then. What would harm you to hear about it? What would be the harm to learn what additional information scientists have to tell us? When you cite all these people that have testified over the years, most of them are not scientists, they are policy people. And mentioning the word "climate change" is like the Groucho Marx, duck comes down

the magic word was mentioned. But we did not hear, except that one time, from scientists. I think it is time, 3 years later, almost 3 years later, to hear about all the -- more that has been learned and not deny it without even hearing the information. I will yield.

Mr. Barton. I am going to reclaim my time. I have a suggestion. Today is National Signing Day for NCAA Division 1-A college football teams. If the gentleman from Los Angeles will get the best quarterback in Southern California to commit to the Michigan Wolverines today, I have a feeling the chairman will grant you whatever hearing you want on whatever subject.

Absent that, we will probably go through regular order. But I know the chairman is open-minded and would love to work with the gentleman from California. With that I --

The Chairman. Gentleman would yield. We have got a great quarterback already. And we have got a great running back signed up.

Mr. Waxman. I think he is from California.

The Chairman. Gentleman's time has expired. Chair would recognize the gentlelady from California, Ms. Eshoo, for 5 minutes.

Ms. Eshoo. Thank you, Mr. Chairman.

I sincerely hope that this goes beyond a kind of a tennis game of views that are all too predictable on each side.

I would like everyone to think about, harken back to just a handful of weeks ago and how the Congress, the House of Representatives, was really tied up in knots on how to address appropriating \$60 billion for three States in the horrendous damage that the Super Hurricane Sandy

rendered to those States. It was a very, very tough vote for a lot of Members, for a lot of different reasons. You know, fiscal responsibility, pay-fors, the delegations from the affected States on a bipartisan basis were looking for help from other Members.

That is just the tip of the iceberg. That is just the tip of the iceberg. And if we are going to be smart about how do we anticipate what the needs of the country are going to be, and building sensible budgets with this overhang of debts and deficits, you know what? We have got to hear from people that know something about this. And that is going to figure into our planning.

Now, there are some that are going to reject the science we already have. That is an individual's prerogative. But you know what? That doesn't prepare us for what is going to continue to happen. Who amongst us can really give a Congressional explanation for why there is more of what is taking place?

Maybe you just reject all the science. But you know what? Acknowledge that something bad is going on and that you have got to budget for it. We all have to budget for this. Because it -- in my view, this is going to keep affecting States, and it is -- and their populations, regardless of what party, regardless of whether somebody accepts evidence or rejects it, whether someone is willing to listen or not willing to listen.

So I would come at it from the budget side of it. I would come at it at the budget side. And it wasn't easy. It was not easy. We all know that. For the House of Representatives, through all the

different gyrations for whatever reasons, but it was tough. I mean, I watched Members screaming at Members on the floor trying to get votes. Or to get Members to vote against the appropriations for the latest catastrophe that affected three States in our union.

So we are kidding ourselves. We really are. Because if -- my grandmother had a great saying: You want -- anyone that sticks their head in the sand should remember what is left sticking up in the air. We have got to deal with this in some way, shape, or form.

So think about the money. Think about the money. And what we are going to be faced with with future appropriations that we cannot deny people in any State when something comes through and levels their lives, their home, their livelihoods, their communities, their jobs, their businesses, for whatever reason, something is going on. It didn't happen when I was growing up, didn't happen when I was a young woman. It is going on now.

So I think we have got to think about the budget side of this as well. Because that is where it becomes very, very real. And, like it or not, members are faced with those votes. So wherever you were on that vote, it is only -- I think in many ways it is the tip of the iceberg. So, Mr. Chairman, thank you for yielding to me.

And I know I am coming at it in a different way, but I think it is a very pragmatic way. And I think we have to hear from people that know something about this if you are going to -- we all have the luxury of disregarding what witnesses tell us. But I think as one of the most distinguished and the oldest committee in the Congress, that we should

stick with our history -- and you certainly are part of that, Mr. Chairman -- that we bring people in that -- that right off the bat we don't agree with. And you don't want to hear them, don't come to the hearing. But it should be a part of the official record. And ask them what they project for the future. And that may give us some indication of what we have to prepare for in our Nation's budget. Thank you.

The Chairman. Gentlelady's time expired. Recognize the gentlelady from Colorado, Ms. DeGette.

Ms. DeGette. Thank you very much, Mr. Chairman.

I don't -- I don't think the issue really is how many hearings we have had or how many hearings we didn't have or what scientists we had or what scientists we didn't have. We could quibble about that all day. The real question and the reason I support Mr. Rush's amendment is that with all of the extreme weather events we have been having, we really should have more scientifically-based hearings.

Last summer, Ranking Members Waxman and Rush wrote to Chairmen Upton and Whitfield requesting a hearing about the relationship between climate change and the wildfires and the other extreme weather events that were destroying communities across the country.

Now, I, for one, would be willing to listen to scientists who might testify, no, those extreme weather events are not related to climate change. But I also think my colleagues on the other side of the aisle should be willing to listen to scientists who testify otherwise.

At the time that -- that Ranking Members Waxman and Rush wrote

that letter, Mr. Gardner and I were seeing Colorado having one of the most destructive wildfire seasons in the history of Colorado.

Overall, the 2012 Colorado fire season was one of the worst in the State's history with more than 250,000 acres burned, more than 600 homes destroyed, \$500 million in property damages, and most tragically, the deaths of six people. Other States saw these same record fires, New Mexico had a fire, Oregon had a fire, and on and on.

One of the most horrifying moments of last summer in my mind was when I was looking at pictures of Colorado Springs and the wildfires were actually coming into the City of Colorado Springs.

The number of wildfires in the west has more than quadrupled over the last few decades with longer-lasting fires and fire seasons. And in total, more than 9 million acres burned in wildfires across the United States in 2012. Texas had more than 10,000 fires, the most in the Nation. Idaho, 1.5 million acres destroyed, and on and on.

Here is what the chief of the U.S. Forest Service said, quote, "Our scientists believe this is due to a change in the climate."

Experts have observed higher spring and summer temperatures and earlier snow melts. These conditions produce dryer soil and vegetation, and in some cases, harsh drought. When higher temperatures, less moisture, and earlier snow melts combine, forests are more flammable, and insect epidemics like the bark beetles that have ravaged, ravaged the forests of the West are more likely. So as the climate continues to warm, scientists expect that we will suffer larger, more intense, and more frequent wildfires in the coming years.

And I would like to echo something Ms. Eshoo hinted at, which is, that it is devastating for the economies of these States. I have Ski Country USA in my office every year telling me how concerned they are about the warming of our climate in places like Colorado and what this will do to the recreation industries in our States. So this isn't just about some polar bears up in the Arctic, this isn't about some nebulous view, this is about something that could take away people's homes, that could take away our economies.

And I think our committee has a responsibility to hear from experts. We can hear from all of the experts that anybody wants to bring in so long as their testimony is scientifically-based. And that is what I think we should do, Mr. Chairman, as we go along. I don't really see why this should be a partisan issue. And furthermore, I don't see why we should -- we should balk at something that is truly going to be the long-term responsibility of this Congress as policymakers to make sure that we do what we can do to stop the warming of this globe and to stop the economies of many of our States in our country from suffering because of the environmental impacts that we may not even be able to predict at this point.

And with that, Mr. Chairman, I yield back.

The Chairman. Gentlelady yields back. Chair will recognize the gentlelady from Illinois, Ms. Schakowsky.

Ms. Schakowsky. Thank you so much, Mr. Chairman.

I am so proud to be on this committee. And I hope everybody on this committee agrees with that. And we have such a unique

opportunity, this committee does, among the 6 billion people on this planet, to actually take some leadership in addressing what is a planetary problem for us right now. And it just seems like a waste for us not to take that opportunity. It is a special gift that each of us has on this committee. And it seems to me that the Rush Amendment doesn't point any fingers or talk about what was done or what wasn't done. It just says let's take advantage now of this unique special position that we have on this committee to explore what is clearly an issue for all of us, and all of our children and grandchildren to hear about the science, about the things that we might be able to do to avoid catastrophe. Isn't this something that we can work together on?

This is such a modest amendment, saying let's bring in the key scientists. Why not? Why should we fight over this? It is just perplexing to me. You know, in Chicago, we had 335 days without snow, which is a record. And I was saying yesterday at the hearing, you know, we all get cards around the holidays of these wonderful snow scenes. And it caught my heart for a minute thinking I am going to explain to my grandchildren that this was Chicago, these were the kind of scenes that we would see in the Midwest every winter. That is how it was.

A 28-year old person in this country has never experienced 1 month where the average temperature was below the 20th century average. This is happening. So whether or not we make a decision in this committee to do something or not will come up in a vote. But let us at least do what this Rush amendment says and have the presentations that might inform our decisions here. And grab the ring, take the opportunity,

embrace the gift that we have been given as people on this planet that can actually do something.

I feel so passionate about this because it scares me, the kinds of weather conditions that we have been seeing that are so unusual and the new colors that have been added to the heat index around the world, the trees that will die if we have consistent days that start spiking to 120 degrees, the crops that are failing in Illinois, the refugees that are being created because of climate change, the cities that are going to disappear as the seas rise.

This is our moment, our moment, all of us, Republicans and Democrats. So this is really a plea to accept this modest amendment and try and do something, or at least hear about something that we can do about it.

I yield back.

The Chairman. Chair will recognize the patient gentleman from North Carolina, Mr. Butterfield.

Mr. Butterfield. Thank you very much, Mr. Chairman. Mr. Chairman, I want to go on record this morning in support of Mr. Rush's amendment. And when the gentlelady from Illinois was speaking a moment ago, I actually pulled out the amendment and read it for a second time. She is absolutely right. There is nothing partisan about this amendment, it is not accusatory, it is not provocative. It is just a simple statement that is very objective. The amendment as I read it, says, The committee will hold hearings to examine the role of climate change in causing drought, heat waves,

wildfires, reduced crop yields, and impaired electricity generation from hydroelectric, coal-fired and nuclear plants. What is wrong with that? That is not a partisan request. That is a request from a significant part of this committee.

And so I support Mr. Rush's amendment. I think it is important that we hold a hearing on the impact of climate change on agriculture, which is very important in my State, and the State of Ms. Ellmers, who is also from North Carolina. This is very important in farm country. So let's stop running from this issue. Science indicates that agricultural areas already are experiencing the adverse effects of climate change, including droughts and are expected to face more acute challenges as temperatures rise.

Scientists are increasingly concerned about the negative consequences of rising daytime and nighttime temperatures. Heat affects evaporation and the life cycle of crops. In fact, some studies show that high temperatures are an even bigger factor than rainfall in shrinking the output of many crops and vegetables. About 18 months ago, scientists at Stanford and Columbia published a study in a journal called *Science* showing that global wheat yields, that is wheat yields, have dropped by more than 5 percent compared with what would have been expected without rising temperatures. According to the study, Mr. Chairman, the losses attributable to climate change probably account for price increases of about 6 percent in four major commodities: Rice, corn, soybeans, and wheat. This means that climate change already may be costing consumers, food companies, and

livestock producers more than \$60 billion a year.

I want to emphasize that these are not projections, these are observed impacts that have already occurred. Mr. Waxman and Mr. Rush requested a hearing on this issue a couple years ago, but received no response from the majority. The Draft National Climate Assessment also highlights the potential impact of climate change on crops as temperatures continue to rise. In the Midwest, for example, the assessment suggests that crop yields may actually increase in the short term. Over the long term, however, any positive benefits in crop yield will be outweighed by the growing number of extreme weather events such as heat waves and droughts and floods.

In the Southwest, including the great State of California, where many of you hail from, the Draft National Climate Assessment projects that a decline in snow pack and more frequent droughts could affect the production of more than half of the Nation's specialty crops which really rely heavily on irrigation.

So, Mr. Chairman, the impact of climate change on the nation's food supply -- we must also always be concerned about the food supply -- the impact on the food supply is too important to ignore. Therefore, I support the Rush amendment and ask that we hold hearings on this important subject.

Thank you. I yield back.

The Chairman. Chair would recognize the gentlelady from the Virgin Islands, Mrs. Christensen.

Dr. Christensen. Thank you. Thank you, Mr. Chairman. And I

want to speak in support of Mr. Rush's amendment, and really agree that we need to hear from the scientists. In March of 2012, the Intergovernmental Panel on Climate Change, the IPCC, released a special report on climate change and extreme weather events. The IPCC reviewed the latest science linking climate change and extreme weather. Its report concludes that manmade climate change has led to increases in climate extremes, such as heat waves, record high temperatures, and in many regions, heavy precipitation in the past half a century. And the extremes would only get more extreme if we don't cut our carbon pollution. The IPCC report finds that it is, and I am quoting here, "very likely that the length, frequency, and/or intensity of warm spells or heat waves will increase over most land areas," because of climate change.

2012 was a foreshadowing of what we may experience with continued climate change. The National Oceanic and Atmospheric Administration concluded that 2012 was the warmest year on record, and second only to 1998 on the agency's extreme weather index of billion-dollar weather disasters. Scientists are increasingly sounding alarms that these extreme events, including heat waves, droughts, and wildfires, are the climate change consequences that they have been anticipating.

Jonathan Overpeck of the University of Arizona has stated, "The extra heat increases the odds of worse heat waves, droughts, storms, and wildfires. This is certainly what I and many other climate scientists have been warning about," Mr. Overpeck says.

Chris Field of the Carnegie Institution and Stanford University

has said, "It is really dramatic how many of the patterns that we have talked about as the expression of the extreme are hitting the U.S. right now."

Michael Oppenheimer of Princeton University has stated, and I quote, "What we are seeing is" -- "what we are seeing really is a window into what global warming really looks like. It looks like heat, it looks like fires, it looks like this kind of environmental disasters."

This really should be a no-brainer. The Committee needs to hold hearings on the role of climate change in exacerbating extreme weather events which threaten public health and a quality of life for all American, and we need to bring the scientists in for those hearings. And I urge my colleagues to support Mr. Rush's amendment. Yield back.

The Chairman. Gentlelady from Maryland -- from Florida, Ms. Castor.

Ms. Castor. Thank you, Mr. Chairman. Yes, the State of Florida has a lot at stake in this. And I really urge my colleagues to come together to examine what is happening with the changing climate.

The plan that has been presented simply is not commensurate with the threat that faces our economy, our neighbors, and the environment.

It is -- yes, we have a Climate Change section in the plan, but it says we going to monitor international negotiations. And we going to examine what the Obama administration is going to do. And we really have a responsibility to do more, to understand what is happening, and the potential impact on the economy and the environment.

And I think Mr. Rush's proposed amendment, it is a very modest

amendment, colleagues. And I urge you to take a look. It simply says we going to have hearings with scientists. It doesn't direct action one way or the other. I have my views on the committee should take greater action, but that is not in the amendment. But there is a great deal at stake, especially for the State of Florida, that has most private property investment along the coastline. Most population, the population lives along the coastline. Federal, State, and local government, infrastructure investments are largely along the coastline. And what we are seeing now and what we are seeing over the past decade intensified is a sea level rise. And that is impacting our ability to -- to provide services to -- to Floridians.

For example, in Southeast Florida along the southeast coast, people get their drinking water from the Biscayne Aquifer. It is tied into the Everglades, the freshwater in the Everglades recharges the aquifer, and that is where most of the drinking water comes from. We are seeing greater saltwater intrusion into the aquifer. That is going to be very costly to try to prevent and try to produce new freshwater drinking sources for agriculture and for businesses and for residents.

What can we do to mitigate the impacts? The impact on our tourism industry will be very substantial as sea levels rise. We have seen a greater need for shoreline stabilization. There is -- with the intensifying storms, we see greater shoreline erosion. A lot of that has been a Federal responsibility. We are -- you can plan to hear from us for more requests to support our economy and our small businesses along the coast as the shoreline begins to recede. Let's try

to -- let's get out ahead of it and try to prevent that so we are not on the hook for greater costs down the road.

What I have seen in my lifetime is we used to have a rainy season during the summer, these very intense summer thunderstorms would come and they would replenish the wetlands and the drinking water supplies. Those have tapered off. We don't have as much of a rainy season as we used to. And I have to tell you, we have had a lovely run of 80-degree days in Tampa over the past -- here in early January. But I can't help but worry as I see my azaleas bloom in early January, where they used to bloom in March and April.

Something's happening here. And this committee has a responsibility to understand the economic threat to our country, the environmental threats. I think the Rush amendment is a very modest step to see we are -- we understand the threat to our small businesses and our neighbors and our environment.

So I would urge bipartisan action here. Let's just take this modest step and say we are going to hear from scientists, we are going to hear from experts. We don't know all that is happening out there. It is our responsibility to do so. Here in America, we have the talent and technology to tackle these issues. And by voting down this amendment, I think you are saying, no, we -- we are not going to call upon the best and the brightest in the United States of America. And that would be a shame. So I urge adoption of this amendment. And I urge the committee to do more under our responsibilities. Thank you and I yield back.

The Chairman. Chair recognize the gentlewoman from California.

Mrs. Capps. Thank you, Mr. Chairman. And I want to repeat the refrain that is been echoed from this side this morning at this hearing, and I will try not to repeat the reasons that are given, although I agree with all of them, and I strongly support this very important amendment and the one which follows it.

I will only say what -- what I hear from -- from my experts on my district, who are the farmers of the land and also the farmers of the sea, the fisherman. But the first draft of the 2013 National Climate Assessment underscores also and lays out in no uncertain terms the current and future realities of climate change and its widespread impacts on everything from our coastlines to our drinking water systems to our family farms.

I do represent a coastal State and a coastal district and also one whose primary industry is agriculture. So I have heard firsthand, I have seen firsthand the effects of rising sea levels, of greater erosion, of changing climate patterns that directly impacts the crops, the harvesting, all of the patterns of the farmers who tell me, in no uncertain terms, that they are having to adapt. They are having to adapt to major changes in the way they operate their farming. And the fishermen who tell me what it is like to fish now.

They are practical scientists. They come from generations of folks who have carefully studied the water, waters in which they fish. And the fact that the seas are rising and that acidification, the changing of the acid balance in the waters, is really affecting their

fishing industries and really impacts our economies in those ways. These challenges are not only damaging property and infrastructure, but they can devastate local businesses and the economy as we struggle to adapt to these changes.

Simply put, climate change is happening. And the word that I want to underscore is "adaptation." We need to have the knowledge base and the resources so that businesses, farmers, fishermen, all of us can adapt to the changes. Rather than ignoring the issue, this committee should take action should listen and hear from experts first. But also be prepared to be leaders as we respond to these impacts. We need to investigate the effects of these changes on our diverse communities. We should explore ways that we can help these communities to do the right thing and prepare for the future.

Without an oversight plan that directs this committee to even consider the current science to climate change and the short window of opportunity we have to act, even our most advanced communities are left without support. And that is why I support this amendment and the one which follows it, because only then can we focus on a national strategy to combat the causes and mitigate these effects of climate change.

The good news is, many of our local communities across the country are already planning for these future impacts. I will just cite the city on my coastline of Pismo Beach, which is already, to its own great personal expense, installing seawalls to protect to two sewage lift stations threatened by erosion. And the city of Santa Barbara, which

is increasing the flood capacity of Mission Creek, which flows straight through the downtown and has already flooded multiple times causing great damage to businesses and to homes along its borders. But these projects come at a great cost. And communities across the country are struggling to find the necessary funding. There is no question that we have to carefully examine every dollar spent in these tough fiscal times, but to my colleagues who argue that we cannot afford any new spending, I would simply say we really can't afford not to.

Investing in climate change mitigation efforts now will reduce the costs of recovery for the future Sandys and other hurricanes and extreme weather events. Rather than repeatedly spending tens of billions of dollars to clean up the devastation, we should be spending a fraction of that amount to prevent or at least to minimize the devastation to begin with.

So, Mr. Chairman, climate change is an urgent problem that will impact, and has already, every community, business and family across this country.

We have the power in this committee to help reduce these costs and these impacts. Not taking action sends a very strong message. Since November 2012 alone, more than 15 major articles and reports have been released relating to the scientific evidence of climate change and to the potentially disastrous impacts of inaction. Yet this Oversight Plan before us does not propose to examine any of this new information. I find this really inexcusable.

Addressing the impacts of climate change will not only create jobs

that impact effort and help to grow our economy in the short term, but it also will make our communities safer and our economy stronger in the long run. These challenges are real, but not insurmountable. But soon, however, they will be. So we can't afford to ignore them any longer. I urge adoption of the Rush amendment. I yield back.

RPTS MCCONNELL

DCMN BURRELL

[10:30 a.m.]

The Chairman. The gentlelady's time is expired, but before I yield to the gentlemen from New York and New Mexico, I just know we have been on this amendment for nearly an hour and because of the Democratic retreat we made an agreement that we are going to, when votes conclude on the House floor, you all are going to be going, I don't know where -- Virginia. But I would like to think that we can finish this this morning, but otherwise we are going to need to come back next week on Tuesday afternoon.

So I would yield to the gentleman from New York, Mr. Tonko.

Mr. Tonko. Thank you, Mr. Chairman, and with that request made, I will try to keep my remarks brief and speak in support of the modest amendment before us.

As my colleagues have pointed out, we have the shared responsibility to examine the implications of climate change on our Nation and on the world. The States are moving ahead with this task, and the Federal Government should be a ready partner in that effort.

This is a tough problem, but it does not get easier by ignoring it. We incur more costs, monetary and human, by ignoring this challenge than if we face it and plan a transition. If we do that, then we will avoid what will be forced upon us at a later date. The tremendous human suffering, loss of business and damage to basic

infrastructure, to transportation, energy, and water infrastructure experienced as a result of Hurricanes Sandy, Irene, and Lee in my State of New York, and my congressional district, and certainly on the Northeast coast, and those impacts of Katrina and Rita on the Gulf Coast, are the warnings that we must heed.

Just the fact that we have had several storms that have been dubbed 100-year or 500-year storms in the last several years defies the nomenclature. It tells us something simply by the labeling of these 100-year and 500-year storms. And as our colleague Representative Eshoo pointed out, it becomes a debate over the financial struggles to respond to these given impacts of these storm. What I would suggest is that we are going to further complicate that struggle by just what mitigation is allowed, how we respond with this aid so as to build and build wisely.

The people of this Nation have asked for effective government, and when you have data, compelling data telling you that the span or the height of bridge infrastructure, for that matter, should be addressed and further amended, retrofitted to what is now perhaps a broader span and a higher height that is required, it is going to cost more and it is going to require science in our grasp to be able to respond in effective measure to these given storms.

So we must act now to reduce greenhouse gas emissions to levels that would take us off the trajectory to catastrophic warning.

The climate systems have tremendous momentum and carbon dioxide oxide has a long residence time in the atmosphere. We must prepare

for the changes that are already underway. We must do it with comprehensive strategy, with a well thought out plan that embraces science and the data that are very compelling.

I urge support for this very modest amendment offered to the committee's oversight plan. I thank you, Mr. Chairman, for the opportunity and I yield back.

Mr. Waxman. Will the gentleman yield to me the balance of his time? The gentleman from New York, since you have time?

Mr. Tonko. Yes.

Mr. Waxman. I thank you for yielding to me. I just want to say the Republican Party has finally become the party of choice. They choose to be ignorant. The silence on the Republican side on this debate speaks loudly and clearly than their words. But I do want to talk about their words. Even as they have ignored a request to move on this issue to do something constructive, that hasn't kept them from making statements.

Our chairman, Mr. Upton, said he accepts that 2010 was one of the warmest years in the last decade, and said, I quote, "I do not say that is man-made." The chairman emeritus Joe Barton stated, quote, "The science is not settled, and the science is actually going the other way." Representative Ed Whitfield called on Al Gore to come clean about the real science surrounding climate change, and let the American people come to their own conclusions on global warm. Representative John Shimkus said: "The Earth will end only when God declares it is time to be over. Man will not destroy this Earth. This Earth will

not be destroyed by a flood," end quote. And others have said, the science is uncertain. They don't believe the science is clear. And then we have Representative Bill Cassidy said, the cause of climate change could be just a shift on the axis.

Well, look, why not hear from scientists? We have heard the Republicans deny what the scientists have told us and use that as a basis for inaction, and now they don't even want to hear from the scientists. I just find that shocking.

Ms. Schakowsky said she is proud to be on this committee. I used to be proud to be on this committee. I think this is an embarrassment for this committee that we have the leadership choosing to be ignorant on an issue as important as climate change.

Thank you for yielding me your time.

The Chairman. The chair would recognize the gentleman from New Jersey, Mr. Pallone.

Mr. Barton. Mr. Chairman, would the chair recognize somebody on the majority side? We have not said anything in an hour.

The Chairman. Well, yeah. The chair would recognize the vice chair of the committee, Mrs. Blackburn, for 5 minutes.

Mrs. Blackburn. Thank you, Mr. Chairman. And I want to -- of course I disagree with what the ranking member has said, and I want to yield some time to Mr. Barton.

Mr. Barton. I just want the record to show that we are not responding on the majority side because we think this is a pro forma hearing to ratify a pretty routine oversight plan. If we were on the

House floor and the gentleman from California had said what he said about we have chosen to be ignorant, I would have asked that his words be taken down.

When the appropriate time comes if we want to have policy debate on the merit and the science of climate change and the causes and consequences, I, for one, and I think a number, if not everyone on the majority side, is more than willing to engage in that. Because of what we are trying to do today, and the retreat that is about to happen, we have chosen not to engage. But to say that we are ignorant or choose to be ignorant is a bald-faced lie.

And with that I yield back.

Mrs. Blackburn. I thank the gentleman for yielding back and I would also remind the gentleman from California that we had a select committee on global warming and spent over 2 years looking at that specific issue. And I yield the balance of my time to the chairman.

The Chairman. Yield back. The chair would recognize the gentleman from New Jersey, and then New Mexico. Mr. Pallone.

Mr. Pallone. Thank you, Mr. Chairman. I don't want to get into the niceties of whether we had another committee deal with this or how ignorant we are. I mean, I think that the committee, this committee, Energy and Commerce Committee, has effectively ignored the issue of climate change. It may have been brought up by, you know, some testimony here and there and it may have been the subject of another special committee, but I think there is an obligation of this committee to make it a priority. And that is why I support Mr. Rush's amendment.

I don't know that we are going to have time today because we may have votes on the floor, but I do intend to follow it up with another amendment that specifically deals with the threats posed to climate by climate change to coastal areas of the United States, including sea level rise, ocean acidification and other things.

Just over 3 months ago, Superstorm Sandy slammed into New Jersey, causing unprecedented devastation in my congressional district. Homes and businesses were destroyed and towns like Union Beach, along the Raritan Bay, and Sea Bright on the Atlantic coast, and I fear that if we do not start taking this issue of climate change seriously, and that is what I think has not been done here. It hasn't been taken seriously.

If we don't do that, then devastating storms like Sandy will become the new normal. And I am not going to get into all this today unless we have time for my amendment to come up, but I can't bear to think about the possibility of another storm like Sandy hitting the Jersey shore. Unfortunately, I think that is the reality that we have to prepare for. And I think the Energy and Commerce Committee has a responsibility not to say that another committee did this or another committee is going to take it up. It is the responsibility of this committee to hold hearings on this critical issue.

And if anybody on the other side suggests that somehow we have spent enough time on it, or we have prioritized it, that is what is not true. We have not spent enough time. We have not prioritized it and we need to. And I think that is the point of Mr. Rush's amendment

and mine that will follow. This has to be a priority, and it hasn't been for this committee; the committee that has jurisdiction over this issue.

Mr. Waxman, would you like any of my time? I yield back, Mr. Chairman.

The Chairman. The chair will recognize the gentleman from New Mexico, Mr. Lujan.

Mr. Lujan. Mr. Chairman, thank you very much, and as I begin, I am surprised, Mr. Chairman, that this amendment may go down today. Because again, if we could just take time to go back and read Mr. Rush's amendment, it is not confrontational. It is asking to us look into some issues that have caused severe impacts across many parts of the country.

I come from a rural part of America out in New Mexico, where, like Ms. DeGette described, with the impacts of drought and heat waves, the wildfires that have devastated our communities, crop yields. My farmers and dairymen can't even afford to feed anymore, to feed their dairies because of what we see with the impact to these crops. How can we describe in words to them when we don't even understand the basic element of what is happening with the weather shifts and droughts and lack of water to be able to get these crops growing in such yields that we can have an economic viability in many parts of rural America.

Now, I know many of my colleagues from the other side of the aisle, I have had the honor of visiting with them about their love for hunting and fishing, of which New Mexico has wonderful abundance. But when

we go out there, we are hunting and we are fishing, even the flies that we are using to go into those streams and rivers are changing because of the ecological impacts of vegetarian variation associated with the temperatures that we look to study this. Now, I just wish I could go into my tackle box and pull any other colored Woolly, whatever it is, and put it on the end of my line and throw it in, but we all know that you have to understand what is hatching and what is growing in those waters.

Our outdoorsmen and our fishermen and all other parts of businesses in America is being impacted by this. Heat waves around the world in 2010, last year's Texas drought that stretched into New Mexico, and let's talk about rural America. Temperature fluctuations and its impacts on loader requirements on deliverability of electricity in peaking facilities is changing. I come from a part of the country where we used to depend on our architecture, our adobe walls to keep our homes cool in the summer and warm in the winter with just a little bit of heat and the opening of a window in the evening to keep our houses cool. Everyone is installing cooling facilities into their homes now. Go ask our utilities how that is impacting them from a peaking perspective and what happens with the loads that are carried on the line, or blackouts that occur across the country.

Mr. Chairman, I hope that we are open-minded enough in our pursuit for knowledge to hear from experts in these fields, and I would ask my colleagues to please go back and reread the Rush amendment to truly understand that it is not confrontational.

I yield back.

The Chairman. The gentleman yields back. Is there further discussion on the amendment?

Seeing none, the vote occurs on the amendment.

All those in favor of the amendment will say aye.

Those opposed say no.

In the opinion of the chair the noes have it.

Mr. Waxman. Roll call vote.

The Chairman. Roll call is asked. The clerk will call the roll.

The Clerk. Mr. Hall?

Mr. Hall. No.

The Clerk. Mr. Hall votes no.

Mr. Barton?

Mr. Barton. No.

The Clerk. Mr. Barton votes no.

Mr. Whitfield?

Mr. Whitfield. No.

The Clerk. Mr. Whitfield votes no.

Mr. Shimkus?

[No response.]

The Clerk. Mr. Pitts?

Mr. Pitts. No.

The Clerk. Mr. Pitts votes no.

Mr. Walden?

Mr. Walden. No.

The Clerk. Mr. Walden votes no.

Mr. Terry?

[No response.]

The Clerk. Mr. Rogers?

Mr. Rogers. No.

The Clerk. Mr. Rogers votes no.

Mr. Murphy?

Mr. Murphy. No.

The Clerk. Mr. Murphy votes no.

Dr. Burgess?

Dr. Burgess. No.

The Clerk. Dr. Burgess votes no.

Mrs. Blackburn?

Mrs. Blackburn. No.

The Clerk. Mrs. Blackburn votes no.

Dr. Gingrey?

Dr. Gingrey. No.

The Clerk. Dr. Gingrey votes no.

Mr. Scalise?

[No response.]

The Clerk. Mr. Latta?

Mr. Latta. No.

The Clerk. Mr. Latta votes no.

Mrs. McMorris Rodgers?

Mrs. McMorris Rodgers. No.

The Clerk. Mrs. McMorris Rodgers votes no.

Mr. Harper?

Mr. Harper. No.

The Clerk. Mr. Harper votes no.

Mr. Lance?

Mr. Lance. No.

The Clerk. Mr. Lance votes no.

Dr. Cassidy?

Dr. Cassidy. No.

The Clerk. Dr. Cassidy votes no.

Mr. Guthrie?

Mr. Guthrie. No.

The Clerk. Mr. Guthrie votes no.

Mr. Olson?

[No response.]

The Clerk. Mr. McKinley?

Mr. McKinley. No.

The Clerk. Mr. McKinley votes no.

Mr. Gardner?

Mr. Gardner. No.

The Clerk. Mr. Gardner votes no.

Mr. Pompeo?

Mr. Pompeo. No.

The Clerk. Mr. Pompeo votes no.

Mr. Kinzinger?

[No response.]

The Clerk. Mr. Griffith?

Mr. Griffith. No.

The Clerk. Mr. Griffith votes no.

Mr. Bilirakis?

Mr. Bilirakis. No.

The Clerk. Mr. Bilirakis votes no.

Mr. Johnson?

Mr. Johnson. No.

The Clerk. Mr. Johnson votes no.

Mr. Long?

Mr. Long. No.

The Clerk. Mr. Long votes no.

Mrs. Ellmers?

Mrs. Ellmers. No.

The Clerk. Mrs. Ellmers votes no.

Mr. Waxman?

Mr. Waxman. Aye.

The Clerk. Mr. Waxman votes aye.

Mr. Dingell?

Mr. Dingell. Aye.

The Clerk. Mr. Dingell votes aye.

Mr. Markey?

[No response.]

The Clerk. Mr. Pallone?

Mr. Pallone. Aye.

The Clerk. Mr. Pallone votes aye.

Mr. Rush?

Mr. Rush. Aye.

The Clerk. Mr. Rush votes aye.

Ms. Eshoo?

Ms. Eshoo. Aye.

The Clerk. Ms. Eshoo votes aye.

Mr. Engel?

[No response.]

The Clerk. Mr. Green?

Mr. Green. Aye.

The Clerk. Mr. Green votes aye.

Ms. DeGette?

Ms. DeGette. Aye.

The Clerk. Ms. DeGette votes aye.

Mrs. Capps?

Mrs. Capps. Aye.

The Clerk. Mrs. Capps votes aye.

Mr. Doyle?

Mr. Doyle. Aye.

The Clerk. Mr. Doyle votes aye.

Ms. Schakowsky?

Ms. Schakowsky. Aye.

The Clerk. Ms. Schakowsky votes aye.

Mr. Matheson?

Mr. Matheson. Aye.

The Clerk. Mr. Matheson votes aye.

Mr. Butterfield?

[No response.]

The Clerk. Mr. Barrow?

Mr. Barrow. Aye.

The Clerk. Mr. Barrow votes aye.

Ms. Matsui?

Ms. Matsui. Aye.

The Clerk. Ms. Matsui votes aye.

Dr. Christensen?

Dr. Christensen. Aye.

The Clerk. Dr. Christensen votes aye.

Ms. Castor?

Ms. Castor. Aye.

The Clerk. Ms. Castor votes aye.

Mr. Sarbanes?

Mr. Sarbanes. Aye.

The Clerk. Mr. Sarbanes votes aye.

Mr. McNerney?

[No response.]

The Clerk. Mr. Braley?

[No response.]

The Clerk. Mr. Welch?

Mr. Welch. Aye.

The Clerk. Mr. Welch votes aye.

Mr. Lujan?

Mr. Lujan. Aye.

The Clerk. Mr. Lujan votes aye.

Mr. Tonko?

Mr. Tonko. Aye.

The Clerk. Mr. Tonko votes aye.

Chairman Upton.

The Chairman. No.

The Clerk. Chairman Upton votes no.

The Chairman. Members wishing to cast a vote? Mr. Terry.

Mr. Terry. Votes no.

The Clerk. Mr. Terry votes no.

The Chairman. Mr. Olson.

Mr. Olson. No.

The Clerk. Mr. Olson votes no.

The Chairman. Other members wishing to go cast a vote? Seeing none, the clerk will report the tally.

The Clerk. Mr. Chairman, on that vote there were 19 ayes, 27 nays.

The Chairman. 19 ayes, 27 noes. The amendment is not agreed to.

Are there further amendments to the bill?

Mr. Pallone, the gentleman from New Jersey is recognized.

Mr. Pallone. Thank you, Mr. Chairman. I have an amendment at

the desk.

The Chairman. The clerk will read the title.

The Clerk. Amendment to Draft Oversight Plan Offered By Mr. Pallone of New Jersey.

The Chairman. The amendment will be considered as read and the gentleman is recognized for 5 minutes in support of his amendment.

[The amendment follows:]

***** INSERT 2-1 *****

Mr. Pallone. Thank you, Mr. Chairman. The amendment I am offering compels the committee to hold hearings to examine the threats posed by climate change to the coastal areas of the United States, including sea level rise, more frequent and intense storms, and ocean acidification. This issue was effectively ignored by the committee in the 112th Congress, and I feel it is time for the committee to get serious about setting the effect climate change is having on our country's coastal communities.

Mr. Chairman, I won't get into all the details of how Superstorm Sandy affected my district, but let's just say that many of the dunes and beach protection and flood control projects did not assume a storm of this nature, of such a serious nature. According to the Intergovernmental Panel on Climate Change, an independent group of leading climate scientists convened by the United Nations, a change in climate leads to changes in the frequency, intensity, duration, and timing of extreme weather and climate events and can result in unprecedented and extreme weather and climate events. We are already experiencing this at the Jersey shore. We have to look at the effect of sea level rise on coastal communities.

Over the past century, global sea level has risen by about 8 inches. Since 1992, the rate of global sea level rise has been roughly twice the rate observed over the last century. This increases beach erosion, storm surge damage and flooding for coastal communities like the ones that I represent. And I saw this all firsthand as I traveled every corner of my district to tour the damage caused by Superstorm

Sandy.

Mr. Chairman, members of the committee may have different views on climate change and its impact on extreme weather, but it is important for the committee to examine and address an issue that is so drastically impacting the lives of millions of Americans.

As I said before, I don't know how we would even bear another storm like Superstorm Sandy at the Jersey shore. But that is the reality. We have to prepare for it. And the Energy and Commerce Committee has a responsibility to hold hearings on this issue.

So I urge all members to join me in supporting this important amendment. I yield back.

The Chairman. The chairman yields back. Is there further discussion of the amendment?

Seeing none. The gentleman from California is recognize for 5 minutes.

Mr. Waxman. Mr. Chairman, this is an amendment that has asked us to look at the consequence of climate change and global warming on the coast, the acidification of the coast, the sea level rise, the harm that is being done to people who live in the coastal areas. I think that is perfectly reasonable, and to do that, I think we have to bring in, excuse the expression, scientists to tell us about it, what they have learned, what their research is pointing to. I know that some members over on the other side were critical when I talked about choice for ignorance.

Well, being ignorant is no disgrace, but refusing to learn may

be. Ignorance is defined as uninformed, unaware. And I must say that when we have a debate, and all the members on our side are asking for the opportunity to be informed by scientists, silence on the other side is deafening. We made requests, over 20 requests for hearings in the last Congress, and we got no response even to our letters for hearing from these experts. Instead what we had was a statement by members of the other side that they don't need to know about the science because they doubt the science is real. They doubt it is accurate. And they use that as a justification for inaction. It is a Catch-22. You prevent action on climate change by saying that the science doesn't support it. And yet, at the same time, the committee leaders ignore repeated requests to hold hearings with the experts who can answer the questions about the science.

I think that this is not a proud moment for this committee to go out of the way for the majority to vote, every single member on the majority side, against every single member on the minority side not to hold hearings, not to hear from the scientists. And yet, it is almost like saying, I don't need no science. I got no reason to know science. I have already made up my mind. The scientists haven't reached a conclusion.

We had a hearing in 2011 that was great. But a lot has happened since then, including one of the preeminent scientists who denied climate change and global warming, who has changed his mind after he did a lot of work on the subject. I think that to be kept in ignorance, not to be informed is irresponsible. And not even to debate this

question is an embarrassment, and to take the position that we are happy not to be informed while we bring in people to beat them up who are making decisions based on the science is childish. And I stick by those positions. And if it is insulting to some people, that is up to you. But I think it is appropriate to point out how this great committee has come to this point.

Someone mentioned we had a select committee to look into the science about global warming and climate change. The first thing the Republicans did when they took over the House of Representatives was to eliminate that select committee. And that select committee was only to have hearings and learn some information, but it is our committee that has the legislative jurisdiction.

So I urge my colleagues to support the Pallone amendment, to allow us to be informed, to hear from people who give decisions based on evidence, and not just those who want to give us opinions because they don't want to act on what I believe is a very real problem.

I yield back my time.

The Chairman. Are there other members wishing to speak on this?

Mr. Rush. Mr. Chairman.

The Chairman. Mr. Rush is recognized for 5 minutes.

Mr. Rush. Mr. Chairman, I want to -- I support this amendment. Mr. Chairman, I must remind you of something I said in the discussion of the last amendment before this committee. For over 150 years our Nation, this Congress, other Congresses, have relied on the National Academy of Sciences to come before this body to give us their

independent knowledge and expertise, not only on these matters but other matters. And Mr. Chairman, I just kind of must remind the members of this committee that the history of this committee is very, very rich. The history of this committee has been a history that we can all be proud of and we can all stand and salute those members of this committee in the past who took very courageous positions on issues that this Nation was confronted with.

When I look at the actions of President Lincoln in 1863, in terms of establishing the National Academy of Sciences, I wonder how and I just marvel at the sight that in the same year that he signed the Emancipation Proclamation that he also signed into law the bill creating the National Academy of Sciences.

And I stand in awe of the noble spirit that members of this committee possessed then and I wonder how it felt and what was the level of debate and discussion. But the courage that was displayed time and time again by members of this committee in terms of confronting issues that are before the American people, issues that would determine the future of our great Nation. Members of this committee in the past did not shirk at all from this responsibility from this calling and from the appeal of the American people.

So Mr. Chairman, I just want to know why now? Why do we dismiss climate change as a hoax since the Republicans took control of this Congress? That has been a constant refrain from members of the other side that climate change is a hoax. Well, Hurricane Sandy wasn't a hoax. The droughts and the fires experienced by those in the Western

States, those weren't a hoax. Those were realities. There was pain, suffering, and loss of property.

And Mr. Chairman, I just am astounded that nowhere in this document before this committee, nowhere in all of these seven or eight pages, all of these words as it relates to the energy and environmental policies, nowhere is the mention of the National Academy of Sciences, the preeminent scientific organization in this country. How can we conduct the business and the affairs of this Nation and stand in the shadow of past members of this committee and not even, in these most difficult days and times, not even mention the National Academy of Sciences as potential, and possible, and planned witnesses before this committee. It is shameful, Mr. Chairman.

I yield back.

The Chairman. The gentleman yields back. Are there other members wishing to speak? The gentleman from Maryland, Mr. Sarbanes.

Mr. Sarbanes. Thank you, Mr. Chairman. I will be pretty brief.

I was looking back at an article, rereading an article about the sea level rise impact in Maryland on the Chesapeake Bay. And of course, I represent the Third District of Maryland which has a lot of the Chesapeake Bay shoreline in it. Sea levels are rising almost twice as fast in the Chesapeake Bay region as in most of the world, and waterside communities are spending millions to keep the water from eroding yards, marshes, and sandy beaches. The land is dropping, and climate change is altering currents, and the oceans are inching up. The impact is slow, but it is real. Beach goers won't notice it at

major ocean resorts, but for small beaches on the Bay, the result is often death by bulkhead.

So I support Congressman Pallone's proposed amendment to the paragraph on climate change because it would get right to this question of what is happening along the shoreline. And I read the language of the climate change very carefully because I don't fully understand the boundaries this document sets on the committee's jurisdiction. But if it is the case that this paragraph could be cited at some later time to keep out certain kinds of important testimony with respect to climate change, then all of the back and forth we are having here today about it, it seems to me, is well founded.

And in looking at each sentence I don't see in this language an accommodation of the kind of hearing and review and oversight that Congressman Pallone and I and other members of the committee on this side of the aisle are concerned about. So that is really the issue here. I mean, reading this language, I just have a lot of -- I am alarmed at the prospect that we might not be able to include hearings that would get to this issue of what is happening along the shoreline. And for that reason, I would urge every member of the committee to support this amendment to the paragraph. And I yield back.

The Chairman. The gentleman yields back. Gentleman, just to inquire. How many members more on your side are looking to speak on this amendment? Anyone?

Seeing none, the chair will call the question on the amendment.

Those in favor of the amendment will say aye.

Those opposed say no.

Mr. Waxman. Roll call vote.

The Chairman. Roll call is asked. The clerk will call the roll.

The Clerk. Mr. Hall?

Mr. Hall. No.

The Clerk. Mr. Hall votes no.

Mr. Barton?

[No response.]

The Clerk. Mr. Whitfield?

Mr. Whitfield. No.

The Clerk. Mr. Whitfield votes no.

Mr. Shimkus?

[No response.]

The Clerk. Mr. Pitts?

Mr. Pitts. No.

The Clerk. Mr. Pitts votes no.

Mr. Walden?

Mr. Walden. No.

The Clerk. Mr. Walden votes no.

Mr. Terry?

Mr. Terry. No.

The Clerk. Mr. Terry votes no.

Mr. Rogers?

Mr. Rogers. No.

The Clerk. Mr. Rogers votes no.

Mr. Murphy?

Mr. Murphy. No.

The Clerk. Mr. Murphy votes no.

Dr. Burgess?

Dr. Burgess. No.

The Clerk. Dr. Burgess votes no.

Mrs. Blackburn?

Mrs. Blackburn. No.

The Clerk. Mrs. Blackburn votes no.

Dr. Gingrey?

Dr. Gingrey. No.

The Clerk. Dr. Gingrey votes no.

Mr. Scalise?

Mr. Scalise. No.

The Clerk. Mr. Scalise votes no.

Mr. Latta?

Mr. Latta. No.

The Clerk. Mr. Latta votes no.

Mrs. McMorris Rodgers?

Mrs. McMorris Rodgers. No.

The Clerk. Mrs. McMorris Rodgers votes no.

Mr. Harper?

Mr. Harper. No.

The Clerk. Mr. Harper votes no.

Mr. Lance?

Mr. Lance. No.

The Clerk. Mr. Lance votes no.

Dr. Cassidy?

Dr. Cassidy. No.

The Clerk. Dr. Cassidy votes no.

Mr. Guthrie?

Mr. Guthrie. No.

The Clerk. Mr. Guthrie votes no.

Mr. Olson?

Mr. Olson. No.

The Clerk. Mr. Olson votes no.

Mr. McKinley?

Mr. McKinley. No.

The Clerk. Mr. McKinley votes no.

Mr. Gardner?

Mr. Gardner. No.

The Clerk. Mr. Gardner votes no.

Mr. Pompeo?

Mr. Pompeo. No.

The Clerk. Mr. Pompeo votes no.

Mr. Kinzinger?

[No response.]

The Clerk. Mr. Griffith?

Mr. Griffith. No.

The Clerk. Mr. Griffith votes no.

Mr. Bilirakis?

Mr. Bilirakis. No.

The Clerk. Mr. Bilirakis votes no.

Mr. Johnson?

Mr. Johnson. No.

The Clerk. Mr. Johnson votes no.

Mr. Long?

Mr. Long. No.

The Clerk. Mr. Long votes no.

Mrs. Ellmers?

Mrs. Ellmers. No.

The Clerk. Mrs. Ellmers votes no.

Mr. Waxman?

Mr. Waxman. Aye.

The Clerk. Mr. Waxman votes aye.

Mr. Dingell?

Mr. Dingell. Aye.

The Clerk. Mr. Dingell votes aye.

Mr. Markey?

[No response.]

The Clerk. Mr. Pallone?

Mr. Pallone. Aye.

The Clerk. Mr. Pallone votes aye.

Mr. Rush?

Mr. Rush. Aye.

The Clerk. Mr. Rush votes aye.

Ms. Eshoo?

Ms. Eshoo. Aye.

The Clerk. Ms. Eshoo votes aye.

Mr. Engel?

[No response.]

The Clerk. Mr. Green?

[No response.]

The Clerk. Ms. DeGette?

Ms. DeGette. Aye.

The Clerk. Ms. DeGette votes aye.

Mrs. Capps?

Mrs. Capps. Aye.

The Clerk. Mrs. Capps votes aye.

Mr. Doyle?

Mr. Doyle. Aye.

The Clerk. Mr. Doyle votes aye.

Ms. Schakowsky?

Ms. Schakowsky. Aye.

The Clerk. Ms. Schakowsky votes aye.

Mr. Matheson?

Mr. Matheson. Aye.

The Clerk. Mr. Matheson votes aye.

Mr. Butterfield?

[No response.]

The Clerk. Mr. Barrow?

Mr. Barrow. Aye.

The Clerk. Mr. Barrow votes aye.

Ms. Matsui?

Ms. Matsui. Aye.

The Clerk. Ms. Matsui votes aye.

Dr. Christensen?

Dr. Christensen. Aye.

The Clerk. Dr. Christensen votes aye.

Ms. Castor?

Ms. Castor. Aye.

The Clerk. Ms. Castor votes aye.

Mr. Sarbanes?

Mr. Sarbanes. Aye.

The Clerk. Mr. Sarbanes votes aye.

Mr. McNerney?

[No response.]

The Clerk. Mr. Braley?

Mr. Braley. Aye.

The Clerk. Mr. Braley votes aye.

Mr. Welch?

Mr. Welch. Aye.

The Clerk. Mr. Welch votes aye.

Mr. Lujan?

Mr. Lujan. Aye.

The Clerk. Mr. Lujan votes aye.

Mr. Tonko?

Mr. Tonko. Aye.

The Clerk. Mr. Tonko votes aye.

Chairman Upton.

The Chairman. No.

The Clerk. Chairman Upton votes no.

The Chairman. Any members wishing to cast a vote? Seeing none, the clerk will report the tally.

The Clerk. Mr. Chairman, on that vote there were 18 ayes, 27 nays.

The Chairman. Eighteen ayes, 27 noes. The amendment is not agreed to.

Are there further amendments to the bill? The gentleman from California.

Mr. Waxman. Mr. Chairman, I have an amendment at the desk.

The Chairman. The clerk will report the title of the amendment.

The Clerk. Amendment to Draft Oversight Plan Offered By Mr. Waxman of California.

[The amendment follows:]

***** COMMITTEE INSERT *****

The Chairman. And the amendment will be considered as read.

And I think at this point, we are going to postpone until -- the gentleman will be recognized when we come back on Tuesday at 4:00 o'clock. All right.

Mr. Rush. Mr. Chairman, before you hit the gavel.

Mr. Chairman, let me just inform everyone, some of you probably already know, but a former esteemed colleague of this committee passed yesterday, Congresswoman Cardiss Collins. Some of you served with her and she represented the Seventh Congressional District of Illinois. And she really was the single-most important factor of me becoming a member of this subcommittee. She got off the subcommittee so that I could ascend to the subcommittee.

She served ably and had a very, very remarkable record. Title IX came through this subcommittee and she was a primary responsible member of this committee, she actually authored the bill for Title IX. So her impact on this Nation has been greatly felt, and she will be greatly missed.

So I just wanted to inform every member of this committee.

The Chairman. I appreciate you bringing that to our attention, and we will think of her family in our prayers.

At this point the committee stands in recess until 4:00 o'clock on Tuesday.

[Whereupon, at 11:10 a.m., the committee was adjourned, to reconvene at 4:00 p.m., Tuesday, February 12, 2013.]

