

Opening Statement
Ranking Member Brad Miller
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Hearing: Advancing Coal Research and Development for a Secure Energy Future
U.S. House Committee on Science, Space, and Technology
Subcommittee on Energy and Environment

Thank you, Chairman Harris.

As I have other matters to dispense with before moving on to witness testimony, I will keep my comments on this hearing brief.

In this Congress my colleagues on the other side of the aisle tirelessly pound the drum on a handful of high-level themes they believe are consistent with conservative dogma, captured in catch-phrases such as “Regulations kill jobs”, “Climate change is an unproven theory”, and “Government shouldn’t pick winners and losers.”

But, just repeating something over and over does not make it true. As is too often the case in politics, my friends fail to acknowledge that punch lines are inherently inadequate for addressing issues as complex as defining the role of government in protecting the environment and public health and spurring technological innovation in the most powerful economy in the world. In fact, environmental damage is a classic “externality” that honest conservative theorist concede may cause market failure and justify government action.

This hearing gives us the opportunity to put a little finer point on these issues.

First, to have a strong economy we do not have to sacrifice cleaner air and a healthier and more productive workforce. We will hear from Mr. Foerter the often-ignored perspective from the side of the power industry that designs, manufactures and installs pollution control equipment. Companies like Alstom, Babcock and Wilcox, BASF, Cormetech, Hitachi, Mitsubishi, Nalco, Praxair, Rockwell Automation, Siemens, and Teledyne and dozens of other companies that do not invest in the pollution control sector out of idealism and benevolence. Nor do these companies suffer for a lack of ingenuity or technological sophistication. They coordinate with regulators and generators to define what is technologically and financially possible, and then set their workforce loose to make it a reality.

Second, when it comes to DOE programs on emerging clean energy technologies – solar, geothermal, electric vehicle batteries, smartgrid, efficiency technologies, bio-based fuels, and all of the things that may one day make for a cleaner, more sustainable energy economy - my Republican colleagues do not hesitate to cry foul at the federal support that they consider to be inappropriate government intrusion in the energy marketplace.

To them, these are mature industries in which free market forces alone should push the frontiers of innovation, and DOE investments in research merely crowd out what the private sector would otherwise do. After all, it’s not the job of the government to pick winners and losers.

And they say that is always true, except sometimes. For instance, the oil and natural gas industry lacks the resources and technological capacity to unlock hydrocarbon reserves in the deep water and unconventional shale formations. They need a \$50 million a year research program and billions in tax breaks.

Ditto for the nuclear industry. They need \$850 million a year in taxpayer-funded research, tens of billions in government-backed liability insurance, and multi-billion dollar loan guarantees. But, otherwise, keep the government out of their business.

And, coal. Well, that's why we are here. Republicans say the DOE needs to redirect its R&D program from dealing with the false threat of climate change to develop technologies for the coal industry to meet new tightening emissions standards and stay profitable and competitive in the energy marketplace. Forget about that picking winners and losers, interfering in the free-market nonsense. These poor companies need our help.

So new renewable and efficiency technologies do not warrant government support, but conventional energy industries do? When it comes to the most established and profitable industries in the world, where are these free-market principles my colleagues so steadfastly stand by?

Last week my colleagues across the aisle accused me of behaving inappropriately by asking a witness about his financial interests relating to the subject matter of our hearing. I asked these questions because this type of information is necessary to evaluate the testimony provided. The witnesses we should rely on for technical expertise often have a dog in the fight. I think legislators should take a cue from the Courts, and the Courts universally recognize the importance of this line of questioning.

In fact, the questions I asked are fundamental to our legal system. Courts have consistently recognized the validity of examining witnesses' pecuniary interests in evaluating their testimony and objectivity. The Federal Rules of Civil Procedure require that expert witnesses disclose compensation so that their testimony may be weighed. These rules and principles are in place because information about conflicts of interest is relevant and essential to evaluating testimony and reaching a sound decision. We as legislators should also consider witnesses' financial conflicts of interest to make sound policy decisions.

This is something that folks on both sides of the aisle have recognized. Senator Grassley, for example, proposed legislation during the 111th Congress requiring witnesses before a committee hearing to "file a disclosure form indentifying substantial financial interests or compensation from an organization or company directly related to the subject of the hearing."

The disclosure of this information is critical to make our hearings transparent and credible. This is a well established practice in our legal system, and it should be in our legislative system as well.

In our organizational hearing at the beginning of this Congress, I asked Chairman Hall about working with me to ensure that this information was made available to members. The Chairman assured me he would work with me. I would like to note that during that hearing, my colleague from California reminded me that I could use my 5 minutes during hearings to ask whatever I wanted. Later, I wrote a letter to the Chairman reminding him of this pledge to work with me, and he said I could use my five minutes to ask questions about witnesses' financial interests, that the current disclosure was adequate.

But last week Republicans harshly criticized me for using my five minutes to ask about a witness's financial interests. Members of the Committee and the American people deserve this information. I may use my five minutes in the future to ask those questions again but today I will submit questions to these witnesses about their financial interests so that they will be a part of the record. And I plan to submit these questions to all witnesses that appear before our subcommittee moving forward.