

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Subcommittee on Energy Chairman Bobby L. Rush**

***Hearing on, “Modernizing Hydropower: Licensing and Reforms for a Clean Energy Future”***

**May 12, 2022**

Good morning, everyone. Today’s Subcommittee hearing is on modernizing our hydropower regulatory landscape.

Historically, this has been an issue where members on both sides of this Subcommittee and our full Committee have found ways to work together.

Four years ago, we worked together on a package of bipartisan ideas to reform hydropower licensing, and today I look forward to hearing from our witnesses on how those proposals have turned out, and what additional improvements might be necessary.

Hydropower is a double-edged sword. It represents a wonderful source of zero-carbon electricity, and pumped storage can enable the deployment of even more renewable resources on the grid.

At the same time, we must seriously reckon with the impacts of hydropower generation on the rivers and ecosystems that dams are built within, and the fish and plant life that depend on those rivers. In short — this is a complicated issue, one deserving of this Subcommittee’s attention.

I do want to recognize the extraordinary background to today’s hearing.

For nearly four years, the hydropower industry has met together with Indian Tribes, along with environmental communities, in the “Uncommon Dialogue” process to work to create a legal framework acceptable to all parties. This is unprecedented in the history of hydroelectricity in this country, and I want to thank all the stakeholders for their hard work and unyielding commitment.

Part of the purpose of today’s hearing is to examine this framework — taking seriously both its strengths, and where it needs improvement.

Particularly of interest to me is the fact that this framework would finally recognize the sovereignty and agency of Native American Tribes, and allow them to advocate for themselves, rather than operate under the outdated colonial assumption that the Department of the Interior knows what is best for Tribal communities when FERC-licensed projects coincide with Tribal trust lands.

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It seems to me that any serious attempt to reform our hydro laws must codify the right of Tribes to have a seat at the table when projects impact their lands. To do otherwise would be unconscionable.

With that said, I am looking forward to today's hearing and to a thoughtful discussion around needed reforms to the hydroelectric sector, and the pros and cons of the Uncommon Dialogue proposal.

I now yield for five minutes to my friend and colleague, the Ranking Member from Michigan, Mr. Upton, to make an opening statement.