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Committee on Energy and Natural Resources
United States Senate

Hearing to Review FERC's Recent Guidance on Natural Gas Pipelines
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Chairman Manchin, Ranking Member Barrasso, and Members of the Committee, thank you for inviting my colleagues and me to testify this morning. I appreciate the opportunity to hear your thoughts regarding the Updated Certificate Policy Statement[1] and the Interim Greenhouse Gas Policy Statement[2] that the Federal Energy Regulatory Commission (Commission) issued on February 17, 2022. These Policy Statements provide a framework for how the Commission intends to consider applications to site interstate natural gas pipelines and liquified natural gas (LNG) facilities pursuant to Sections 7[3] and 3[4] of the Natural Gas Act (NGA).

As members of the Commission, we are called upon to make important, often complex decisions that can have significant ramifications on the security, reliability, and affordability of

[1] *Updated Policy Statement on Certification of New Interstate Natural Gas Facilities*, 178 FERC ¶ 61,107 (2022) (Updated Certificate Policy Statement).

[2] *Consideration of Greenhouse Gas Emissions in Natural Gas Infrastructure Project Reviews*, 178 FERC ¶ 61,108 (2022) (Interim Greenhouse Gas Policy Statement).

[3] 15 U.S.C. § 717b.

[4] 15 U.S.C. § 717f.

the nation's energy resources. Every single vote I take is based on my best assessment of the facts and the law—nothing more and nothing less.

Over the last several years, I expressed concern that the Commission was not implementing section 3 and section 7 of the NGA consistent with federal courts' interpretations of those provisions. On multiple occasions the courts of appeals have come to the same conclusion,[5] which has led them to vacate or remand Commission orders approving interstate natural gas pipelines and import/export LNG facilities.[6]

And this result has not been limited to Commission orders. Over the last few years, federal courts have frequently vacated federal permits and authorizations needed to develop energy infrastructure,[7] in many cases imperiling the projects that rely on those permits and

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[5] *Vecinos para el Bienestar de la Comunidad Costera v. FERC*, 6 F.4th 1321, 1331 (D.C. Cir. 2021) (*Vecinos*); *Envtl. Def. Fund v. FERC*, 2 F.4th 953, 972-75 (D.C. Cir. 2021); *Birckhead v. FERC*, 925 F.3d 510, 519 (D.C. Cir. 2019); *Sierra Club v. FERC*, 867 F.3d 1357, 1373 (D.C. Cir. 2017) (*Sabal Trail*).

[6] *Envtl. Def. Fund*, 2 F.4th at 976; *Sabal Trail*, 867 F.3d at 1379.

[7] *See, e.g.*, *Appalachian Voices v. U.S. Dep't of Interior*, No. 20-2159, 2022 WL 320320, at *1, 11-12 (4th Cir. Feb. 3, 2022) (vacating biological opinion issued by Fish and Wildlife Service for the Mountain Valley Pipeline because the agency failed to consider climate change impacts on certain endangered species); *Wild Virginia v. U.S. Forest Serv.*, 24 F.4th 915, 920, 928-30 (4th Cir. 2022) (vacating decisions of the U.S. Forest Service and the Bureau of Land Management that allowed MVP to cross 3.5 miles of the Jefferson National Forest because agencies failed to properly consider environmental effects of their approvals); *Ctr. for Biological Diversity v. Bernhardt*, 982 F.3d 723, 737-40 (9th Cir. 2020) (vacating approval of an offshore oil development facility by the Bureau of Ocean Energy Management for its failure to properly consider downstream greenhouse gas emissions); *Indigenous Envtl. Network v. U.S. Dep't of State*, 347 F. Supp. 3d 561, 584, 591 (D. Mont. 2018) (vacating 2017 rule of decision by the State Department for the Keystone XL pipeline for failure to provide a reasoned explanation for its conclusory reversal of a 2015 decision addressing climate change impacts of the project); *Friends of the Earth v. Haaland*, 2022 WL 254526, at *13-17, 26-28 (D.D.C. Jan. 27, 2022) (vacating "the largest offshore oil and gas lease sale in U.S. history" due to serious deficiencies in the agency's analysis, among other things, its exclusion of downstream greenhouse gas emissions from its environmental analysis; "On balance, the disruptive consequences of vacatur

authorizations. The message from these courts is clear: Agencies must not cut corners. When they do, they put infrastructure projects at risk, including natural gas pipelines that may be needed to deliver fuel for home heating or electric generation and LNG facilities that could, potentially, help to reduce our allies' energy dependence on Russian gas. The goal of the two Policy Statements is to provide an updated, legally durable framework that incorporates the guidance the Commission has received from the federal courts into its approach for permitting interstate natural gas pipelines and LNG facilities.

Section 7 of the NGA gives the Commission responsibility for siting interstate natural gas pipelines that are required by the public convenience and necessity. Section 7 provides for what is essentially a two-step inquiry. First, the Commission must determine whether the project is needed. Second, where there is a need for the project, the Commission must determine whether the project is in the public interest. In other words, whether the benefits of the project—especially increasing access to natural gas—outweigh its adverse impacts. As the Supreme Court has explained, in making that determination the Commission must consider all factors bearing on the public interest.[8] Both the need and public interest determinations are important

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do not outweigh the seriousness of the [National Environmental Policy Act] error in this case and the need for the agency to get it right."), *pet. for review filed* (D.C. Cir. Feb. 11, 2022); *Western Watersheds Project v. Zinke*, 441 F. Supp. 3d 1042, 1086-89 (D. Idaho 2020) (vacating oil and gas leases approved by the Bureau of Land Management that affected certain threatened species in light of serious violations of NEPA and the Federal Land Policy and Management Act); *Sovereign Inupiat for a Living Arctic v. BLM*, 2021 WL 3667986, at *11-12, 46 (D. Ala. Aug. 18, 2021) (vacating an approval by the Bureau of Land Management and a biological opinion by the Fish and Wildlife Service for a proposed oil and gas project in National Petroleum Reserve in Alaska's North Slope based on "serious errors," including BLM's EIS failure to consider downstream greenhouse gas emissions).

[8] *Atl. Ref. Co. v. Pub. Serv. Comm'n of N.Y.*, 360 U.S. 378, 391 (1959) ("This is not to say that rates are the only factor bearing on the public convenience and necessity, for [NGA section] 7(e) requires the Commission to evaluate all factors bearing on the public interest.").

because a section 7 certificate provides not only the authority to construct and operate an interstate natural gas pipeline, but also the authority to condemn private land via eminent domain in order to do so.[9]

The Commission's prior certificate policy statement was issued in 1999,[10] nearly a quarter century ago. A lot has happened since then. As a result of "fracking" and other technologies, domestic natural gas production has increased dramatically[11] and much of that increase occurred in areas, like the Marcellus and Utica shale deposits, where natural gas infrastructure was inadequate to handle the boom—creating a "take-away bottleneck."[12] At the same time, demand for natural gas has continued to grow,[13] as natural gas became the primary fuel used to generate electricity,[14] and the United States became a net exporter of natural gas in 2017.[15] To relieve the bottlenecks and meet new markets, developers proposed pipelines in new

[9] A section 3 authorization, by contrast, does not convey eminent domain authority.

[10] *Certification of New Interstate Nat. Gas Pipeline Facilities*, 88 FERC ¶ 61,227 (1999), *clarified*, 90 FERC ¶ 61,128, *further clarified*, 92 FERC ¶ 61,094 (2000) (1999 Certificate Policy Statement).

[11] Energy Information Administration, *Natural Gas Explained* (2021), https://www.eia.gov/energyexplained/natural-gas/where-our-natural-gas-comes-from.php.

[12] *Certification of New Interstate Natural Gas Facilities*, 83 FR 18020 (Apr. 25, 2018), 163 FERC ¶ 61,042, at P 21 (2018) (2018 Notice of Inquiry).

[13] *Id*. P 20 ("As natural gas production has increased, so has demand, rising from 24.1 Tcf in 2010 to 27.1 Tcf in 2017, driven in part by an increase in gas-fired electric generation.") (citation omitted).

[14] Energy Information Administration, *Electricity in the United States* (2021), https://www.eia.gov/energyexplained/electricity/electricity-in-the-us.php.

[15] 2018 Notice of Inquiry, 163 FERC ¶ 61,042 at P 19.

areas, traversing more populated regions,[16] with impacts that can be both more significant in and of themselves and that can also affect a greater number of people. In addition, the Commission's policies changed, albeit often without acknowledgement. Most notably, while the 1999 Certificate Policy Statement provided that the Commission would "consider all relevant factors reflecting on the need for the project,"[17] the Commission's approach eventually evolved toward a position in which the precedent agreements filed by a project developer were treated as conclusive proof of the need for a proposed project.[18]

To his great credit, at his first Commission meeting in December of 2017, Chairman Kevin McIntyre announced a proceeding to reexamine the 1999 Certificate Policy Statement in light of changed circumstances. Shortly thereafter, in 2018, the Commission issued a notice of inquiry examining several aspects of the Commission's approach to siting a proposed natural gas pipeline or LNG facility, including how the Commission assessed need and greenhouse gas emissions.[19] Unfortunately, after Chairman McIntyre's tragic passing, the Commission took no additional action. After I became Chairman in 2021, the Commission returned to this proceeding

[16] *Id*. P 22 (explaining the location of production increases and changes in contracting patterns prompted "a host of applications proposing either to construct greenfield pipelines to transport gas out of the region or to increase the capacity of existing infrastructure through the addition of compression and pipeline looping") (citations omitted).

[17] 1999 Certificate Policy Statement, 88 FERC ¶ 61,227 at 61,747.

[18] *See, e.g.*, *Envtl. Def. Fund*, 2 F.4th at 973 (finding that the Commission "seemed to count the single precedent agreement between corporate affiliates as conclusive proof of need"); *Cheyenne Connector, LLC*, 168 FERC ¶ 61,180, at P 27 (2019) ("[W]e note that the prospective shippers on the Cheyenne Connector project have executed precedent agreements with Cheyenne Connector and it is longstanding Commission policy to not second guess the business decisions of pipeline shippers."); *PennEast Pipeline Co*., 162 FERC ¶ 61,053, at PP 29-30 (2018).

[19] 2018 Notice of Inquiry, 163 FERC ¶ 61,042 at PP 52-54, 58.

by issuing a second notice of inquiry to update the record initiated by former Chairman McIntyre. All told, the Commission received over 38,000 comments in response.

The Updated Certificate Policy Statement has much in common with the 1999 Certificate Policy Statement. For example, the Updated Certificate Policy Statement reiterates that when assessing the need for a project, the Commission will consider all relevant factors, with precedent agreements remaining important, albeit no longer conclusive, evidence of need. That represents a return to the basic "totality of the circumstances" approach that the Commission adopted in 1999. In addition, and again similar to the 1999 Certificate Policy Statement, the Updated Certificate Policy Statement recognizes that precedent agreements among corporate affiliates require greater scrutiny, as they cannot be presumed to be the product of arms-length negotiations. That too represents a return to the 1999 Certificate Policy Statement and it reflects the holding in *Environmental Defense Fund v. FERC*, in which the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) concluded that the Commission's reliance on and refusal to look behind an affiliate precedent agreement was arbitrary and capricious.[20] Finally, the Updated Certificate Policy Statement also reconfirms that the Commission will consider both the economic and environmental impacts of a proposed project in its public convenience and necessity determination. Like the 1999 Certificate Policy Statement, that includes, among other things, the benefits of serving the need underlying the proposed project[21] as well as its potential impacts to: (1) existing customers of the pipeline applicant; (2) existing pipelines in the market

[20] *Envtl. Def. Fund*, 2 F.4th at 975-76.

[21] Updated Certificate Policy Statement, 178 FERC ¶ 61,107 at P 52 ("In determining whether to issue a certificate of public convenience and necessity, the Commission will weigh the public benefits of a proposal, the most important of which is the need that will be served by the project, against its adverse impacts.").

and their captive customers; (3) environmental resources; and (4) landowners and surrounding communities, including, for the first time, environmental justice communities.

The Interim Greenhouse Gas Policy Statement lays out an approach for considering the reasonably foreseeable greenhouse gas emissions attributable to a proposed pipeline or LNG facility. The federal courts have explained in clear and unambiguous terms that the Commission must consider those reasonably foreseeable greenhouse gas emissions when assessing whether a proposed pipeline is required by the public convenience and necessity under section 7 or whether a LNG facility is consistent with the public interest under section 3. Nevertheless, this issue has, unfortunately, been a controversial one at the Commission for several years.

In 2017, in the *Sabal Trail* case, the court vacated a section 7 certificate of public convenience and necessity because the Commission failed to adequately estimate and consider the significance of the pipeline's downstream greenhouse gas emissions.[22] Although that case involved the Commission's obligations under the National Environmental Policy Act (NEPA), it ultimately turned on an interpretation of the Commission's authority under the NGA. That is, the court held that the Commission had an obligation to consider greenhouse gas emissions under NEPA because it had the statutory authority to act on those emissions under the NGA.[23] This authoritative and binding interpretation of the NGA was the dispositive legal question for the

[22] *Sabal Trail*, 867 F.3d at 1372-74.

[23] *Id.* at 1373 ("Because FERC could deny a pipeline certificate on the ground that the pipeline would be too harmful to the environment, the agency is a 'legally relevant cause' of the direct and indirect environmental effects of pipelines it approves.").

entire case. In reaching that conclusion, the court also observed that the Commission "has legal authority to mitigate" the effects of those downstream emissions under the NGA.[24]

Thereafter, the Commission sought to limit the applicability of *Sabal Trail* to the exact facts of that case. The Commission concluded that it would consider indirect greenhouse gas emissions only when a proposed pipeline was going to transport gas directly to an identified gas-fueled electric generation facility.[25] Again, however, the courts intervened. In *Birckhead*, the court rejected the Commission's rationale for narrowing *Sabal Trail* and expressly reiterated that the Commission has the statutory authority under the NGA to consider and act upon a pipeline's reasonably foreseeable greenhouse gas emissions.[26]

Notwithstanding that guidance, the Commission, until recently, did not follow the federal courts' directives to identify and consider a pipeline project's reasonably foreseeable greenhouse gas emissions. In those instances, I felt compelled to dissent. That dynamic always frustrated me because the record in many of those cases, in my opinion, indicated that the project was needed, and the Commission could have unanimously moved these projects forward consistent with the law.

And the courts have continued to reject the Commission's approach. This past summer, the D.C. Circuit, in *Vecinos*, concluded that the Commission failed to adequately assess the significance of the greenhouse gas emissions associated with three proposed LNG export

[24] *Id*. at 1374 (citing 15 U.S.C. § 717f(e)).

[25] *Dominion Transmission, Inc.*, 163 FERC ¶ 61,128, at P 43 & n.96 (2018).

[26] *Birckhead*, 925 F.3d at 519 (rejecting as overly narrow the Commission's interpretation of *Sabal Trail* and noting that "the Commission itself backed away from this extreme position during oral argument").

facilities and associated pipelines.[27] As a result, the court remanded the case to the Commission, directing it to redo its assessment of the public convenience and necessity and the public interest after adequately considering the arguments about the significance of the projects' greenhouse gas emissions, again confirming that such emissions are properly within the scope of the Commission's analysis under the NGA.[28]

The principal purpose of the Interim Greenhouse Gas Policy Statement is to provide a framework for considering reasonably foreseeable greenhouse gas emissions in our analysis under NGA sections 3 and 7 that is consistent with binding court precedent. To do so, the Interim Greenhouse Gas Policy Statement outlines a method for assessing the significance of greenhouse gas emissions and also how the Commission will consider possible mitigation thereof. On the latter point, the Commission encouraged applicants to propose greenhouse gas mitigation measures and stated that, to the extent it may require mitigation, any such mitigation would be limited to the direct emissions caused by the project—i.e., those from construction and operation of the pipeline, not the indirect upstream or downstream emissions, even where they are reasonably foreseeable.[29] Finally, I would note that the guidance is interim, and the Commission invited comment on whether and how it should revise that guidance in the future.

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[27] *Vecinos*, 6 F.4th at 1328-30. The court also held the Commission's consideration of environmental justice issues was insufficient. *See id.* at 1330-31.

[28] *Id.* at 1331 ("Because the Commission's analyses of the projects' impacts on climate change and environmental justice communities were deficient, the Commission must also revisit its determinations of public interest and convenience under Sections 3 and 7 of the NGA.").

[29] The Commission so exercised its discretion notwithstanding *Sabal Trail*'s statement that the Commission has the legal authority to impose mitigation of indirect emissions. Interim Greenhouse Gas Policy Statement, 178 FERC ¶ 61,108 at P 105. The Commission, nevertheless, encouraged pipeline developers to consider mitigation of indirect emissions.

As the Commission noted in the policy statement, we adopted this approach so that the Commission could begin responding to the courts' guidance and processing applications "without undue delay," while recognizing that revisions to that approach may be appropriate upon reviewing the comments from all stakeholders.[30]

I have great respect for my dissenting colleagues, Commissioners Danly and Christie. But, as explained below, I am concerned that their approach would have the Commission continue to make the same mistakes, which risks another round of remands and the ensuing cost, delay, and uncertainty that they inevitably produce. We must do better than that. Both the industry and the public have every right to expect the Commission to articulate and apply a framework that produces certificates and authorizations that respond to binding court precedent and withstand judicial review.

My dissenting colleagues doubt the Commission's statutory authority to evaluate and, where appropriate, mitigate, the greenhouse gas emissions caused by the Commission's issuance of a section 3 authorization or a section 7 certificate. Those positions, however, cannot be squared with the court decisions discussed above. Nor do they fully account for the decades of court precedent, including Supreme Court precedent, holding that the evaluation of environmental impacts is one of the purposes that the Commission must take into account under the NGA.[31] Instead, they argue that *Sabal Trail* and subsequent cases are wrongly decided, inadequately reasoned, or overtaken by intervening Supreme Court decisions.

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[30] Interim Greenhouse Gas Policy Statement, 178 FERC ¶ 61,108 at P 1.

[31] *See, e.g.*, *NAACP v. FPC*, 425 U.S. 662, 670 & n.6 (1976) (recognizing the Commission's "authority to consider conservation, environmental, and antitrust questions" as "subsidiary purposes" of the NGA and Federal Power Act). "National environmental policy is

Whether *Sabal Trail* and its progeny are right, wrong, or something in between is not for us to decide. A fundamental principle of our constitutional structure is that the judicial branch interprets the law, and the executive branch applies it.[32] It does not matter whether a Commissioner agrees with that decision or whether the Commissioner hopes the law might change at some point in the future. So long as binding court precedent addresses the particular question before us—as it does here—the executive branch must abide by that interpretation. To put executive branch officials in charge of deciding which court cases to follow, and which to disregard, would be an invitation to exactly the type of unchecked executive branch authority to which my colleagues rightly object.

My colleagues also argue that the Policy Statements implicate major questions on which Congress has not spoken clearly enough to validly assign to the Commission authority to evaluate and mitigate greenhouse gas emissions that contribute to climate change. But the major questions doctrine, by its very definition, cannot apply when Congress has already spoken, and the courts have made clear that the relevant statutes require that the Commission evaluate reasonably foreseeable greenhouse gas emissions[33] as part of its obligation to consider "all factors bearing on the public interest."[34] In that respect, greenhouse gas emissions are no

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the responsibility of many federal agencies yet the [Commission] is required to give its own independent consideration to environmental factors in its decisions." *Pub. Serv. Comm'n of State of N.Y. v. FERC*, 589 F.2d 542, 558 (D.C. Cir. 1978) (citing *Udall v. FPC*, 387 U.S. 428 (1967); *NAACP*, 425 U.S. at 668).

[32] *Marbury v. Madison*, 5 U.S. 137, 1 Cranch 137, 177 (1803) ("It is emphatically the province and duty of the judicial department to say what the law is.").

[33] *Sabal Trail*, 867 F.3d at 1373-74.

[34] *Atl. Ref. Co.*, 360 U.S. at 391; *see also NAACP*, 425 U.S. at 670 & n.6; *FPC v. Transcon. Gas Pipe Line Corp.*, 365 U.S. 1, 17 (1961) (*Transco*) (recognizing that the NGA

different than the many other environmental, economic, and social factors that the Commission considers under section 3 and section 7, but that are not specifically enumerated in the NGA or NEPA.

Finally, Commissioners Christie and Danly object that we have no statutory standard to assess the significance of greenhouse gas emissions. To be sure, determining significance can be a complex task, depending on the nature of the impact at issue, but there is no statutory deficiency on this score. In fact, we perform this task repeatedly in nearly every certificate order with respect to other potential environmental effects such as impacts to groundwater, wetlands, fisheries, wildlife, old growth forests, cultural resources, agricultural lands, minerals, soils, recreation, visual impacts, noise, socioeconomics (e.g., property values), and safety, to name just a few. Since the enactment of NEPA, and without objections to its authority, the Commission has routinely made significance determinations with respect to each of these project-related impacts, usually without express statutory guidance. Just as we make determinations regarding the significance of a proposed project's effects on old growth forests, permafrost, agricultural lands, or noise without a freestanding statutory standard, so too can we do the same for greenhouse gas emissions and their impact on climate change. Indeed, the Commission has already done so, and in a bipartisan fashion.[35] And just like those other environmental impacts,

affords the Commission the authority to consider downstream uses, and specifically, the impact of end-users combusting transported gas on air quality); *Pub. Utils. Comm'n of Cal. v. FERC*, 900 F.2d 269, 281 (D.C. Cir. 1990) ("That Congress should have had environmental and conservation factors in mind in establishing the Commission seems entirely plausible, as the enterprises licensed by the Commission necessarily and typically have dramatic natural resource impacts.").

[35] *N. Natural Gas Co.*, 174 FERC ¶ 61,189, at PP 29-36 (2021).

the Commission's significance determinations with respect to climate change will continue to be based on the record of each individual proceeding.[36]

It bears repeating what a significance determination does—and does not—mean. A finding of significance allows the Commission to contextualize and consider the environmental harm caused by a particular project—that is, it furthers NEPA's goal of informed, reasoned decisionmaking.[37] It does not, however, mean that a project cannot go forward or that a particular harm must be mitigated to insignificant levels. Instead, as it often does, the Commission can find that a particular environmental harm is significant, but that the project is nevertheless required by the public convenience and necessity or the public interest.[38]

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I want to reiterate that I appreciate the opportunity to come before you today, and want to be helpful in addressing any questions and concerns you may have. I also want to assure you

[36] Interim Greenhouse Gas Policy Statement, 178 FERC ¶ 61,108 at P 81 ("While the 100,000 metric ton presumption will serve as a guidepost, facilitating transparent, predictable analysis of a proposed project's contribution to climate change, our analysis will continue to consider all evidence in the record on a case-by-case basis.").

[37] *See, e.g.*, *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 349 (1989) (explaining that one of NEPA's purposes is to ensure that "relevant information will be made available to the larger audience that may also play a role in both the decision-making process and the implementation of that decision"); *Lemon v. Geren*, 514 F.3d 1312, 1315 (D.C. Cir. 2008) ("The idea behind NEPA is that if the agency's eyes are open to the environmental consequences of its actions and if it considers options that entail less environmental damage, it may be persuaded to alter what it proposed.").

[38] *Alaska Gasline Development Corp.*, 171 FERC ¶ 61,134, at P 25 (2020) ("The final EIS concludes that project construction and operation would have significant impacts on permafrost, wetlands, forests, and caribou, specifically the Central Arctic Herd, as well as some sensitive noise receptors."); *id*. P 251 (agreeing with the conclusions in the EIS and finding that the project was nonetheless not inconsistent with the public interest).

that I am committed to working with my colleagues to issue more legally durable certificate orders that avoid the flaws that have been identified by the courts.

I expect that the certificate orders we issue in the near future will help reduce uncertainty for industry and other stakeholders by providing a concrete demonstration of how the Commission will apply its Policy Statements, just as it did following the 1999 Certificate Policy Statement. Although the Policy Statements lay out the framework for how the Commission will approach these issues, what really matters—for the Commission, for industry, and for all stakeholders—is the certificate orders we issue pursuant to that framework. It is my expectation that the Commission will take a pragmatic approach that accounts for the individual facts and circumstances in each proceeding.

In any case, I believe that the more serious threat of uncertainty would come if the Commission were to stay the course and continue down the path that the courts have already rejected. Doing so would have raised the prospect of further adverse court decisions and vacaturs. As we have seen, *that* is what calls projects into question and can lead developers to abandon multi-billion-dollar investments in new energy infrastructure. I believe firmly that all parties, including project developers, are far better served when permitting agencies, such as the Commission, cross their t's and dot their i's than when they cut corners or fail to follow court guidance. It is by providing that sort of certainty that I believe the Commission can best satisfy its obligations under the statute and fulfill our responsibility to ensure the nation's energy reliability and security.

Thank you again for the invitation to testify and I look forward to your questions.