Energy and Commerce Committee

112th Congress, 2nd Session
First Quarter

Rep. Fred Upton (R-MI), Chairman
April 2012

TO: Republican Members, Committee on Energy and Commerce
CC: Speaker Boehner, Majority Leader Cantor, Majority Whip McCarthy, Conference Chairman Hensarling, and Policy Committee Chairman Price
FROM: Fred Upton, Chairman, Committee on Energy and Commerce
DATE: April 2012
RE: First Quarter Report, Second Session of the 112th Congress

One year ago, I submitted to you an initial progress report on our Energy and Commerce Committee team's work in the 112th Congress. We came out of the gate strongly then, and I'm pleased to report that we haven't slowed down since. The first quarter of 2012 is a testament to your continued hard work and creativity, and I continue to feel honored to serve as your Chairman.

We concluded the first session of the 112th Congress with a record of job-focused accomplishments, and our work continues in the new year. Our committee's efforts – whether in the form of hearings, legislation, or oversight – concentrate on three overarching goals:

- Supporting job creation and economic growth
- Standing up for taxpayers by reducing the size and scope of the federal government
- Protecting individuals, families, and communities

As has been the case throughout the 112th Congress, our subcommittee chairmen and vice chairs deserve a great deal of credit for the success of this committee. Their hard work and leadership allowed us to maintain a record of results while giving each and every member the chance to shine. And indeed, every member of the team has delivered in that regard, acting as full participants in our legislative and oversight efforts and working collaboratively on behalf of the American people who sent us here.

Like you, I spent time during our recent two-week district work period meeting with constituents and seeking out job creators to hear firsthand about the challenges and opportunities they face in this still-struggling economy. There are glimmers of hope, and I welcome every sign that our economy is bouncing back. Yet I cannot help but think that our economic recovery would be much stronger if job creators were not bound in red tape and operating in the looming shadow of higher taxes and costly government mandates.

Of course, one of the greatest burdens facing families and businesses right now is the high price of gasoline. It costs more to fill the tank and travel to and from work and school, but that's not all. High fuel costs translate into higher costs for everything from groceries to consumer products and services.

Pain at the pump radiates through our economy, and as we discovered during hearings in the first three months of the year, President Obama's policies are making things worse by reducing energy development on federal lands and adding layers of new regulations. It's no wonder that a recent ABC News/Washington Post poll found that 62 percent of Americans disapprove of the president's performance on gasoline prices.

Our goal is to offer better solutions. We began last year with the launch of the American Energy Initiative, and we continue under that banner today, advancing bills and pursuing policies that will increase American energy production and create jobs; more on that in a moment.

I hope the following progress report is a useful tool as we return from this extended work period in our districts and pick right back up with the pro-jobs agenda we pursued in the first three months of this year.

Supporting Job Creation and Economic Growth

Spectrum Reform

First, the good news. Led by Communications and Technology Subcommittee Chairman Greg Walden, our team spent much of the first session holding hearings, listening to stakeholders, and preparing legislation to free up additional spectrum to support the build-out of the next generation of wireless broadband networks. In the first quarter of 2012, we pushed that legislation over the finish line as part of the Middle Class Tax Relief and Job Creation Act. And the economic benefits we will see as a result are really something to celebrate.

The communications sector is an economic bright spot, generating investment and innovation, not to mention major job creation. We should be doing all that we can to support this engine of economic growth, which is why spectrum legislation has been at the top of our legislative agenda from the beginning.

Growing consumer demand and the increasing number of mobile devices are creating a spectrum crunch. To make more airwaves available for wireless broadband, we advanced legislation to authorize the Federal Communications Commission to conduct voluntary incentive auctions, which give a portion of auction proceeds to licensees who return spectrum to be repurposed for wireless broadband. The result is a more efficient use of our airwaves, vast new swaths of spectrum for wireless broadband development, and a major return for taxpayers who benefit from the auctions.

In fact, the final spectrum provisions approved by Congress and signed into law by the president will produce a net of approximately $15 billion in auction proceeds according to the Congressional Budget Office – more than double the amount initially proposed by the Senate – to help offset other spending that accompanied the broader measure.

Spectrum reforms are a win for taxpayers, a win for consumers, and a win for the economy as well. According to recent studies, investment in next-generation wireless broadband could produce an estimated 300,000 jobs or more. This legislation makes spectrum available to help that investment happen. At the same time, the spectrum provisions pave the way for development of a nationwide interoperable broadband public safety network, finally making this recommendation of the 9/11 Commission a reality.

FCC Process Reform

Freeing up the airwaves is an important step to support the communications sector, but an industry's ability to thrive is also affected by the fairness and predictability of the regulations –

and regulators – that govern it. For that reason, we followed enactment of spectrum reform with common-sense FCC process reform.

The Federal Communications Commission Process Reform Act (H.R. 3309), authored by Chairman Walden and Rep. Adam Kinzinger, aims to improve the way the FCC operates. The legislation builds on the efforts of the FCC's current chairman, who has taken steps to improve process in some areas, by codifying some basic requirements that will ensure these "good government" reforms will be maintained not just today, but by future commissions as well. Specifically, the legislation aims to protect jobs by ensuring regulatory benefits outweigh costs and promote transparency, fairness, and efficiency in commission operations. The bill was approved by the House on March 27 with bipartisan support.

Separately, the Federal Communications Commission Consolidated Reporting Act (H.R. 3310), authored by Rep. Steve Scalise, consolidates the reporting obligations of the FCC to improve transparency and oversight while reducing regulatory burdens. It is a natural complement to the FCC process reform package and has drawn broad bipartisan support. The bill was approved by the full committee by voice vote, and is expected to clear a vote by the full House soon.

FDA Reform

Another important element of our pro-jobs agenda is FDA reform, which we will achieve through reauthorization of the various user fee programs that help bring safe and effective pharmaceuticals and medical devices to patients. The existing user fee programs are set to expire at the end of the fiscal year, making this legislation a top priority for the committee.

We began this effort last year with a series of hearings in which we heard about the many successes of the user fee programs, as well as opportunities for improvement in their reauthorization. Particularly when it comes to medical devices, we heard from patients and device inventors about cumbersome red tape in the pre-market approval process that results in fewer available treatments for American patients and less innovation and investment in the American economy.

The medical device industry employs more than 400,000 Americans and is responsible for more than 2 million jobs. Yet as we learned through our hearings and investigation into the current device approval process, our leadership position is at risk because of needless regulatory roadblocks. For example, we found that for low to moderate risk medical devices, navigating the FDA took companies up to two years longer than in Europe.

We devoted substantial time in the first three months of the year holding hearings and engaging in bipartisan discussions to set the stage for reauthorization.

- We began on February 1 with a hearing on reauthorization of PDFUA: What it means for jobs, innovation, and patients.
- That first FDA hearing of the year was followed with a February 9 hearing on a review of the proposed generic drug and biosimilars user fees and further examination of drug shortages.

- From there, we revisited medical device issues with a February 15 hearing on reauthorization of MDUFA, again looking at what it means for jobs, innovation, and patients.
- Having examined the core issues related to the existing and proposed user fee programs for prescription drugs, generic drugs and biosimilars, and medical devices, we held a March 8 hearing on issues related to accelerated approval, medical gas, antibiotic development, and downstream pharmaceutical supply chain.
- Finally, on March 27, we held a hearing examining the current state of cosmetics to determine whether the existing patchwork of state laws related to cosmetic regulation has created uncertainty and hurt job creation.

Health Subcommittee Chairman Joe Pitts has done great work examining the issues and establishing a record from which to advance legislation. We began that process, as the second quarter of the year gets underway, with a legislative hearing on the package of FDA reforms that we will soon advance. When I report back to you on our accomplishments in the second quarter, I fully expect that both our committee and the full U.S. House of Representatives have approved these pro-patient, pro-job reforms.

Where the Jobs Are

The new year brought with it an exciting new initiative led by Commerce, Manufacturing, and Trade Subcommittee Chairman Mary Bono Mack: a hearing series on "where the jobs are." We are all familiar with the question, "where are the jobs?" – it's a question we have been asking throughout the current economic downturn as policies advanced by congressional Democrats and the Obama administration exacerbated economic hardship and stifled economic recovery.

Without a doubt, many of those challenges remain. It's why our committee has been leading the charge to expose and eliminate costly and burdensome regulations. It's why we continue working to repeal the president's costly and controversial health care law. And it's why we stand up against proposed expansions in the size and scope of government, which threaten economic freedom and opportunities for job creation.

While these initiatives are important, they are not our only opportunity to answer the question, "where are the jobs?" On February 15, the CMT Subcommittee kicked off its hearing series to begin a thorough review of the obstacles and opportunities for job creation both now and in the future. Simply put, we're working to show the American people *where the jobs are.*

The first hearing in the series looked at employment trends and analysis, creating a foundation of understanding about the current state of our economy that will allow us to continue the hearing series with a specific examination of industries that have the potential to grow and thrive – provided, of course, that the policies coming out of Washington support innovation and investment rather than stifling them.

The Commerce, Manufacturing, and Trade Subcommittee also continued our Jobs and Innovation Forum series with a panel hosted by Rep. Brett Guthrie on February 6, to explore solutions for *Making it Easier to Make it in America*. While the United States currently has the world's largest manufacturing economy, various regulations and policies are threatening this vital sector. The

forum invited economic and regulatory experts, along with job creators in the manufacturing sector, to examine the current state of American manufacturing and explore opportunities to support and expand job growth in the industry.

The American Energy Initiative

I began with the good news – job-creating legislation and an optimistic examination of the American job market. But to succeed in our goal of supporting job creation and economic growth, we must also acknowledge the roadblocks put in place by this administration and our efforts to offer better solutions. Such is the case with an issue at the core of economic success: energy policy.

House Republicans came together last year to begin work on the American Energy Initiative, an ongoing effort to increase domestic energy production, strengthen our energy security, and create American jobs. We held hearings, conducted oversight, and advanced numerous bills through the House, all with bipartisan support. And as 2012 began, the importance of our efforts was clearer than ever.

More than three years after TransCanada submitted an application to construct the $7 billion Keystone XL pipeline, President Obama late last year punted on the project. Claiming additional environmental review was needed, he disregarded the finding of his own State Department that construction of the pipeline was the "preferred" option and put a hold on the project until at least early 2013. Although a reroute of a small portion of the pipeline was sought in Nebraska, the state's legislature and governor have moved forward on such a process working with TransCanada. Stalling the entire project in its tracks was simply not necessary, and it became clear to many of us that the president's decision was about political concerns rather than legitimate policy questions.

For that reason, at the end of the year Congress established a firm 60-day deadline for President Obama to review the completed environmental review and make a decision on the Keystone XL pipeline Presidential Permit based solely on his assessment of whether the pipeline served the national interest. Fewer than 30 days later, President Obama flatly rejected the project, claiming that more than three years of review and public input involving 11 federal agencies provided insufficient time and information to make a decision.

That's where the Energy and Commerce Committee stepped in. As you all recall, we first sought to speed up the decision on approval of the Keystone XL pipeline nearly a year ago as it became clear that the Obama administration was failing to make a timely decision. But the president's outright rejection of the pipeline called for a new approach. Once again, Rep. Lee Terry stepped up with a legislative solution.

The very first hearing of our committee in the second session of the 112th Congress was a legislative hearing on H.R. 3548, the North American Energy Access Act. Because President Obama has proven himself unable to make an affirmative decision on this project, the bill makes the Federal Energy Regulatory Commission responsible for approving the pipeline based on the completed Final Environmental Impact Statement, and for working with Nebraska to approve the reroute developed by the state. On February 16, the House approved the North American Energy Access Act as part of a larger package focused on expanding American energy

development. While it hasn't advanced to the president's desk yet, we continue pressing for any opportunity to advance this job-creating project that will strengthen our nation's energy security. Most recently, the House voted again on Rep. Terry's bill, this time as part of a must-pass transportation and infrastructure extension – after all, a safe pipeline to carry oil from Canada to U.S. refineries is a prime example of the type of infrastructure our nation needs.

Our experience this Congress with the Keystone XL pipeline demonstrates the fundamental difference in philosophy between our GOP Conference and this president and his party. As Rep. Cathy McMorris Rodgers and many of you have pointed out, our different visions for energy policy can succinctly be contrasted as the difference between the Keystone economy – one of innovation, private investment, and abundant resources – and the Solyndra economy – one of government overspending, market distortions, and taxpayer vulnerability.

To demonstrate these differences and make the case for our positive energy solutions, we continued our hearing series on the American Energy Initiative. In just the first three months of the year, we held several important hearings on the most pressing energy challenges facing the nation. I already mentioned that our first hearing out of the gate looked at legislation to speed approval of Keystone XL. But we didn't stop there.

- On February 8, we looked at EPA's Utility MACT Rule and what it will cost U.S. consumers. While the most expensive, Utility MACT is just one in a long line of rules affecting the power sector, and those costs and burdens threaten to drive up prices for consumers and businesses, creating a drag on our still-weak economy.
- On March 7, we held a hearing that focused on rising gasoline prices. We heard from industry experts about factors that affect the price of gasoline. While there are certainly geopolitical and global market issues we cannot control, witnesses pointed out that certain U.S. policies can and do make a difference in price. We particularly focused on U.S. policies affecting development of American energy and regulations affecting energy development, production, and distribution.
- On March 20, we held a hearing that looked more closely at energy technology with an emphasis on Canadian oil sands. Technological breakthroughs together with less government red tape have changed the Canadian energy landscape. The Canadian oil sands success story dispels the notion that we were in an era of energy scarcity.
- Finally, on March 28, we held a hearing on legislative responses to rising gasoline prices. We looked at a bill offered by Energy and Power Subcommittee Chairman Ed Whitfield that pushes the pause button on three particularly burdensome forthcoming regulations while we conduct a study of the cumulative impact of all the rules affecting refineries that drive up the price at the pump. We also looked at legislation developed by Rep. Cory Gardner to ensure responsible use of our nation's energy reserves. His bill says that if the president chooses to tap our emergency oil supply in the Strategic Petroleum Reserve, he must make a corresponding effort to open up additional federal lands for energy exploration.

In the coming weeks, our committee and the full House will take up these bills. They are just the latest phase of the American Energy Initiative, which continues delivering common-sense solutions to create jobs and support secure, affordable energy.

Regulatory Reform

A final note on our efforts to support job creation and economic growth. The very first hearing of our committee in the 112th Congress looked at an Executive Order issued by President Obama that was ostensibly designed to ease the regulatory burden on job creators and eliminate unnecessary red tape. It's only fitting that, one year later, we would look back to see what progress had been made and whether the president and his regulatory agencies were delivering on those promises. And that's exactly what Oversight and Investigations Subcommittee Chairman Cliff Stearns did, with a hearing on private-sector views of the regulatory climate one year after Executive Order 13563.

It was the latest in a series convened by the subcommittee to focus on the administration's approach to regulatory reform. One witness spelled out the challenges succinctly: "Today's labyrinth of state and federal regulations controls every aspect of economic activity, suffocates America's entrepreneurial spirit, and creates uncertainty stifling growth and prosperity." This and other witnesses discussed regulations resulting from PPACA and others promulgated by the EPA and other federal agencies as stifling job creation and impeding our nation's economic recovery.

This is a strong record in support of job creation and economic growth, but I think you'll agree with me that we hope to accomplish much more. So far, the Democrats in control of the Senate have prevented more than two dozen job-creating bills originating in the House – many from our committee – from reaching the president's desk. But we haven't stopped delivering solutions, and we won't.

Standing Up for Taxpayers by Reducing the Size and Scope of the Federal Government

The second goal we set as a team at the beginning of the year is simple: protecting taxpayers. And it's closely related to the first. We are interested in reducing the size and scope of the federal government because a bloated, expensive, and intrusive government is one of the greatest threats now facing our economic wellbeing.

Repealing and Replacing Obamacare

When it comes to expensive and intrusive acts of government, virtually nothing compares to the president's health care law. We began the 112th Congress with a vote to repeal the law in its entirety, and that remains our goal to this day. In the meantime, we have approved a series of measures to dismantle it piece by piece, eliminating unaccountable spending and untenable programs that will insert government bureaucrats between patients and their doctors.

On March 22, the House approved the latest effort to repeal central components of the health care law and begin to replace government-centered reforms with sensible alternatives. The Protecting Access to Healthcare Act (H.R. 5) combined a repeal of the so-called Independent Payment Advisory Board (IPAB), which will deny care to Medicare beneficiaries, with comprehensive medical liability reform. Both measures moved through our committee.

With legislative efforts underway, our oversight of the health care law continued as well. On March 21, the Oversight and Investigations Subcommittee held a hearing on the Center for

Consumer Information and Insurance Oversight to coincide with the second anniversary of the law. And on March 1, the Health Subcommittee convened its annual review of the administration's budget request for the Department of Health and Human Services, an opportunity we used to question Secretary Sebelius about a host of issues related to the law, its higher-than-advertised implementation costs, and its encroachment on individual liberty.

During that hearing, I and many of you expressed our profound disappointment with the HHS rule that, in effect, will force religiously affiliated organizations to violate the tenets of their faith. Under the auspices of federally mandated insurance requirements, HHS is demanding that all health plans provide, without cost to the individual, contraception, sterilization, and abortion-inducing drugs. This infringement on constitutionally protected religious freedom is unacceptable on its own, and deeply troubling as the first of what is sure to be many such mandates that put government in control of our health care system and decisions. This rule and others like it underscore the importance of repealing this overreaching law.

Rigorous Oversight

The oversight team continues to play a large role in our efforts to protect taxpayers, with major progress on investigations in several areas. The investigation into how the health care law itself was crafted is an important part of our work. The very constitutionality of the law is in doubt and neither the American people nor their elected representatives were full parties to all of the negotiations and deals that happened behind closed doors to ensure passage of this controversial law. We recently updated you on the status of this investigation, and we'll have more to report soon about what we have found as we peel back the layers and expose how this law was written, by whom, and in exchange for what.

Energy is another central oversight focus. Our investigation into the Solyndra debacle continues. Despite months of stonewalling and obfuscation by the White House, we have persisted in our quest to obtain the necessary documents and information to get to the bottom of how and why this loan guarantee was made – and illegally restructured – resulting in a loss to taxpayers of half a billion dollars.

We also opened a new front in our investigation into stimulus-funded energy spending with a review of the 1603 program, which provides cash payments in lieu of tax credits to renewable energy projects. We began the investigation with letters to the Energy and Treasury Departments seeking an accurate accounting of the $10 billion-plus program and its record of job creation. As a program established by the stimulus, we expected to hear that job creation was a major focus and outcome. But in its response to the committee, the Treasury Department noted that, "job creation is not one of the statutory requirements for eligibility and thus it is not a factor in the consideration process. Because the 1603 program's primary focus is on domestic renewable energy production, Treasury also does not report on the number of jobs created by the program."

Multiple reports have questioned figures detailing temporary and permanent jobs spawned by the Section 1603 grant program. In a November 2011 study, the Congressional Research Service wrote, "quantifying and measuring green job creation and growth has been difficult" and added that "it is recommended that any job creation estimate be viewed with skepticism." A *Wall Street*

Journal investigation found problems with accounting for the number of jobs created by the 1603 program, finding "evidence of far fewer (jobs). Some plants laid off workers. Others closed."

Though it missed our deadline for providing a response, DOE produced a report itself estimating the economic impact of the 1603 grants. The report takes credit for both direct and indirect job creation, while acknowledging that gross, rather than net, jobs are estimated. The economic model "does not account for displacement of jobs or economic activity…" Moreover, according to its report, DOE is unable to estimate how many of the jobs are actually linked to the 1603 grants.

Oversight of how the taxpayers' dollars are being spent has been a hallmark for all of our subcommittees, with hearings that review the administration's budget requests for each agency. In addition to the hearing on the HHS budget, we called in the top officials for the Department of Energy, the Environmental Protection Agency, and the Federal Communications Commission to answer for their proposed spending levels and how they are currently operating in light of record debt levels and continued trillion-dollar deficits.

Protecting Individuals, Families, and Communities

Technological breakthroughs in the 21st century have brought vast new opportunities, but also new challenges and threats. Many of these issues are intertwined, and all of them are complex with little room for error. Our team has worked collaboratively, beginning last year and continuing in earnest in the first quarter of this year, to understand rapidly evolving technological advancements and to craft appropriate responses that will promote continued innovation while protecting individual liberty and our national security.

Cybersecurity

Several of our subcommittees have engaged in the effort to understand the cyber-threats facing our nation and determine how government can help, rather than hinder, a response. Three of our members were appointed to serve on the House Cybersecurity Task Force formed last year by Speaker Boehner and Leader Cantor: Reps. Bob Latta, Tim Murphy, and Lee Terry. In addition, Communications and Technology Subcommittee Chairman Greg Walden appointed Lee Terry to co-chair, and Reps. Bob Latta and Adam Kinzinger to serve on, a bipartisan Cybersecurity Working Group to examine the current landscape and lay the foundation for the subcommittee's efforts to address cybersecurity.

The Working Group's purpose is to identify existing legal impediments to securing communications networks against cyber-threats and incentive-based approaches to encourage private-sector companies to work with each other and the public sector. As the Working Group delves deeply into these issues, the subcommittee convened three separate hearings to inform its work and help all members better understand cybersecurity issues affecting our communications networks.

On February 8, the subcommittee convened a hearing on threats to communications networks and private-sector responses. On March 28, it held a parallel hearing with an emphasis on public-sector responses. And on March 7, the subcommittee took a broad look at the pivotal role of communications networks in securing cyberspace.

The Oversight and Investigations Subcommittee continued its cybersecurity efforts as well, with a pair of hearings that looked more closely at specific threats and vulnerabilities and how the federal government is currently responding. On February 28, the subcommittee held a hearing on critical infrastructure cybersecurity in order to assess smart grid security. And on March 27, the subcommittee looked at IT supply chain security to review government and industry efforts.

An important element of our cybersecurity review is understanding current threats and the systems that are in place to defend against those threats. Before we act, we need to understand whether government intervention would improve our ability to respond or make it more difficult by slowing the process down. Such is the case with security of the electric grid. It's an issue Congress sought to address in the last Congress, and of course the security of our grid remains an important priority today. But the landscape now is very different than it was just a couple of years ago. The Electric Reliability Organization and industry have learned lessons and adjusted their current cybersecurity safeguards. The solutions we proposed in the past do not fit with the challenges we face today, which is why the Energy and Power Subcommittee and all of our members engaged in cybersecurity continue working to strike the appropriate balance where any government response facilities a more nimble cyber response rather than loading the system down with added bureaucracy.

Likewise, we continue to see a valuable role for data security protections in the broader cybersecurity conversation. And we know how important it is to craft those solutions in a way that protects consumers and encourages transparency and accountability without producing harmful unintended consequences. Commerce, Manufacturing, and Trade Subcommittee Chairman Mary Bono Mack is leading our efforts to promote data security with her SAFE Data Act; she is taking into account the wide range of perspectives among members and affected industries and developing a carefully balanced solution designed to help prevent data breaches before they occur and ensure an appropriate response when they do occur that puts the interests of consumers first.

Online Privacy

While continuing her work on data security, Mary is also leading an in-depth review of online privacy. Although it is a discrete issue not directly linked to our cybersecurity efforts, online privacy certainly shares some fundamental similarities with online security and Mary is reviewing it with the same commitment to balanced policy that ensures the government does not hinder more effective private-sector solutions. On March 29, the subcommittee looked specifically at the president's recently revealed online privacy proposal to ask whether it strikes the right balance between protecting privacy and preserving Internet growth. Communications and Technology Subcommittee Chairman Greg Walden is also keeping an eye on privacy issues and the president's proposal as they apply to communications services.

Witnesses in the CMT hearing on the president's proposal urged lawmakers to proceed with caution when pursuing regulation in this area, with one expert explaining, "With such a dynamic mobile ecosystem it is difficult to predict where the market is headed next and what industry standards will be adopted. This makes it difficult to implement a regulatory regime for the app marketplace. The industry is far from mature and activities or practices that regulators seek to address may no longer exist in their current form by the time new rules can be implemented."

Examining Complex Issues

Our goal of protecting individuals, families, and communities is one that extends into a wide array of different issues. In just the first three months of the year, we held hearings on the following important issues:

- We looked at internal operations and implementation of the Chemical Facility Anti-Terrorism Standards (CFATS) program. The issue gained prominence after an internal report was leaked that detailed widespread mismanagement and a failure to get the program up and running by the Department of Homeland Security.
- We heard from the co-chairs of the Blue Ribbon Commission on America's Nuclear Future to assess their recommendations. Environment and the Economy Subcommittee Chairman John Shimkus has been leading our efforts to hold the Nuclear Regulatory Commission and the entire Obama administration accountable for its failure to move us toward a permanent repository for spent nuclear fuel and its repeated efforts to shut down the Yucca Mountain repository, contradicting congressional intent and squandering billions of dollars in investment by taxpayers and ratepayers.
- The Commerce, Manufacturing, and Trade Subcommittee looked at motor vehicle safety provisions in the House and Senate highway bills. As noted during the hearing, we are today in what is unequivocally the safest period in automobile history. Not only were there fewer fatalities in 2010 (the most recent year available) than any year in the past six decades, but the rate of fatalities per vehicle miles traveled is the lowest since the first year of the automobile. As the House and Senate work together on a final highway bill, we will have a seat at the table to help ensure any new regulations balance both the benefits and costs and recognize what consumers can afford.
- The CMT Subcommittee also held a hearing on prescription drug diversion. According to the Centers for Disease Control and Prevention (CDC), approximately 27,000 unintentional drug overdose deaths occurred in the United States during 2007—a number that has increased five-fold since 1990. More needs to be done at all levels of government to address this growing scourge.
- The Health Subcommittee looked at efforts to prevent and treat traumatic brain injury (TBI). TBI occurs when an external force injures the brain. According to data collected by the Centers for Disease Control and Prevention (CDC), approximately 1.7 million people, both children and adults, sustain a traumatic brain injury annually. Of these, 52,000 die, 275,000 are hospitalized, and 1.3 million are treated and released from an emergency room. Falls are the leading cause of TBI. Rates are highest for children under the age of 4 and adults aged 75 and older. TBI in veterans who have sustained blast injuries and sports-related concussions are increasingly being recognized. Motor vehicle accidents are the leading cause of TBI-related deaths.

Conclusion

Working together, in just these first three months of 2012, we conducted three dozen hearings and markups. We produced legislation and advanced it through the full U.S. House of Representatives. We conducted oversight, poring over documents from the administration and listening to expert witnesses who warned about wasteful spending and an opaque executive branch. And above all else, we continued listening to our constituents and ensuring our work here in Washington promoted their best interests and reflected the principles they sent us here to uphold.

It has been a productive first quarter, but our work is not yet done. We have a busy schedule already outlined for the coming weeks, and I thank you as always for making every minute count.