

Union Calendar No. 548

112th Congress, 2d Session - - - - - House Report 112-746

ACTIVITY REPORT
OF THE
COMMITTEE ON ENERGY AND COMMERCE
OF THE
U.S. HOUSE OF REPRESENTATIVES
FOR THE
ONE HUNDRED TWELFTH CONGRESS
TOGETHER WITH
MINORITY VIEWS



JANUARY 2, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

29-006

WASHINGTON : 2013

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 2, 2013.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. HAAS: Pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives, I present herewith the fourth semi-annual report on the activity of the Committee on Energy and Commerce for the 112th Congress, including the Committee's review and study of legislation within its jurisdiction and the oversight activities undertaken by the Committee.

Sincerely,

FRED UPTON,
Chairman.



Activity Report of the
Committee on Energy and
Commerce
U.S. House of
Representatives

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JURISDICTION

The jurisdiction of the Committee on Energy and Commerce, as prescribed by clause 1(f) of rule X of the Rules of the House of Representatives, is as follow:

- (1) Biomedical research and development.
- (2) Consumer affairs and consumer protection.
- (3) Health and health facilities (except health care supported by payroll deductions).
- (4) Interstate energy compacts.
- (5) Interstate and foreign commerce generally.
- (6) Exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.
- (7) Conservation of energy resources.
- (8) Energy information generally.
- (9) The generation and marketing of power (except by federally chartered or Federal regional power marketing authorities); reliability and interstate transmission of, and ratemaking for, all power; and siting of generation facilities (except the installation of interconnections between Government waterpower projects).
- (10) General management of the Department of Energy and management and all functions of the Federal Energy Regulatory Commission.
- (11) National energy policy generally.
- (12) Public health and quarantine.
- (13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.
- (14) Regulation of interstate and foreign communications.
- (15) Travel and tourism.

The committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy.

In addition, clause 3(e) of rule X of the Rules of the House of Representatives provides that the Committee on Energy and Commerce shall review and study on a continuing basis laws, programs, and Government activities relating to nuclear and other energy and nonmilitary nuclear energy research and development including the disposal of nuclear waste.

RULES FOR THE COMMITTEE ON ENERGY AND COMMERCE,
U.S. HOUSE OF REPRESENTATIVES, 112TH CONGRESS

Rule 1. General provisions

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Energy and Commerce (the “Committee”) and its subcommittees so far as is applicable.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

Rule 2. Meetings

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings. The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) Notice. The date, time, place, and subject matter of any meeting of the Committee scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. The date, time, place, and subject matter of other meetings when the House is in session shall be announced to allow Members to have at least three days notice (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) of such meeting. The date, time, place, and subject matter of all other meetings shall be announced at least 72 hours in advance of the commencement of such meeting.

(d) Agenda. The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) Availability of Texts. No bill, recommendation, or other matter shall be considered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an ex-

planation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) Waiver. The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chairman with the concurrence of the ranking member, as the case may be.

Rule 3. Hearings

(a) Notice. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) Memorandum. Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) Witnesses. (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(d) Questioning. (1) The right to interrogate the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. The chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee.

(2) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side. The chairman with the concur-

rence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(3) Each member may submit to the chairman of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record.

Rule 4. Vice chairmen; presiding member

The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee, other than the Oversight and Investigations Subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

Rule 5. Open proceedings

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

Rule 6. Quorum

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee in question. A majority of the members of the Committee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

Rule 7. Official Committee records

(a)(1) Journal. The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting, and include a record of the vote on any question on which a record vote is demanded and a description of the amendment, motion, order, or other proposition voted. A copy of the journal shall be furnished to the ranking minority member.

(2) Record Votes. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the

apparent absence of a quorum. The result of each record vote in any meeting of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in rule XI, clause 2(e) of the Rules of the House, within 24 hours. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting. The chairman, with the concurrence of the ranking minority member, may from time to time postpone record votes ordered on amendments to be held at a time certain during the consideration of legislation.

(b) *Archived Records.* The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the rule.

Rule 8. Subcommittees

(a) *Establishment.* There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

(b) *Powers and Duties.* Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(c) *Ratio of Subcommittees.* The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

(d) *Selection of Subcommittee Members.* Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(e) *Ex Officio Members.* The chairman and ranking minority member of the Committee shall be ex officio members with voting

privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees. The minority chairman emeritus shall be an ex officio member without voting privileges of each subcommittee of which the minority chairman emeritus is not assigned as a member and shall not be counted for purposes of establishing a quorum on any such subcommittee.

Rule 9. Opening statements

(a) Written Statements. All written opening statements at hearings and business meetings conducted by the committee shall be made part of the permanent record.

(b) Length. (1) At full committee hearings, the chairman and ranking minority member shall be limited to 5 minutes each for an opening statement, and may designate another member to give an opening statement of not more than 5 minutes. At subcommittee hearings, the subcommittee chairman and ranking minority member of the subcommittee shall be limited to 5 minutes each for an opening statement. In addition, the full committee chairman and ranking minority member shall each be allocated 5 minutes for an opening statement for themselves or their designees.

(2) At any business meeting of the Committee, statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. The chairman may further limit opening statements for Members (including, at the discretion of the Chairman, the chairman and ranking minority member) to one minute.

Rule 10. Reference of legislation and other matters

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full Committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matters within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

Rule 11. Managing legislation on the House Floor

The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

Rule 12. Committee professional and clerical staff appointments

(a) Delegation of Staff. Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) Sufficient Staff. The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) Fair Treatment of Minority Members in Appointment of Committee Staff. The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Contracts for Temporary or Intermittent Services. Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

Rule 13. Supervision, duties of staff

(a) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign

the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

Rule 14. Committee budget

(a) Administration of Committee Budget. The chairman of the Committee, in consultation with the ranking minority member, shall for the 112th Congress attempt to ensure that the Committee receives necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight.

(b) Monthly Expenditures Report. Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

Rule 15. Broadcasting of committee hearings

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

Rule 16. Subpoenas

The chairman of the Committee may, after consultation with the ranking minority member, authorize and issue a subpoena under clause 2(m) of rule XI of the House. If the ranking minority member objects to the proposed subpoena in writing, the matter shall be referred to the Committee for resolution. The chairman of the Committee may authorize and issue subpoenas without referring the matter to the Committee for resolution during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the chairman, authorization and issuance of the subpoena is necessary. The chairman shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable but in no event later than one week after service of such subpoena.

Rule 17. Travel of Members and staff

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been

approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following:

- (1) the purpose of the travel;
 - (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made;
 - (3) the location of the event for which the travel is to be made; and
 - (4) the names of members and staff seeking authorization.
- (b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party professional staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

Rule 18. Website

The chairman shall maintain an official Committee website for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities, including communicating information about the activities of the minority members of the Committee to Committee members and other members of the House.

Rule 19. Conferences

The chairman of the Committee is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the chairman considers it appropriate.

MEMBERSHIP AND ORGANIZATION

ONE HUNDRED TWELTH CONGRESS

COMMITTEE ON ENERGY AND COMMERCE

(Ratio 31–23)

FRED UPTON, Michigan, *Chairman*

JOE BARTON, Texas, <i>Chairman Emeritus</i>	HENRY A. WAXMAN, California, <i>Ranking Member</i>
CLIFF STEARNS, Florida	JOHN D. DINGELL, Michigan, <i>Chairman Emeritus</i>
ED WHITFIELD, Kentucky	EDWARD J. MARKEY, Massachusetts
JOHN SHIMKUS, Illinois	EDOLPHUS TOWNS, New York
JOSEPH R. PITTS, Pennsylvania	FRANK PALLONE, Jr., New Jersey
MARY BONO MACK, California	BOBBY L. RUSH, Illinois
GREG WALDEN, Oregon	ANNA G. ESHOO, California
LEE TERRY, Nebraska	ELIOT L. ENGEL, New York
MIKE ROGERS, Michigan	GENE GREEN, Texas
SUE WILKINS MYRICK, North Carolina, <i>Vice Chairman</i>	DIANA DeGETTE, Colorado
JOHN SULLIVAN, Oklahoma	LOIS CAPPES, California
TIM MURPHY, Pennsylvania	MICHAEL F. DOYLE, Pennsylvania
MICHAEL C. BURGESS, Texas	JAN SCHAKOWSKY, Illinois
MARSHA BLACKBURN, Tennessee	CHARLES A. GONZALEZ, Texas
BRIAN P. BILBRAY, California	TAMMY BALDWIN, Wisconsin
CHARLES F. BASS, New Hampshire	MIKE ROSS, Arkansas
PHIL GINGREY, Georgia	JIM MATHESON, Utah
STEVE SCALISE, Louisiana	G.K. BUTTERFIELD, North Carolina
ROBERT E. LATTA, Ohio	JOHN BARROW, Georgia
CATHY McMORRIS RODGERS, Washington	DORIS O. MATSUI, California
GREGG HARPER, Mississippi	DONNA M. CHRISTENSEN, Virgin Islands*
LEONARD LANCE, New Jersey	KATHY CASTOR, Florida**
BILL CASSIDY, Louisiana	JOHN P. SARBANES, Maryland***
BRETT GUTHRIE, Kentucky	
PETE OLSON, Texas	
DAVID B. MCKINLEY, West Virginia	
CORY GARDNER, Colorado	
MIKE POMPEO, Kansas	
ADAM KINZINGER, Illinois	
H. MORGAN GRIFFITH, Virginia	

* Representative Jane Harman (D–CA) resigned from the Committee on Energy and Commerce on February 28, 2011. Representative Donna M. Christensen (D–VI) was elected to the Committee on Energy and Commerce on March 8, 2011, pursuant to H. Res. 149.

** Representative Anthony D. Weiner (D–NY) resigned from the Committee on Energy and Commerce on June 21, 2011. Representative Kathy Castor (D–FL) was elected to the Committee on Energy and Commerce on June 22, 2011, pursuant to H. Res. 321.

*** Representative Jay Inslee (D–WA) resigned from the Committee on Energy and Commerce on March 20, 2012. Representative John P. Sarbanes (D–MD) was elected to the Committee on Energy and Commerce on March 20, 2012, pursuant to H. Res. 590.

SUBCOMMITTEE MEMBERSHIPS AND JURISDICTION

SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE

(Ratio 14–9)

MARY BONO MACK, California, *Chairman*

MARSHA BLACKBURN, Tennessee, <i>Vice Chairman</i>	G.K. BUTTERFIELD, North Carolina <i>Ranking Member</i>
CLIFF STEARNS, Florida	CHARLES A. GONZALEZ, Texas
CHARLES F. BASS, New Hampshire	JIM MATHESON, Utah
GREGG HARPER, Mississippi	JOHN D. DINGELL, Michigan
LEONARD LANCE, New Jersey	EDOLPHUS TOWNS, New York
BILL CASSIDY, Louisiana	BOBBY L. RUSH, Illinois
BRETT GUTHRIE, Kentucky	JAN SCHAKOWSKY, Illinois
PETE OLSON, Texas	JOHN P. SARBANES, Maryland
DAVID B. MCKINLEY, West Virginia	HENRY A. WAXMAN, California
MIKE POMPEO, Kansas	<i>(Ex Officio)</i>
ADAM KINZINGER, Illinois	
JOE BARTON, Texas	
FRED UPTON, Michigan <i>(Ex Officio)</i>	

Jurisdiction: Interstate and foreign commerce, including all trade matters within the jurisdiction of the full committee; Regulation of commercial practices (the FTC), including sports-related matters; Consumer affairs and consumer protection, including privacy matters generally; Consumer product safety (the CPSC); Product liability; Motor vehicle safety; and, Regulation of travel, tourism, and time.

SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

(Ratio 16–11)

GREG WALDEN, Oregon, *Chairman*

LEE TERRY, Nebraska, <i>Vice Chairman</i>	ANNA G. ESHOO, California, <i>Ranking Member</i>
CLIFF STEARNS, Florida	EDWARD J. MARKEY, Massachusetts
JOHN SHIMKUS, Illinois	MICHAEL F. DOYLE, Pennsylvania
MARY BONO MACK, California	DORIS O. MATSUI, California
MIKE ROGERS, Michigan	JOHN BARROW, Georgia
MARSHA BLACKBURN, Tennessee	DONNA M. CHRISTENSEN, Virgin Islands
BRIAN P. BILBRAY, California	EDOLPHUS TOWNS, New York
CHARLES F. BASS, New Hampshire	FRANK PALLONE, Jr., New Jersey
PHIL GINGREY, Georgia	BOBBY L. RUSH, Illinois
STEVE SCALISE, Louisiana	DIANA DEGETTE, Colorado
ROBERT E. LATTA, Ohio	JOHN D. DINGELL, Michigan, <i>(Ex Officio—non voting)</i>
BRETT GUTHRIE, Kentucky	HENRY A. WAXMAN, California <i>(Ex Officio)</i>
ADAM KINZINGER, Illinois	
JOE BARTON, Texas	
FRED UPTON, Michigan <i>(Ex Officio)</i>	

Jurisdiction: Interstate and foreign telecommunications including, but not limited to, all telecommunication and information transmission by broadcast, radio, wire, microwave, satellite, or other mode.

SUBCOMMITTEE ON ENERGY AND POWER

(Ratio 16–11)

ED WHITFIELD, Kentucky, *Chairman*

JOHN SULLIVAN, Oklahoma, <i>Vice Chairman</i>	BOBBY L. RUSH, Illinois, <i>Ranking Member</i>
JOHN SHIMKUS, Illinois	KATHY CASTOR, Florida
GREG WALDEN, Oregon	JOHN P. SARBANES, Maryland
LEE TERRY, Nebraska	JOHN D. DINGELL, Michigan
MICHAEL C. BURGESS, Texas	EDWARD J. MARKEY, Massachusetts
BRIAN P. BILBRAY, California	ELIOT L. ENGEL, New York
STEVE SCALISE, Louisiana	GENE GREEN, Texas
CATHY McMORRIS RODGERS, Washington	LOIS CAPPS, California
PETE OLSON, Texas	MICHAEL F. DOYLE, Pennsylvania
DAVID B. MCKINLEY, West Virginia	CHARLES A. GONZALEZ, Texas
CORY GARDNER, Colorado	HENRY A. WAXMAN, California
MIKE POMPEO, Kansas	<i>(Ex Officio)</i>
H. MORGAN GRIFFITH, Virginia	
JOE BARTON, Texas	
FRED UPTON, Michigan	
<i>(Ex Officio)</i>	

Jurisdiction: National energy policy generally; Fossil energy, renewable energy resources and synthetic fuels, energy conservation, energy information; Energy regulation and utilization; Utility issues and regulation of nuclear facilities; Interstate energy compacts; Nuclear energy; The Clean Air Act and air emissions; and, All laws, programs, and government activities affecting such matters.

SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY

(Ratio 14–9)

JOHN SHIMKUS, Illinois, *Chairman*

TIM MURPHY, Pennsylvania, <i>Vice Chairman</i>	GENE GREEN, Texas, <i>Ranking Member</i>
ED WHITFIELD, Kentucky	TAMMY BALDWIN, Wisconsin
JOSEPH R. PITTS, Pennsylvania	G.K. BUTTERFIELD, North Carolina
MARY BONO MACK, California	JOHN BARROW, Georgia
JOHN SULLIVAN, Oklahoma	DORIS O. MATSUI, California
CHARLES F. BASS, New Hampshire	FRANK PALLONE, Jr., New Jersey
ROBERT E. LATTA, Ohio	DIANA DEGETTE, Colorado
CATHY McMORRIS RODGERS, Washington	LOIS CAPPS, California
GREGG HARPER, Mississippi	JOHN D. DINGELL, Michigan,
BILL CASSIDY, Louisiana	<i>(Ex Officio-non voting)</i>
CORY GARDNER, Colorado	HENRY A. WAXMAN, California
JOE BARTON, Texas	<i>(Ex Officio)</i>
FRED UPTON, Michigan	
<i>(Ex Officio)</i>	

Jurisdiction: All matters relating to soil and water contamination; The regulation of solid, hazardous, and nuclear wastes; The regulation of industrial plant security; The regulation of drinking water; and, The regulation of toxic substances and noise.

SUBCOMMITTEE ON HEALTH

(Ratio 16–11)

JOSEPH R. PITTS, Pennsylvania, *Chairman*

MICHAEL C. BURGESS, Texas, <i>Vice Chairman</i>	FRANK PALLONE, Jr., New Jersey, <i>Ranking Member</i>
ED WHITFIELD, Kentucky	JOHN D. DINGELL, Michigan
JOHN SHIMKUS, Illinois	EDOLPHUS TOWNS, New York
MIKE ROGERS, Michigan	ELIOT L. ENGEL, New York
SUE WILKINS MYRICK, North Carolina	LOIS CAPPS, California
TIM MURPHY, Pennsylvania	JAN SCHAKOWSKY, Illinois
MARSHA BLACKBURN, Tennessee	CHARLES A. GONZALEZ, Texas
PHIL GINGREY, Georgia	TAMMY BALDWIN, Wisconsin
ROBERT E. LATTA, Ohio	MIKE ROSS, Arkansas
CATHY McMORRIS RODGERS, Washington	JIM MATHESON, Utah
LEONARD LANCE, New Jersey	HENRY A. WAXMAN, California
BILL CASSIDY, Louisiana	<i>(Ex Officio)</i>
BRETT GUTHRIE, Kentucky	
JOE BARTON, Texas	
FRED UPTON, Michigan	
<i>(Ex Officio)</i>	

Jurisdiction: Public health and quarantine; hospital construction; mental health and research; biomedical programs and health protection in general, including public and private health insurance; food and drugs; and, drug abuse.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

(Ratio 14–9)

CLIFF STEARNS, Florida, *Chairman*

LEE TERRY, Nebraska	DIANA DEGETTE, Colorado, <i>Ranking Member</i>
SUE WILKINS MYRICK, North Carolina	JAN SCHAKOWSKY, Illinois
JOHN SULLIVAN, Oklahoma	MIKE ROSS, Arkansas
TIM MURPHY, Pennsylvania	KATHY CASTOR, Florida
MICHAEL C. BURGESS, Texas	EDWARD J. MARKEY, Massachusetts
MARSHA BLACKBURN, Tennessee	GENE GREEN, Texas
BRIAN P. BILBRAY, California	DONNA M. CHRISTENSEN, Virgin Islands
PHIL GINGREY, Georgia	JOHN D. DINGELL, Michigan
STEVE SCALISE, Louisiana	HENRY A. WAXMAN, California
CORY GARDNER, Colorado	<i>(Ex Officio)</i>
H. MORGAN GRIFFITH, Virginia	
JOE BARTON, Texas	
FRED UPTON, Michigan	
<i>(Ex Officio)</i>	

Jurisdiction: Responsibility for oversight of agencies, departments, and programs within the jurisdiction of the full committee, and for conducting investigations within such jurisdiction.

COMMITTEE STAFF

MAJORITY COMMITTEE STAFF

GARY ANDRES, *Staff Director*
MICHAEL D. BLOOMQUIST, *General Counsel*
ALEXA MARRERO, *Deputy Staff Director*
SEAN BONYUN, *Communications Director*
MARYAM S. BROWN, *Chief Counsel, Energy and Power*
NEIL FRIED, *Chief Counsel, Communications and Technology*
KAREN CHRISTIAN, *Chief Counsel, Oversight and Investigations*
RYAN LONG, *Chief Counsel, Health*
DAVID MCCARTHY, *Chief Counsel, Environment and the Economy*
JOHN MULLAN, *Chief Counsel, Commerce, Manufacturing, and Trade*
NICK ABRAHAM, *Legislative Clerk*
R. CLAYTON ALSPACH, *Counsel*
CARL ANDERSON, *Counsel*
PAIGE ANDERSON, *Policy Coordinator, Commerce, Manufacturing, and Trade*
CHARLOTTE BAKER, *Press Secretary*
RAY BAUM, *Senior Policy Advisor*
DAVID BELL, *Staff Assistant*
ANITA BRADLEY, *Senior Policy Advisor to Chairman Emeritus*
MATTHEW BRAVO, *Professional Staff*
ALLISON BUSBEE, *Legislative Clerk*
ANNIE CAPUTO, *Professional Staff Member*
HOWARD COHEN, *Chief Health Counsel*
SEAN CORCORAN, *Office Manager*
GERALD COURI, *Senior Environmental Policy Advisor*
PATRICK CURRIER, *Counsel*
AARON S. CUTLER, *Deputy Policy Director*
MARTIN DANNENFELSER, *Senior Advisor, Health Policy and Coalitions*
BRENDA DESTRO, *Professional Staff Member*
ANDREW DUBERSTEIN, *Deputy Press Secretary*
NANCY DUNLAP, *Fellow, Health*
PAUL EDATTEL, *Professional Staff Member*
CAROLYN FERGUSON, *Staff Assistant*
JULIE GOON, *Senior Health Policy Advisor*
SYDNE HARWICK, *Staff Assistant*
BRITTANY HAVENS, *Staff Assistant*
SEAN HAYES, *Counsel*
CORY HICKS, *Policy Coordinator, Energy and Power*
BRIAN "KIRBY" HOWARD, *Legislative Clerk*
DEBORAH KELLER, *Press Secretary*
PETER E. KIELTY, *Deputy General Counsel*
HEIDI KING, *Chief Economist*
JASON KNOX, *Counsel*
BEN LIEBERMAN, *Counsel*
BRIAN MCCULLOUGH, *Senior Professional Staff Member*
CARLY MCWILLIAMS, *Legislative Clerk*
MARY NEUMAYR, *Senior Energy Counsel*
KATHRYN NOVARIA, *Legislative Clerk*
JOHN O'SHEA, *Senior Health Policy Advisor*
MONICA POPP, *Professional Staff Member*
ANDREW POWALENY, *Deputy Press Secretary*
MARK RATNER, *Policy Advisor to the Chairman*
DAVID REDL, *Counsel*
TINA RICHARDS, *Counsel*
KRISTA CARPENTER ROSENTHALL, *Counsel to Chairman Emeritus*
CHRIS SARLEY, *Policy Coordinator, Environment and the Economy*
CHARLOTTE SAVERCOOL, *Executive Assistant, Legislative Clerk*
ALAN M. SLOBODIN, *Chief Investigative Counsel*
SAMUEL SPECTOR, *Counsel*
PETER SPENCER, *Professional Staff Member*
HEIDI STIRRUP, *Policy Coordinator, Health*
JOHN STONE, *Counsel*
KAREN SUMMAR, *Fellow, Health*
JAMES THOMAS, *Policy Coordinator, Oversight and Investigations*

TIM TORRES, *Deputy Director, Information Technology*
DANIEL TYRRELL, *Counsel*
LINDA WALKER, *Coordinator, Administrative and Human Resources*
SHANNON WEINBERG TAYLOR, *Counsel*
TOM WILBUR, *Digital Media Advisor*
JEAN WOODROW, *Director, Information Technology*

DETAILEES

WAYNE LAUFERT, *GPO*
MAUREEN MCLAUGHLIN, *FCC*
DAVID MEHRING, *OIG/HHS*
ROGER STOLTZ, *GAO*
CHRIS WELLS, *GPO*

MINORITY COMMITTEE STAFF

PHILIP S. BARNETT, *Staff Director*
 KAREN NELSON, *Deputy Staff Director, Health*
 ROGER C. SHERMAN, *Chief Counsel and Staff Director, Communications and Technology*
 KAREN LIGHTFOOT, *Communications Director and Senior Policy Advisor*
 MICHELLE ASH, *Chief Counsel, Commerce, Manufacturing, Trade*
 BRIAN COHEN, *Staff Director, Oversight and Investigations and Senior Policy Advisor*
 GREG DOTSON, *Staff Director, Energy and Environment*
 RUTH KATZ, *Chief Public Health Counsel*
 STACIA CARDILLE, *Deputy Chief Counsel*
 JEFF BARAN, *Senior Counsel*
 TIFFANY BENJAMIN, *Senior Counsel*
 ALISON CASSADY, *Senior Professional Staff Member*
 SHAWN CHANG, *Senior Counsel*
 AMY HALL, *Senior Professional Staff Member*
 PURVEE KEMPF, *Senior Counsel*
 FELIPE MENDOZA, *Senior Counsel*
 RACHEL SHER, *Senior Counsel*
 ALEXANDRA TEITZ, *Senior Counsel*
 MICHAEL AYLWARD, *Professional Staff Member*
 JACQUELINE COHEN, *Counsel*
 KIREN GOPAL, *Counsel*
 MARGARET MCCARTHY, *Professional Staff Member*
 ANNE MORRIS REID, *Professional Staff Member*
 MATT SIEGLER, *Counsel*
 JENNIFER BERENHOLZ, *Chief Clerk*
 ELIZABETH ERTEL, *Deputy Clerk*
 ELIZABETH LETTER, *Assistant Press Secretary*
 KAT SKILES, *Online Communications Director*
 ALLI CORR, *Policy Analyst*
 CAITLIN HABERMAN, *Policy Analyst*
 WILL WALLACE, *Policy Analyst*
 ALVIN BANKS, *Investigator*
 KARA VAN STRALEN, *Special Assistant*
 STEPHEN SALSBUURY, *Special Assistant*

DETAILEES

JEFFREY S. COHEN, *FCC*
 KRISTINA FRIEDMAN, *EPA*
 ERIC FLAMM, *FDA*
 JOCELYN GUTIERREZ, *DOE*
 ANGELA KORDYAK, *DOE*
 DAVID A. STRICKLAND, *FCC*

LEGISLATIVE AND OVERSIGHT ACTIVITY

SUMMARY OF COMMITTEE ACTIVITIES

Total Bills and Resolutions Referred to Committee	1108
Public Laws	15
Bills and Resolutions Reported to the House	62
Hearings Held:	
Days of Hearings	188
Full Committee	1
Subcommittee on Commerce, Manufacturing, and Trade	25
Subcommittee on Communications and Technology	26
Subcommittee on Energy and Power	50
Subcommittee on Environment and the Economy	19
Subcommittee on Health	39
Subcommittee on Oversight and Investigations	37
Hours of Sitting	451:31
Full Committee	2:18
Subcommittee on Commerce, Manufacturing, and Trade	56:28
Subcommittee on Communications and Technology	54:29
Subcommittee on Energy and Power	134:33
Subcommittee on Environment and the Economy	44:19
Subcommittee on Health	95:03
Subcommittee on Oversight and Investigations	92:11
Legislative Markups:	
Days of Markups	69
Full Committee	35
Subcommittee on Commerce, Manufacturing, and Trade	4
Subcommittee on Communications and Technology	4
Subcommittee on Energy and Power	14
Subcommittee on Environment and the Economy	4
Subcommittee on Health	8
Hours of Sitting	118:50
Full Committee	74:49
Subcommittee on Commerce, Manufacturing, and Trade	4:54
Subcommittee on Communications and Technology	6:26
Subcommittee on Energy and Power	17:43
Subcommittee on Environment and the Economy	1:13
Subcommittee on Health	13:45
Business Meetings:	
Days of Meetings	3
Full Committee	1
Subcommittee on Oversight and Investigations	2
Hours of Sitting	3:17
Full Committee	0:32
Subcommittee on Oversight and Investigations	2:45

FULL COMMITTEE

(Ratio 31–23)

FRED UPTON, Michigan, *Chairman*

JOE BARTON, Texas, <i>Chairman Emeritus</i>	HENRY A. WAXMAN, California, <i>Ranking Member</i>
CLIFF STEARNS, Florida	JOHN D. DINGELL, Michigan, <i>Chairman Emeritus</i>
ED WHITFIELD, Kentucky	EDWARD J. MARKEY, Massachusetts
JOHN SHIMKUS, Illinois	EDOLPHUS TOWNS, New York
JOSEPH R. PITTS, Pennsylvania	FRANK PALLONE, Jr., New Jersey
MARY BONO MACK, California	BOBBY L. RUSH, Illinois
GREG WALDEN, Oregon	ANNA G. ESHOO, California
LEE TERRY, Nebraska	ELIOT L. ENGEL, New York
MIKE ROGERS, Michigan	GENE GREEN, Texas
SUE WILKINS MYRICK, North Carolina, <i>Vice Chairman</i>	DIANA DeGETTE, Colorado
JOHN SULLIVAN, Oklahoma	LOIS CAPPS, California
TIM MURPHY, Pennsylvania	MICHAEL F. DOYLE, Pennsylvania
MICHAEL C. BURGESS, Texas	JAN SCHAKOWSKY, Illinois
MARSHA BLACKBURN, Tennessee	CHARLES A. GONZALEZ, Texas
BRIAN P. BILBRAY, California	TAMMY BALDWIN, Wisconsin
CHARLES F. BASS, New Hampshire	MIKE ROSS, Arkansas
PHIL GINGREY, Georgia	JIM MATHESON, Utah
STEVE SCALISE, Louisiana	G.K. BUTTERFIELD, North Carolina
ROBERT E. LATTA, Ohio	JOHN BARROW, Georgia
CATHY McMORRIS RODGERS, Washington	DORIS O. MATSUI, California
GREGG HARPER, Mississippi	DONNA M. CHRISTENSEN, Virgin Islands
LEONARD LANCE, New Jersey	KATHY CASTOR, Florida
BILL CASSIDY, Louisiana	JOHN P. SARBANES, Maryland
BRETT GUTHRIE, Kentucky	
PETE OLSON, Texas	
DAVID B. MCKINLEY, West Virginia	
CORY GARDNER, Colorado	
MIKE POMPEO, Kansas	
ADAM KINZINGER, Illinois	
H. MORGAN GRIFFITH, Virginia	

OVERSIGHT ACTIVITIES

THE CONSEQUENCES OF OBAMACARE: IMPACT ON MEDICAID AND STATE HEALTH CARE REFORM

On February 9, 2011, the Committee on Energy and Commerce held an oversight hearing on the Consequences of Obamacare: Impact on Medicaid and State Health Care Reform. At the hearing, the Committee heard from governors regarding their experiences with the Federal requirements included in the Patient Protection and Affordable Care Act. The Committee received testimony from the Governors of Massachusetts, Mississippi, and Utah.

HEARINGS HELD

Hearing entitled "The Consequences of Obamacare: Impact on Medicaid and State Health Care Reform." (March 1, 2011) Serial Number 112-11.

SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE

(Ratio 14–9)

MARY BONO MACK, California, <i>Chairman</i>	
MARSHA BLACKBURN, Tennessee, <i>Vice Chairman</i>	G.K. BUTTERFIELD, North Carolina <i>Ranking Member</i>
CLIFF STEARNS, Florida	CHARLES A. GONZALEZ, Texas
CHARLES F. BASS, New Hampshire	JIM MATHESON, Utah
GREGG HARPER, Mississippi	JOHN D. DINGELL, Michigan
LEONARD LANCE, New Jersey	EDOLPHUS TOWNS, New York
BILL CASSIDY, Louisiana	BOBBY L. RUSH, Illinois
BRETT GUTHRIE, Kentucky	JAN SCHAKOWSKY, Illinois
PETE OLSON, Texas	JOHN P. SARBANES, Maryland
DAVID B. MCKINLEY, West Virginia	HENRY A. WAXMAN, California <i>(Ex Officio)</i>
MIKE POMPEO, Kansas	
ADAM KINZINGER, Illinois	
JOE BARTON, Texas	
FRED UPTON, Michigan <i>(Ex Officio)</i>	

Jurisdiction: Interstate and foreign commerce, including all trade matters within the jurisdiction of the full committee; Regulation of commercial practices (the FTC), including sports-related matters; Consumer affairs and consumer protection, including privacy matters generally; Consumer product safety (the CPSC); Product liability; Motor vehicle safety; and, Regulation of travel, tourism, and time.

LEGISLATIVE ACTIVITIES

TO PROVIDE THE CONSUMER PRODUCT SAFETY COMMISSION WITH GREATER AUTHORITY AND DISCRETION IN ENFORCING THE CONSUMER PRODUCT SAFETY LAWS, AND FOR OTHER PURPOSES

PUBLIC LAW 112–28 (H.R. 2715)

To provide the Consumer Product Safety Commission with greater authority and discretion in enforcing the consumer product safety laws, and for other purposes.

Summary

The legislation will provide the Consumer Product Safety Commission (CPSC) with greater flexibility to reduce regulatory burdens, particularly for small businesses.

Legislative History

H.R. 2715 was introduced by Mrs. Bono Mack on August 1, 2011, and referred to the Committee on Energy and Commerce. H.R. 2715 was then considered in the House under suspension of the Rules and passed by a roll call vote of 421 yeas and 2 nays (Roll Call No. 683).

On August 1, 2011, H.R. 2715 was received in the Senate, read twice, considered, read a third time, and passed, without amendment, by unanimous consent.

H.R. 2715 was presented to the President on August 5, 2011, and the President signed the bill on August 12, 2011 (Public Law 112–28).

TEMPORARY SURFACE TRANSPORTATION EXTENSION ACT OF 2012

PUBLIC LAW 112–140 (H.R. 6064, TITLE II)

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

Summary

Title II extends the authorization of appropriations for specified National Highway Traffic Safety Administration safety programs. Section 202 extends the authorization of appropriations for Federal Motor Carrier Safety Administration programs, and section 203 extends the funding for hazardous materials research projects.

Legislative Actions

On June 29, 2012, H.R. 6064 was introduced in the House and referred to the Committee on Transportation and Infrastructure, the Committee on Ways and Means, the Committee on Natural Resources, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on Education and the Workforce.

H.R. 6064 was considered in the House by unanimous consent, and the bill was passed without objection.

The bill was received in the Senate, read twice, considered, read a third time, and passed, without amendment, by unanimous consent.

On June 29, 2012, H.R. 6064 was presented to and signed by the President (Public Law 112–140).

TO EXTEND THE UNDERTAKING SPAM, SPYWARE, AND FRAUD ENFORCEMENT WITH ENFORCERS BEYOND BORDERS ACT OF 2006, AND FOR OTHER PURPOSES

PUBLIC LAW 112–203 (H.R. 6131)

To extend the Undertaking Spam, Spyware, and Fraud Enforcement With Enforcers Beyond Borders Act of 2006, and for other purposes.

Summary

H.R. 6131 extends the repeal date of the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers Beyond Borders Act of 2006 (U.S. SAFE WEB Act of 2006), until September 30, 2020.

Legislative History

H.R. 6131 was introduced by Mrs. Bono Mack on July 7, 2012, and referred to the Committee on Energy and Commerce.

On July 20, 2012, H.R. 6131 was referred to the Subcommittee on Commerce, Manufacturing, and Trade.

The Committee on Energy and Commerce met in open markup session on July 31, 2012, and ordered H.R. 6131 favorably reported to the House, as amended, by a voice vote.

On September 10, 2012, the Committee on Energy and Commerce reported H.R. 6131 to the House (H. Rept. 112-653), and the bill was placed on the Union Calendar (Calendar No. 471).

On September 11, 2012, H.R. 6131 was considered under suspension of the Rules and passed the House, as amended, by a voice vote.

On September 12, 2012, H.R. 6131 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 507).

On November 14, 2012, H.R. 6131 passed the Senate, without amendment, by a voice vote.

On November 28, 2012, H.R. 6131 was presented to the President.

On December 4, 2012, H.R. 6131 was signed by the President (Public Law 112-203).

TO REPEAL AN OBSOLETE PROVISION IN TITLE 49, UNITED STATES CODE, REQUIRING MOTOR VEHICLE INSURANCE COST REPORTING

AWAITING WHITE HOUSE ACTION (H.R. 5859)

To repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting.

Summary

H.R. 5859 repeals the requirement that the Secretary of Transportation (DOT) prescribe regulations to require passenger motor vehicle dealers to distribute to prospective buyers information comparing insurance costs for different makes and models of passenger motor vehicles based on damage susceptibility and crash-worthiness.

Legislative History

H.R. 5859 was introduced by Mr. Harper on May 30, 2012, and referred to the House Committee on Energy and Commerce.

On June 1, 2012, the Committee on Energy and Commerce referred H.R. 5859 to the Subcommittee on Commerce, Manufacturing, and Trade.

The Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5859 on June 1, 2012. The Subcommittee met in open markup session on June 6 and June 7, 2012, and forwarded H.R. 5859 to the full Committee, without amendment, by a voice vote.

On June 20, 2012, the Committee on Energy and Commerce met in open markup session and ordered H.R. 5859 favorably reported to the House, without amendment, by a voice vote.

The Committee on Energy and Commerce reported H.R. 5859 to the House on July 10, 2012 (H. Rept. 112-591), and the bill was placed on the Union Calendar (Calendar No. 427).

On July 23, 2012, H.R. 5859 was considered in the House under suspension of the Rules and passed, as amended, by a voice vote.

On July 24, 2012, H.R. 5859 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On December 21, 2012, the Committee on Commerce, Science, and Transportation was discharged by unanimous consent, and the Senate passed H.R. 5859 by unanimous consent.

On December 31, 2011, H.R. 5859 was presented to the President.

H.R. 5859, as approved by the House and the Senate, was awaiting action by the President when this report was filed.

DRYWALL SAFETY ACT OF 2012

AWAITING WHITE HOUSE ACTION (H.R. 4212)

To prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

Summary

H.R. 4212 expresses the sense of Congress that the Secretary of Commerce should insist that (1) the government of China, which has ownership interests in the companies that manufactured and exported problematic drywall to the United States, facilitate a meeting between the companies and U.S. government representatives about remedying affected homeowners, and (2) such companies comply with any related U.S. court decisions.

In addition, the bill requires the Consumer Product Safety Commission (CPSC) to promulgate final rules concerning drywall manufactured or imported for domestic use that (1) require each sheet to be permanently marked with the name of the manufacturer and the month and year of manufacture, and (2) limit sulfur content to a level not associated with elevated rates of corrosion in the home. The bill also provides exceptions, and means of enforcement as a rule, if the CPSC determines that a voluntary standard in each case is adequate to permit identification and publishes the determination in the Federal Register.

Legislative History

H.R. 4212 was introduced by Mrs. Bono Mack on March 19, 2012, and referred to the Committee on Energy and Commerce and in addition to the Committee on Foreign Affairs for a period to be subsequently determined by the Speaker.

On May 7, 2012, the Committee on Foreign Affairs referred H.R. 4212 to the Subcommittee on Asia and the Pacific and the Subcommittee on Terrorism, Nonproliferation, and Trade.

On September 19, 2012, H.R. 4212 was considered in the House under suspension of the Rules, and passed the House as by a voice vote.

On September 20, 2012, H.R. 4212 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On December 21, 2012, the Committee on Commerce, Science, and Transportation was discharged by unanimous consent, and the

Senate passed H.R. 4212, with an amendment, by unanimous consent.

On December 27, 2012, a message on Senate action was sent to the House.

On December 30, 2012, the Senate amendment to H.R. 4212 was considered in the House under suspension of the Rules and passed by a roll call vote of 378 yeas and 37 nays (Roll Call No. 657).

H.R. 4212, as approved by the House and the Senate, was awaiting action by the President when this report was filed.

ENHANCING CPSC AUTHORITY AND DISCRETION ACT OF 2011

H.R. 1939

To provide the Consumer Product Safety Commission with greater authority and discretion in enforcing the consumer product safety laws, and for other purposes.

Summary

H.R. 1939 amends the Consumer Product Safety Act and the Consumer Product Safety Improvement Act of 2008 (CPSIA) to reduce the regulatory burdens created by CPSIA where possible to do so without harming consumers; to enhance the Consumer Product Safety Commission's (CPSC) ability to investigate complaints and prioritize based on risk; and to improve the utility and accuracy of information in the CPSC's public database.

Legislative History

On April 7, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Discussion Draft of H.R. _____, a bill that would revise the Consumer Product Safety Improvement Act."

On May 12, 2011, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session and forwarded a Committee Print entitled "Enhancing CPSC Authority and Discretion Act of 2011" to the full Committee, as amended, by a voice vote.

On May 23, 2011, H.R. 1939 was introduced by Mrs. Bono Mack, referred to the Committee on Energy and Commerce, and referred to the Subcommittee on Commerce, Manufacturing, and Trade.

On May 25 and 26, 2011, the Committee on Energy and Commerce met in open markup session to consider H.R. 1939. Members were recognized to make opening statements on H.R. 1939, but the Chairman did not call up the bill.

No further action was taken on H.R. 1939 during the 112th Congress.

SECURE AND FORTIFY ELECTRONIC DATA ACT OR SAFE DATA ACT

H.R. 2577

To protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach.

Summary

H.R. 2577 requires the Federal Trade Commission (FTC) to promulgate regulations requiring any person engaged in interstate commerce that owns or possesses data containing personal information to establish and implement reasonable security policies and procedures to protect such information. The bill also requires notification to Federal authorities in the event that protection of personal information is compromised and preempts State breach notification requirements.

Legislative History

On June 15, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on a Committee Print entitled the "Secure and Fortify Electronic Data Act" or "SAFE Data Act."

On July 18, 2011, Mrs. Bono Mack introduced H.R. 2577, which was referred to the Committee on Energy and Commerce.

On July 20, 2011, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session, and forwarded the bill to the full Committee, as amended, by a voice vote.

No further action was taken on H.R. 2577 during the 112th Congress.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

H.R. 5865

To promote the growth and competitiveness of American Manufacturing.

Summary

The American Manufacturing Competitiveness Act of 2012 directs the President to submit to Congress and publish on a public website a strategy to promote growth, sustainability, and competitiveness in the Nation's manufacturing sector, create well-paid, stable jobs, enable innovation and investment, and support national security.

The bill also establishes the American Manufacturing Competitiveness Board to (1) advise the President on issues affecting the nation's manufacturing sector, (2) conduct a comprehensive analysis (analysis) of such sector, and (3) develop a national manufacturing competitiveness strategy.

Legislative History

H.R. 5865 was introduced by Mr. Lipinski on May 30, 2012, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On May 30, 2012, the Committee on Energy and Commerce referred H.R. 5865 to the Subcommittee on Commerce, Manufacturing, and Trade.

On June 1, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5865, and on June 6 and June 7, 2012, the Subcommittee met in open markup session and

forwarded H.R. 5865 to the full Committee, as amended, by a voice vote.

On June 20, 2012, the Committee on Energy and Commerce met in open markup session and ordered H.R. 5865 favorably reported to the House, as amended, by a voice vote.

On September 10, 2012, the Committee on Energy and Commerce reported H.R. 5865, as amended, to the House (H. Rept. 112–659). H.R. 5865 was discharged by the Committee on the Budget, and the bill was placed on the Union Calendar (Calendar No. 477).

On September 12, 2012, H.R. 5865 was considered under a motion to suspend the rules and pass the bill, as amended by a roll call vote of 339 yeas and 77 nays (Roll Call No. 571).

On September 13, 2012, H.R. 5865 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 5865 during the 112th Congress.

GLOBAL INVESTMENT IN AMERICAN JOBS ACT OF 2012

H.R. 5910

To direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to produce a report on enhancing the competitiveness of the United States in attracting foreign direct investment, and for other purposes.

Summary

H.R. 5910 expresses the sense of Congress of the United States concerning global investment in the United States, and the bill amends the Foreign Direct Investment and International Financial Data Improvements Act of 1990 to direct the Secretary of Commerce to conduct an interagency review of U.S. laws and policies on foreign direct investment in the United States and develop recommendations to make the United States more competitive in attracting and retaining strong investment flows from abroad.

Legislative History

H.R. 5910 was introduced by Mr. Dold on June 7, 2012, and referred to the Committee on Energy and Commerce.

On June 8, 2012, the Committee on Energy and Commerce referred the bill to the Subcommittee on Commerce, Manufacturing, and Trade.

On September 19, 2012, H.R. 5910 was considered in the House under suspension of the Rules and passed, as amended, by a voice vote.

H.R. 5910 was received in the Senate on September 20, 2012.

No further action was taken on H.R. 5910 during the 112th Congress.

OVERSIGHT ACTIVITIES

A REVIEW OF CPSIA AND CPSC RESOURCES

On February 17, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “A Review of CPSIA and CPSC Resources.” The purpose of the hearing was to develop an understanding of the problems created by Consumer Product Safety Improvement Act and review the Commission’s budget. The Subcommittee received testimony from the Chairman and a commissioner of the Consumer Product Safety Commission, and representatives of the Handmade Toy Alliance, Association of Home Appliance Manufacturers, Learning Resources Inc., and Kids in Danger.

MADE IN AMERICA: INNOVATIONS IN JOB CREATION AND ECONOMIC GROWTH

On March 3, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing to obtain an overview of the multiple facets of job creation in today’s economic and regulatory climate. The Subcommittee received testimony from representatives of the Department of Commerce, the U.S. Chamber of Commerce, the State of Georgia, the National Association of Manufacturers, the American Action Forum, the Financial Services Roundtable, the Council on Competitiveness, Solar Energy Industries Association, and the Center for American Progress.

MADE IN AMERICA: INCREASING JOBS THROUGH EXPORTS AND TRADE

On March 16, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing to examine the Administration’s efforts to promote trade and increase export opportunities and receive the views of private enterprise stakeholders on technical and other non-tariff trade barriers. The Subcommittee received testimony from representatives of the Department of Commerce, the U.S. Chamber of Commerce, the Business Software Alliance, the Center for Trade Policy Studies at CATO Institute, Cessna Aircraft Company, and the Capstone Turbine Corporation.

WARNING: THE GROWING DANGER OF PRESCRIPTION DRUG DIVERSION

On April 14, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Warning: The Growing Danger of Prescription Drug Diversion.” The hearing was held to investigate the problem of the misuse of prescription drugs. Overdose rates of prescription drugs have increased five-fold since 1990, and unintentional drug poisoning deaths are now the second leading cause of accidental death in America. The Subcommittee received testimony from the Governor of Florida, the Governor of Kentucky, the Office of National Drug Control Policy, and the Drug Enforcement Administration. There was also testimony from family members of individuals affected by prescription drug abuse, the

medical community, drug companies, anti-drug organizations, and other experts.

THE THREAT OF DATA THEFT TO AMERICAN CONSUMERS

On May 4, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing to examine risks related to data breaches, the state of ongoing investigations, current industry data security practices, and available technology. It was reported that in April 2011 alone, over 30 data breaches occurred at hospitals and medical provider offices, universities, insurance companies, airlines, technology companies, banks, and at the Federal, State and local government levels. These breaches occurred through phishing, theft of computers, and hacking, impacting at least 99 million records. The Subcommittee received testimony from representatives of the Federal Trade Commission's Bureau of Consumer Protection, the U.S. Secret Service's Criminal Investigative Division, the Center for Democracy and Technology, and an expert from the computer science field.

SONY AND EPSILON: LESSONS FOR DATA SECURITY LEGISLATION

On June 2, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Sony and Epsilon: Lessons for Data Security Legislation." The purpose of the hearing was to examine the risks of the recent data breaches at Epsilon and Sony and the state of the ongoing investigations into each incident. The Subcommittee received testimony from the general counsel of Epsilon Data Management, LLC and the president of Sony Network Entertainment International.

INTERNET PRIVACY: THE VIEWS OF THE FTC, THE FCC, AND NTIA

On July 14, 2011, the Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Communications and Technology held a joint hearing entitled "Internet Privacy: The Views of the FTC, the FCC, and NTIA." The hearing examined the views of several Federal agencies regarding the regulation of Internet privacy. The Subcommittees received testimony from the Honorable Edith Ramirez, Commissioner of the Federal Trade Commission, the Honorable Julius Genachowski, Chairman of the Federal Communications Commission, and the Honorable Lawrence Strickling, the Assistant Secretary for Communications and Information and the Administrator of the National Telecommunication and Information Administration.

INTERNET PRIVACY: THE IMPACT AND BURDEN OF EU REGULATION

On September 15, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Internet Privacy: The Impact and Burden of EU Regulation." The Subcommittee examined the European Union's (EU) privacy and data collection regulations and their impact on the Internet economy. Witnesses included a representative from the Department of Commerce and other policy experts.

PROTECTING CHILDREN'S PRIVACY IN AN ELECTRONIC WORLD

On October 5, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Protecting Children's Privacy in an Electronic World." The purpose of the hearing was to examine existing protections for children's online privacy and their adequacy. The Subcommittee examined the provisions of the Children's Online Privacy Protection Act (COPPA) and the Federal Trade Commission's recent proposal to revise its COPPA rule. The Subcommittee received testimony from the Federal Trade Commission, SSP Blue, Association for Competitive Technology, Family Online Safety Institute, a communications professor from American University, and Common Sense Media.

FOOD MARKETING: CAN 'VOLUNTARY' GOVERNMENT RESTRICTIONS IMPROVE CHILDREN'S HEALTH?

On October 12, 2011, the Subcommittee on Health and the Subcommittee on Commerce, Manufacturing, and Trade held a joint hearing entitled "Food Marketing: Can 'Voluntary' Government Restrictions Improve Children's Health?" The hearing investigated the document entitled "Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts," which was issued by the Interagency Working Group. The Subcommittees received testimony from representatives of the Department of Agriculture, the Federal Trade Commission, and stakeholders and policy experts.

UNDERSTANDING CONSUMER ATTITUDES ABOUT PRIVACY

On October 13, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Understanding Consumer Attitudes About Privacy." The hearing examined consumers' attitudes toward privacy as reflected by their utilization and manipulation of existing privacy controls. Witnesses included stakeholders and policy experts.

INTERNET GAMING: IS THERE A SAFE BET?

On October 25, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Internet Gaming: Is There a Safe Bet?" The purpose of the hearing was to examine the status of Internet gaming in the United States and to consider how consumers and other stakeholders would be affected if current legal restrictions were eased. The Subcommittee received testimony from the Poker Players Alliance, National Indian Gaming Association, Fair Play USA, National Council on Problem Gambling, a professor from the Chapman University School of Law, and the Annenberg Public Policy Center.

INTERNET GAMING: REGULATING IN AN ONLINE WORLD

On November 18, 2011, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Internet Gaming: Regulating in an Online World." The purpose of the hearing was to examine the status of internet gaming in the United States. The Subcommittee received testimony from the Honorable Barney Frank (MA-4), the Honorable Frank Wolf (VA-10), the Honorable

John Campbell (CA-48), State officials from Nevada and New Hampshire, and various stakeholders.

WHERE THE JOBS ARE: EMPLOYMENT TRENDS AND ANALYSIS

On February 15, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Where the Jobs Are: Employment Trends and Analysis.” This was the first in a series of hearings to examine employment and ways to revitalize job creation. The purpose of the hearing was to explore current employment trends, with discussion of factors bearing on job growth. The Subcommittee received testimony from a Cornell University economics professor, Competitive Enterprise Institute, Boston Consulting Group Inc., and the Center for Economic and Policy Research.

PRESCRIPTION DRUG DIVERSION: COMBATING THE SCOURGE

On March 1, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Prescription Drug Abuse: Combating the Scourge.” The purpose of the hearing was to examine both Federal and private-sector efforts to combat diversion of prescription drugs in the pharmaceutical industry. The Subcommittee received testimony from the Office of National Drug Control Policy, U.S. Drug Enforcement Agency, Florida Attorney General, Kentucky Attorney General, Ohio Senior Assistant Attorney General, Healthcare Distribution Management Association, and the National Community Pharmacists Association.

MOTOR VEHICLE SAFETY PROVISION IN HOUSE AND SENATE HIGHWAY BILLS

On March 22, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Motor Vehicle Safety Provisions in House and Senate Highway Bills.” The purpose of the hearing was to discuss the views of the Administration and other stakeholders concerning the vehicle safety provisions included in the House and Senate highway bills. The Subcommittee received testimony from Congressman John Lewis of Georgia, the Administrator of the National Highway Traffic Safety Administration, Alliance of Automobile Manufacturers, American Bus Association, Global Manufacturers, Advocates for Highway and Auto Safety, United Motorcoach Association, and Consumers Union.

BALANCING PRIVACY AND INNOVATION: DOES THE PRESIDENT’S PROPOSAL TIP THE SCALE?

On March 29, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Balancing Privacy and Innovation: Does the President’s Proposal Tip the Scale?” The purpose of the hearing was to examine the Obama Administration’s proposed framework entitled “Consumer Data Privacy in a Networked World: A Framework for Protecting Privacy and Promoting Innovation and the Global Digital Economy” and receive the views of stakeholders. The Subcommittee received testimony from the Chairman of the Federal Trade Commission, the Assistant Sec-

retary for Communication and Information of the U.S. Department of Commerce, TechFreedom, Online Publishers Association, the Association for Competitive Technology, Center for Democracy & Technology, and the Interactive Advertising Bureau.

WHERE THE JOBS ARE: CAN AMERICAN MANUFACTURING THRIVE AGAIN?

On April 19, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Where the Jobs Are: Can American Manufacturing Thrive Again?” This was the second in a series of hearings examining employment and ways to revitalize job creation. The purpose of the hearing was to examine how manufacturing competitiveness is affected by the current global economy and to identify policies that could aid in the sector’s recovery. The Subcommittee received testimony from the Secretary of the U.S. Department of Commerce, Information Technology & Innovation Foundation, National Association of Manufacturers, Deloitte & Touche USA LLP, and the North Carolina Biotechnology Center.

WHERE THE JOBS ARE: PROMOTING TOURISM TO AMERICA

On May 16, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Where the Jobs Are: Promoting Tourism to America.” This was the third in a series of hearings examining employment and ways to revitalize job creation. The purpose of the hearing was to review the Obama Administration’s recent proposal for expanding tourism and hear from other stakeholders. The Subcommittee received testimony from Congresswoman Mazie Hirono of Hawaii, the Assistant Secretary of Commerce for Manufacturing and Services, the Corporation for Travel Promotion (Brand USA), U.S. Travel Association, Marriott International, Greater Palm Springs Convention and Visitors Bureau, and a professor from East Carolina University.

OVERSIGHT OF THE CONSUMER PRODUCT SAFETY COMMISSION

On August 2, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Oversight of the Consumer Product Safety Commission.” The purpose of the hearing was to examine the Commission’s implementation of amendments to the Consumer Product Safety Improvement Act of 2008, as well as its handling of other emerging consumer product issues. The Subcommittee received testimony from the Chairman and Commissioners of the Consumer Product Safety Commission.

WHERE THE JOBS ARE: THERE’S AN APP FOR THAT

On September 12, 2012, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Where the Jobs Are: There’s An App for That.” The purpose of the hearing was to emphasize the role of mobile and online applications in creating job opportunities. The Subcommittee received testimony from the Flurry Incorporated, FastCustomer, Technet, and the Association for Competitive Technology.

HEARINGS HELD

Hearing entitled “A Review of CPSIA and CPSC Resources.” (February 17, 2011) Serial Number 112–10.

Hearing entitled “Made in America: Innovations in Job Creation and Economic Growth.” (March 3, 2011) Serial Number 112–15.

Hearing entitled “Made in America: Increasing Jobs through Exports and Trade.” (March 16, 2011) Serial Number 112–21.

Hearing entitled “Discussion Draft of H.R. __, a bill that would revise the Consumer Product Safety Improvement Act.” (April 7, 2011) Serial Number 112–34.

Hearing entitled “Warning: The Growing Danger of Prescription Drug Diversion.” (April 14, 2011) Serial Number 112–39.

Hearing entitled “The Threat of Data Theft to American Consumers.” (May 4, 2011) Serial Number 112–44.

Hearing entitled “Sony and Epsilon: Lessons for Data Security Legislation.” (June 2, 2011) Serial Number 112–55.

Hearing entitled “Discussion Draft of H.R. __, a bill to require greater protection for sensitive consumer data and timely notification in case of breach.” (June 15, 2011) Serial Number 112–62.

Hearing entitled “Internet Privacy: The Views of the FTC, the FCC, and NTIA.” (July 14, 2011) Serial Number 112–75.

Hearing entitled “Internet Privacy: The Impact and Burden of EU Regulation.” (September 15, 2011) Serial Number 112–86.

Hearing entitled “Protecting Children’s Privacy in an Electronic World.” (October 5, 2011) Serial Number 112–91.

Hearing entitled “Food Marketing: Can ‘Voluntary’ Government Restrictions Improve Children’s Health?” (October 12, 2011) Serial Number 112–94.

Hearing entitled “Understanding Consumer Attitudes About Privacy.” (October 13, 2011) Serial Number 112–96.

Hearing entitled “Internet Gaming: Is There a Safe Bet?” (October 25, 2011) Serial Number 112–100.

Hearing entitled “Internet Gaming: Regulating in an Online World.” (November 18, 2011) Serial Number 112–105.

Hearing entitled “Where the Jobs Are: Employment Trends and Analysis.” (February 15, 2012) Serial Number 112–115.

Hearing entitled “Prescription Drug Diversion: Combating the Scourge.” (March 1, 2012) Serial Number 112–122.

Hearing entitled “Motor Vehicle Safety Provisions in House and Senate Highway Bills.” (March 22, 2012) Serial Number 112–130.

Hearing entitled “Balancing Privacy and Innovation: Does the President’s Proposal Tip the Scale?” (March 29, 2012) Serial Number 112–135.

Hearing entitled “Where the Jobs Are: Can American Manufacturing Thrive Again?” (April 19, 2012) Serial Number 112–139.

Hearing entitled “Where the Jobs Are: Promoting Tourism to America.” (May 16, 2012) Serial Number 112–144.

Hearing entitled “H.R. __, the ‘American Manufacturing Competitiveness Act of 2012;’ and, H.R. __, to Repeal an Obsolete Provision in Title 49, United States Code, Requiring Motor Vehicle Insurance Cost Reporting.” (June 1, 2012) Serial Number 112–146.

Hearing entitled “H.R. __, a Bill to Renew the Federal Trade Commission’s Authority to Combat Cross-Border Spam, Spyware

and Fraud through the Reauthorization of the U.S. SAFE WEB Act.” (July 12, 2012) Serial Number 112-164.

Hearing entitled “Oversight of the Consumer Product Safety Commission.” (August 2, 2012) Serial Number 112-171.

Hearing entitled “Where the Jobs Are: There’s an App for That.” (September 12, 2012) Serial Number 112-174.

SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

(Ratio 16–11)

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(Ex Officio—non voting)

HENRY A. WAXMAN, California

(Ex Officio)

Jurisdiction: Interstate and foreign telecommunications including, but not limited to, all telecommunication and information transmission by broadcast, radio, wire, microwave, satellite, or other mode.

LEGISLATIVE ACTIVITIES

MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT

PUBLIC LAW 112–96 (H.R. 3630)

To provide incentives for the creation of jobs, and for other purposes.

Summary

Title VI of Public Law 112–96, Public Safety Communications and Electromagnetic Spectrum Auctions (Title IV, the “Jumpstarting Opportunity With Broadband Spectrum Act of 2011” of H.R. 3630, as passed the House on December 13, 2011) authorizes incentive auctions of commercial spectrum, makes funds available for the construction of an interoperable public safety network, and creates a governance structure for construction and operation of the network.

Legislative History

On July 15, 2011, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing to Address Spectrum and Public Safety Issues.” During that hearing, the Subcommittee examined Committee Prints entitled the “Spectrum Innovation Act of 2011,” and the “Spectrum Relocation Improvement Act of 2009.” Based on the testimony from this hearing, oversight

hearings on spectrum issues, and Member discussions, the Subcommittee released a Committee Print entitled the “Jumpstarting Opportunity with Broadband Spectrum (JOBS) Act of 2011” on November 29, 2011.

On December 1, 2011, the Subcommittee on Communications and Technology met in open markup session and forwarded the Committee Print to the full Committee, as amended, by a roll call vote of 17 ayes and 6 nays.

On December 9, 2011, H.R. 3630 was introduced by Mr. Camp and referred to the Committee on Ways and Means, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Transportation and Infrastructure, the Committee on Agriculture, the Committee on Oversight and Government Reform, the Committee on House Administration, the Committee on Budget, the Committee on Natural Resources, the Committee on Rules, and the Committee on Intelligence.

Title IV of H.R. 3630, entitled “Jumpstarting Opportunity with Broadband Spectrum Act of 2011,” includes provisions that are substantially similar to the Committee Print considered by the Subcommittee.

On December 13, 2011, H.R. 3630 was considered in the House pursuant to the provisions of H. Res. 491, and passed the House by a roll call vote of 234 yeas and 193 nays (Roll Call No. 923).

On December 13, 2011, H.R. 3630 was read the first time, and ordered placed on the Senate Legislative Calendar under Read the First Time. On December 14, 2011, the bill was received in the Senate, read the second time, and placed on Senate Legislative Calendar under General Orders (Calendar No. 257).

On December 17, 2011, H.R. 3630 passed the Senate, with an amendment, by unanimous consent.

On December 20, 2011, the House adopted a motion to disagree to the Senate amendment and requested a conference with the Senate by a roll call vote of 229 yeas and 193 nays (Roll Call No. 946), and the Speaker appointed the following conferees, Mr. Camp, Mr. Upton, Mr. Brady (TX), Mr. Walden, Mr. Price (GA), Mr. Reed, Mrs. Ellmers, and Mrs. Hayworth.

On December 23, 2011 the Speaker appointed additional conferees, including Mr. Levin, Mr. Becerra, Mr. Van Hollen, Mrs. Schwartz, and Mr. Waxman.

On December 23, 2011, the Senate insisted upon its amendments and agreed to the House’s request to go to conference, and on January 3, 2012, the Senate appointed conferees, including Sen. Baucus, Sen. Reed, Sen. Cardin, Sen. Casey, Sen. Kyl, Sen. Crapo, and Sen. Barrasso.

The conference met on February 2 and 7, 2012. The conference report (H. Rpt. 112–399) was filed on February 16, 2012.

On February 17, 2012, the conference report was considered in the House pursuant to the provisions of H. Res. 554, and the conference report was agreed to by a roll call vote of 293 yeas and 132 nays (Roll Call No. 72).

The Senate agreed to the conference report by a roll call vote of 60 yeas and 36 nays (Roll Call No. 22).

On February 22, 2012, H.R. 3630 was presented to and signed by the President (Public Law 112–96).

EXPRESSING THE SENSE OF CONGRESS REGARDING ACTIONS TO PRESERVE AND ADVANCE THE MULTISTAKEHOLDER GOVERNANCE MODEL UNDER WHICH THE INTERNET HAS THRIVED.

H. CON. RES. 127, S. CON. RES. 50

Expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

Summary

H. Con. Res. 127 expresses the sense of Congress that the Assistant Secretary of Commerce for Communications and Information should continue working to implement the position of the United States on Internet governance that promotes a global Internet free from government control and preserve and advance the multistakeholder model that governs the Internet today.

Legislative History

On May 31, 2012, the Subcommittee on Communications and Technology held a hearing entitled “International Proposals to Regulate the Internet.”

H. Con. Res. 127 was introduced by Mrs. Bono Mack on May 30, 2012, and referred to the Committee on Energy and Commerce.

On June 1, 2012, the Committee on Energy and Commerce referred the bill to the Subcommittee on Communications and Technology.

The Committee on Energy and Commerce met in open markup session on June 19 and 20, 2012, and ordered H. Con. Res. 127 favorably reported to the House by a voice vote.

On June 29, 2012, the Committee on Energy and Commerce reported H. Con. Res. 127 to the House (H. Rept. 112–564), and the bill was placed on the Union Calendar (Calendar No. 143).

On August 1 and August 2, 2012, H. Con. Res. 127 was considered under suspension of the Rules and passed the House by a voice vote.

No further action was taken on H. Con. Res. 127 during the 112th Congress.

S. Con. Res. 50, which was substantially similar to the provisions of H. Con. Res. 127, was introduced by Senator Rubio on June 27, 2012, and referred to the Senate Committee on Foreign Relations.

On September 19, 2012, S. Con. Res. 50 was reported by Senator Kerry without amendment, with a preamble, without a written report, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 529).

On September 22, 2012, the resolution was agreed to in the Senate, without amendment and with a preamble, by unanimous consent.

On September 25, 2012, S. Con. Res. 50 was received in the House and held at the desk.

On December 5, 2012, S. Con. Res. 50 was considered under suspension of the Rules and passed the House by a roll call vote of 397 yeas and 0 nays (Roll Call No. 617).

DISAPPROVING THE RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION WITH RESPECT TO REGULATING THE INTERNET AND BROADBAND INDUSTRY PRACTICES

H.J. RES. 37

Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

Summary

H.J. Res. 37 expresses Congress's disapproval of the rule adopted by the Federal Communications Commission on December 21, 2010, (Report and Order FCC 10–201) with respect to regulating the Internet and broadband industry practices. The bill prohibits the rule from having any force or effect.

Legislative History

On February 16, 2011, the Subcommittee on Communications and Technology held a hearing on “Network Neutrality and Internet Regulation: Warranted or More Economic Harm than Good?” After the hearing, Mr. Walden introduced H.J. Res. 37, which was referred to the Committee on Energy and Commerce.

On February 28, 2011, H.J. Res. 37 was referred to the Subcommittee on Communications and Technology, and on March 9, 2011, the Subcommittee held a hearing on the joint resolution.

On March 9, 2011, the Subcommittee met in open markup session and forwarded H.J. Res. 37 to the full Committee, without amendment, by a roll call vote of 15 yeas and 8 nays.

The Committee on Energy and Commerce met in a markup session on March 14 and 15, 2011, and ordered H.J. Res. 37 favorably reported to the House, without amendment, by a roll call vote of 30 yeas and 23 nays.

On April 1, 2011, the Committee on Energy and Commerce reported H.J. Res. 37 to the House (H. Rept. 112–51), and the bill was placed on the Union Calendar (Calendar No. 25).

On April 8, 2011, H.J. Res. 37 was considered in the House pursuant to H. Res. 200, and the joint resolution was passed by the House by a roll call vote of 240 yeas and 179 nays (Roll Call No. 252).

On April 12, 2011, H.J. Res. 37 was received in the Senate and read the first time. On April 13, 2011, the joint resolution was read a second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 34).

No further action was taken on H.J. Res. 37 during the 112th Congress.

TO PROHIBIT FEDERAL FUNDING OF NATIONAL PUBLIC RADIO AND
THE USE OF FEDERAL FUNDS TO ACQUIRE RADIO CONTENT

H.R. 1076

To prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

Summary

H.R. 1076 prohibits Federal funding to National Public Radio or any organization incorporated for broadcasting over noncommercial educational broadcast stations, cooperating with foreign broadcast systems, supporting noncommercial educational radio broadcasting, paying dues to such organizations, or acquiring public broadcast radio programs.

Legislative History

H.R. 1076 was introduced by Mr. Lamborn on March 15, 2011, and referred to the Committee on Energy and Commerce.

On March 15, 2011, the Committee on Energy and Commerce referred the bill to the Subcommittee on Communications and Technology, and the Subcommittee was then discharged from further consideration of H.R. 1076.

On March 17, 2011, H.R. 1076 passed the House by a roll call vote of 228 yeas and 192 nays, 1 present (Roll Call No. 192).

On March 17, 2011, H.R. 1076 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1076 during the 112th Congress.

TO RETURN UNUSED OR RECLAIMED FUNDS MADE AVAILABLE FOR
BROADBAND AWARDS IN THE AMERICAN RECOVERY AND REINVESTMENT
ACT OF 2009 TO THE TREASURY OF THE UNITED STATES

H.R. 1343

To return unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009 to the Treasury of the United States.

Summary

H.R. 1343 requires the Administrator of the Rural Utilities Service and the Assistant Secretary of Commerce for Communications and Information to terminate any awards made under the Broadband Initiatives Program or the Broadband Technology Opportunities Program pursuant to the American Recovery and Reinvestment Act of 2009 if the Administrator or Assistant Secretary determines that cause exists, including wasteful or fraudulent spending or an insufficient level of performance. The Administrator and the Assistant Secretary must deobligate funds upon terminating an award and return the funds to the U.S. Treasury, as well as report to Congress explaining any determinations and actions taken. H.R. 1343 also improves oversight of the grant programs.

Legislative History

On April 1, 2011, the Committee on Energy and Commerce's Subcommittee on Communications and Technology held a hearing on a Committee Print to return to the U.S. Treasury unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009, and to improve oversight of the grant programs. On the same day, the Subcommittee met in open markup session and forwarded the Committee Print to the full Committee, without amendment, by a voice vote.

H.R. 1343 was introduced by Mr. Bass on April 4, 2011, and referred to the Committee on Energy and Commerce and the Committee on Agriculture. H.R. 1343 was substantially similar to the Committee Print considered by the Subcommittee.

On April 4, 2011, the Committee on Energy and Commerce referred the bill to the Subcommittee on Communications and Technology, and the Subcommittee was discharged from further consideration of H.R. 1343.

On April 5, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 1343 favorably reported to the House, as amended, by a voice vote.

On September 29, 2011, the Committee on Energy and Commerce reported H.R. 1343 to the House (H. Rept. 112-228, Part I), and the bill was placed on the Union Calendar (Calendar No. 149).

On October 5, 2011, H.R. 1343 was considered in the House under suspension of the Rules, and the bill was passed, as amended, by a voice vote.

On October 6, 2011, H.R. 1343 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1343 during the 112th Congress.

FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF
2011

H.R. 3309

To amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission.

Summary

H.R. 3309 amends the Federal Communications Commission's (FCC) rulemaking procedure by requiring a Notice of Inquiry (NOI) in advance of a rulemaking, proposed rules to be issued within three years of an NOI, minimum time frames for the review of proposed rules and comment to the FCC, the establishment of performance measures for large programs, and cost benefit analysis for rules costing more than \$100 million. The bill also requires the FCC to establish procedures to ensure the Commissioners have adequate time to review proposals and know the options available, and so the public has an opportunity to review and respond to ex partes and statistical reports before the FCC relies on them.

Legislative History

On May 13 and June 22, 2011, the Subcommittee on Communications and Technology held hearings on the need to reform the processes of the Federal Communications Commission (FCC). Those hearings sought feedback from the FCC Chairman and Commissioners, as well as from members of industry, public interest groups, and the academic community on draft legislation.

On November 2, 2011, H.R. 3309 was introduced by Mr. Walden and referred to the Committee on Energy and Commerce.

On November 4, 2011, the Subcommittee on Communications and Technology met in open markup session and forwarded H.R. 3309 to the full Committee, as amended, by a roll call vote of 14 yeas and 9 nays.

The Committee on Energy and Commerce met in an open markup session on March 5 and 6, 2012, and ordered H.R. 3309 favorably reported to the House, as amended, by a roll call vote of 31 yeas and 16 nays.

On March 19, 2012, the Committee on Energy and Commerce reported H.R. 3309 to the House (H. Rept. 112–414), and the bill was placed on the Union Calendar (Calendar No. 286).

On March 27, 2012, H.R. 3309 was considered in the House pursuant to the provisions of H. Res. 595, and was passed, as amended, by a roll call vote of 247 yeas and 174 nays (Roll Call No. 138).

On March 28, 2012, H.R. 3309 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 3309 during the 112th Congress.

FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING
ACT OF 2011

H.R. 3310

To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

Summary

H.R. 3310 consolidates eight separate congressionally mandated reports on the communications industry into a single comprehensive report with a focus on intermodal competition, deploying communications to un-served communities, eliminating regulatory barriers, and empowering small businesses. This report is synched to the two-year congressional cycle to improve oversight and reduce costs. The Act also eliminates 12 additional, outdated reports from the Communications Act.

Legislative History

On May 13 and June 22, 2011, the Subcommittee on Communications and Technology held hearings on the need to reform the processes of the Federal Communications Commission (FCC). Those hearings sought feedback from the FCC Chairman and Com-

missioners, as well as from members of industry, public interest groups, and the academic community on draft legislation.

H.R. 3310 was introduced by Mr. Scalise on November 2, 2011, and referred to the Committee on Energy and Commerce.

On November 4, 2011, H.R. 3310 was referred to the Subcommittee on Communications and Technology.

On November 9, 2011, the Subcommittee on Communications and Technology met in open markup session and forwarded H.R. 3310 to the full Committee, as amended, by a voice vote.

The Committee on Energy and Commerce met in an open markup session on March 5 and 6, 2012, and ordered H.R. 3310 favorably reported to the House, as amended, by a voice vote.

On April 16, 2012, H.R. 3310, the Committee on Energy and Commerce reported H.R. 3310 to the House (H. Rept. 112-443), and the bill was placed on the Union Calendar (Calendar No. 310).

On May 30, 2012, H.R. 3310 was considered under suspension of the Rules and passed the House, as amended, by a voice vote.

On June 4, 2012, Received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 3310 during the 112th Congress.

OVERSIGHT ACTIVITIES

FAIRNESS DOCTRINE

After FCC Commissioner Robert McDowell discovered that the Fairness Doctrine was still officially a regulation of the FCC, even though the Commission had disclaimed its constitutionality in the 1980s, the Committee took steps urging the FCC to remove the Fairness Doctrine from the Code of Federal Regulations. In a letter sent May 31, 2011, the Committee Chairman and the Communications and Technology Subcommittee Chairman asked the FCC Chairman to eliminate the regulation as well as the related political-editorial and personal-attack rules. The FCC Chairman responded on June 6, 2011, stating that he opposed the Fairness Doctrine, that it was unenforceable without a vote of the Commission to revive it, and that he anticipated that the FCC would eliminate the regulation as part of its efforts at regulatory reform. The Committee Chairman and the Subcommittee Chairman followed up on June 8, 2011, requesting the FCC Chairman's anticipated timeline for the removal of the regulation and the FCC's plans for further eliminating outdated rules and burdensome regulations. The FCC eliminated the Doctrine Aug. 22, 2011.

ARRA BROADBAND SPENDING

On February 10, 2011, the Subcommittee on Communications and Technology held an oversight hearing on American Recovery and Reinvestment Act (ARRA) Broadband Spending. The purpose of the hearing was to commence Congressional oversight of the \$7 billion allocated for broadband in the ARRA, to analyze the risks associated with the program, and to help facilitate proper oversight by the administering agencies. The hearing also began discussion

of draft legislation that would return to the Treasury funds from grants found to be wasteful, fraudulent, or failing, as well as any funds that go unused or are relinquished. Witnesses included representatives from the Department of Commerce, the Department of Agriculture, the Government Accountability Office, Eagle Communications, and Merit Network, Inc.

NETWORK NEUTRALITY AND INTERNET REGULATION: WARRANTED OR MORE ECONOMIC HARM THAN GOOD?

On February 16, 2011, the Subcommittee on Communications and Technology held a hearing to investigate the Network Neutrality Rules adopted by the Federal Communications Commission (FCC) on December 21, 2010. The Subcommittee received testimony from the chairman and commissioners of the FCC.

On March 3, 2011, Chairman Upton, Chairman Walden, and Mr. Terry sent a letter to FCC Chairman Julius Genachowski, requesting the economic and market analysis included in the Commission's order to impose controversial Internet rules. The letter also requested information that would demonstrate that the FCC's network neutrality rules would not harm the American economy or the ability of Internet providers to innovate. On March 4, 2011, Chairman Upton, Chairman Walden, and Mr. Terry sent letters to CTIA—The Wireless Association and the National Cable & Telecommunications Association seeking information regarding the potential impact of the network neutrality rules on investment and economic activity.

On March 9, 2011, the Subcommittee on Communications and Technology held a legislative hearing regarding a resolution pursuant to the Congressional Review Act regarding the FCC's Net Neutrality rules. The Subcommittee received testimony from AT&T, Free Press, and other stakeholders.

USING SPECTRUM TO ADVANCE PUBLIC SAFETY, PROMOTE BROADBAND, CREATE JOBS, AND REDUCE THE DEFICIT

On April 12, 2011, the Subcommittee on Communications and Technology held a hearing to examine spectrum policy and to investigate how it can be used to bring interoperable broadband communications to public safety, advance wireless broadband, and reduce the deficit. The Subcommittee received testimony from Senator Slade Gorton, formerly of the 9/11 Commission; the New York Police Department; the Brattle Group; U.S. Cellular; WGAL-TV; the Federal Communications Commission; and Intel Corp.

FCC PROCESS REFORM

On May 13, 2011, the Subcommittee on Communications and Technology held a hearing on Federal Communications Commission (FCC) Process Reform. The purpose of the hearing was to examine possible reforms to FCC procedure to ensure consistency in the decision making process at the FCC. The Subcommittee received testimony from the Chairman and Commissioners.

Chairman Walden and Chairman Stearns followed the hearing with a letter sent on June 3, 2011, seeking more detailed data about the Commission's activities. Among other things, the letter

sought information about how many petitions, complaints, and applications are pending at the FCC, the FCC's use of internal deadlines to manage its docket, and the conditions the FCC has imposed on recent transactions.

CREATING AN INTEROPERABLE PUBLIC SAFETY NETWORK

On May 25, 2011, the Subcommittee on Communications and Technology held a hearing entitled "Creating an Interoperable Public Safety Network." The hearing was held to investigate why, almost 10 years after the events of September 11, 2001, and despite Congressional allocation of billions of dollars and approximately 100 MHz of spectrum for public safety use, first responders still do not have ubiquitous interoperable voice communications, and few have interoperable broadband. The Subcommittee received testimony from first responder groups, communications companies, and other stakeholders.

PROMOTING BROADBAND, JOBS AND ECONOMIC GROWTH THROUGH COMMERCIAL SPECTRUM AUCTIONS

On June 1, 2011, the Subcommittee on Communications and Technology held a hearing entitled "Promoting Broadband, Jobs and Economic Growth Through Commercial Spectrum Auctions." The Subcommittee held the hearing to probe how best to meet the spectrum needs of Americans. The Subcommittee received testimony from CTIA—The Wireless Association, an economist from Duke University, Qualcomm Inc., Public Knowledge, Schurz Communications, and Titan Broadcast Management.

REFORMING FCC PROCESS

On June 22, 2011, the Subcommittee on Communications and Technology held a legislative hearing on the Committee Print entitled the "Federal Communications Commission Process Reform Act." The Subcommittee received testimony from representatives of Broadband for America, Frontier Communications, Consumer Federation of America, Free State Foundation, the National Association of Regulatory Utility Commissioners, and a professor from the Washington University School of Law.

FEDERAL GOVERNMENT SPECTRUM USE

On July 6, 2011, the Subcommittee on Communications and Technology held a hearing entitled "Federal Government Spectrum Use." The purpose of the hearing was to evaluate the impact of spectrum policy on interoperable broadband communications for public safety, in advancing wireless broadband, in reducing the deficit, and in creating jobs. The Subcommittee received testimony from the Assistant Secretary for Communications and Information at the Department of Commerce and the Administrator of the National Telecommunications and Information Administration.

INTERNET PRIVACY: THE VIEWS OF THE FTC, THE FCC, AND NTIA

On July 14, 2011, the Subcommittee on Communications and Technology and the Subcommittee on Commerce, Manufacturing,

and Trade held a joint hearing entitled “Internet Privacy: The Views of the FTC, the FCC, and NTIA.” The hearing examined the views of several Federal agencies regarding the regulation of Internet privacy. The Subcommittees received testimony from the Honorable Edith Ramirez, Commissioner of the Federal Trade Commission, the Honorable Julius Genachowski, Chairman of the Federal Communications Commission, and the Honorable Lawrence Strickling, the Assistant Secretary for Communications and Information and the Administrator of the National Telecommunications and Information Administration.

LEGISLATIVE HEARING TO ADDRESS SPECTRUM AND PUBLIC SAFETY ISSUES

On July 15, 2011, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing to Address Spectrum and Public Safety Issues.” The purpose of the hearing was to discuss how spectrum policy can help bring interoperable broadband communications to public safety officials, advance wireless broadband service, reduce the deficit, and create jobs. The Subcommittee received testimony from the National Association of Broadcasters, CTIA—The Wireless Association, the San Jose Police Department, an economics professor from the University of Maryland, and the New America Foundation.

H.R. 3035, MOBILE INFORMATIONAL CALL ACT OF 2011

On November 4, 2011, the Subcommittee on Communications and Technology held a hearing on H.R. 3035, the “Mobile Informational Call Act of 2011,” introduced by the Honorable Lee Terry and the Honorable Edolphus Towns. The aim of H.R. 3035 is to permit informational calls to mobile devices and further amend the Telephone Consumer Protection Act in light of developments in the communications marketplace over the last twenty years. The Subcommittee received testimony from the Honorable Greg Zoeller, Attorney General of Indiana, HOPE NOW, Cargo Airline Association, CTIA, and the National Association of Consumer Advocates.

ICANN’S TOP-LEVEL DOMAIN NAME PROGRAM

On December 14, 2011, the Subcommittee on Communications and Technology held a hearing entitled “ICANN’s Top-Level Domain Name Program.” The hearing examined the Internet Corporation for Assigned Names and Numbers’ proposed expansion of the number of generic top-level domain names. The Subcommittee received testimony from representatives of the National Telecommunications and Information Administration, the Coalition Against Domain Name Abuse, Employ Media, the Council of Better Business Bureaus, the Association of National Advertisers, and ICANN.

CYBERSECURITY: THREATS TO COMMUNICATIONS NETWORKS AND PRIVATE-SECTOR RESPONSES

On February 8, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Cybersecurity: Threats to Com-

munications Networks and Private-Sector Responses.” The hearing examined the threats to America’s communications networks, what the private sector is doing to address those threats, what the private sector could be doing better, and what role the Federal government should play. The subcommittee received testimony from Internet Security Alliance, Entrust, Juniper Networks, Center for Strategic and International Studies, and McAfee Inc.

THE BUDGET AND SPENDING OF THE FEDERAL COMMUNICATIONS COMMISSION

On February 16, 2012, the Subcommittee on Communications and Technology held a hearing entitled “The Budget and Spending of the Federal Communications Commission.” The Subcommittee received testimony from the chairman of the Federal Communications Commission, the inspector general of the Federal Communications Commission, and the chief executive officer of Universal Service Administrative Company.

CYBERSECURITY AND THE PIVOTAL ROLE OF COMMUNICATIONS NETWORKS

On March 7, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Cybersecurity and the Pivotal Role of Communications Networks.” The hearing continued the examination of cybersecurity and our communications infrastructure with a focus on what internet service providers are doing to address cybersecurity. The Subcommittee received testimony from AT&T Services, Inc., CenturyLink, Comcast Corporation, and MetroPCS Communications Inc.

CYBERSECURITY: THREATS TO COMMUNICATIONS NETWORKS AND PUBLIC-SECTOR RESPONSES

On March 28, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Cybersecurity: Threats to Communications Networks and Public-Sector Responses.” The hearing examined threats to America’s communications networks, what the public sector is doing to address those threats, how it is working with the private sector, and what role the Federal government should play in securing communications networks. The Subcommittee received testimony from witnesses representing the Federal Communications Commission, the National Telecommunications and Information Administration, the Department of Homeland Security, Carnegie Mellon’s Computer Emergency Readiness Team, and Sandia Laboratories.

BROADBAND LOANS AND GRANTS

On May 16, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Broadband Loans and Grants.” The hearing examined the \$7.2 billion in broadband grants and loans that was allocated by the American Recovery and Reinvestment Act of 2009. The Subcommittee received testimony from the Assistant Secretary for Communications and Information at the Department of Commerce, the Administrator of the Rural Utility

Service, the Inspector General of the U.S. Department of Commerce, and the Deputy Inspector General at the U.S. Department of Agriculture.

INTERNATIONAL PROPOSALS TO REGULATE THE INTERNET

On May 31, 2012, the Subcommittee on Communications and Technology held a hearing entitled “International Proposals to Regulate the Internet.” The hearing was held to address the pending changes to the International Telecommunications Regulations at the December 2012 World Conference on International Telecommunications (WCIT). The Subcommittee received testimony from Ambassador Philip Verveer, Deputy Assistant Secretary of State and U.S. Coordinator for International Communications and Information Policy for the U.S. Department of State; the Honorable Robert McDowell, Commissioner of the Federal Communications Commission; representatives from the World Conference on International Telecommunications Ad Hoc Working Group; the Internet Society; and Google.

THE FUTURE OF AUDIO

On June 6, 2012, the Subcommittee on Communications and Technology held a hearing entitled “The Future of Audio.” The hearing examined how advances in communications services and consumer electronics equipment are affecting the distribution and consumption of audio content. The Subcommittee received testimony from representatives from the National Academy of Recording Arts and Sciences, National Music Publishers’ Association, Recording Industry Association of America, Emmis Communications, Commonwealth Broadcasting Corporation, Pandora, CTIA—The Wireless Association, and the Consumer Electronics Association.

THE FUTURE OF VIDEO

On June 27, 2012, the Subcommittee on Communications and Technology held a hearing entitled “The Future of Video.” The purpose of the hearing was to examine where the video market and technology are headed, whether regulation of the old guard still makes sense, and whether regulation should be expanded to new technologies and services. The Subcommittee received testimony from representatives of the DISH Network, Sky Angel, Netflix, Roku, Public Knowledge, Hearst Television Inc., Motion Picture Association of America, and the National Cable & Telecommunications Association.

OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On July 10, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Oversight of the Federal Communications Commission.” This was the first hearing with the five FCC commissioners since the confirmation of Commissioners Rosenworcel and Pai in May 2012. The hearing touched on issues such as commercial spectrum auctions, the interoperable public safety broadband network, universal service, special access, media ownership regulation, and the June 29 storm outages. The Sub-

committee received testimony from Chairman Julius Genachowski, Commissioner Robert McDowell, Commissioner Mignon Clyburn, Commissioner Jessica Rosenworcel, and Commissioner Ajit Pai.

CREATING OPPORTUNITIES THROUGH IMPROVED GOVERNMENT SPECTRUM EFFICIENCY

On September 13, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Creating Opportunities through Improved Government Spectrum Efficiency.” The purpose of the hearing was to explore ways to use spectrum more efficiently and with modernized equipment to help Federal agencies better fulfill their objectives while freeing spectrum for broadband services. The Subcommittee received testimony from representatives from the United States Government Accountability Office, an advisor to the President’s Council of Advisors on Science and Technology, the National Telecommunications and Information Administration, Ericsson Inc., T-Mobile USA, Inc., Oceus Networks, and the U.S. Department of Defense.

THE ROLE OF RECEIVERS IN A SPECTRUM SCARCE WORLD

On November 29, 2012, the Subcommittee on Communications and Technology held a hearing entitled “The Role of Receivers in a Spectrum Scarce World.” The purpose of the hearing was to discuss receiver design and performance and how to tackle potential receiver interference issues. The Subcommittee received testimony from representatives from the Federal Communications Commission, Silicon Flatirons Center at the University of Colorado, Boulder, and the Consumer Electronics Association.

KEEPING THE NEW BROADBAND SPECTRUM LAW ON TRACK

On December 12, 2012, the Subcommittee on Communications and Technology held a hearing entitled “Keeping the New Broadband Spectrum Law on Track.” The Subcommittee received testimony from the Chairman of the Federal Communications Commission, Julius Genachowski, and Commissioner Robert McDowell, Commissioner Mignon Clyburn, Commissioner Jessica Rosenworcel, and Commissioner Ajit Pai.

HEARINGS HELD

Hearing entitled “ARRA Broadband Spending.” (February 10, 2011) Serial Number 112–5.

Hearing entitled “Network Neutrality and Internet Regulation: Warranted or More Economic Harm than Good?” (February 16, 2011) Serial Number 112–8.

Hearing entitled “H.J. Res 37, Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry.” (March 9, 2011) Serial Number 112–18.

Hearing entitled “H.R. _____, a Bill To Clarify NTIA and RUS Authority To Return Reclaimed Stimulus Funds to the U.S. Treasury.” (April 1, 2011) Serial Number 112–30.

Hearing entitled “Using Spectrum To Advance Public Safety, Promote Broadband, Create Jobs, and Reduce the Deficit.” (April 12, 2011) Serial Number 112–36.

Hearing entitled “FCC Process Reform.” (May 13, 2011) Serial Number 112–48.

Hearing entitled “Creating an Interoperable Public Safety Network.” (May 25, 2011) Serial Number 112–51.

Hearing entitled “Promoting Broadband, Jobs and Economic Growth Through Commercial Spectrum Auctions.” (June 1, 2011) Serial Number 112–53.

Hearing entitled “Reforming FCC Process.” (June 22, 2011) Serial Number 112–66.

Hearing entitled “Federal Government Spectrum Use.” (July 6, 2011) Serial Number 112–69.

Hearing entitled “Internet Privacy: The Views of the FTC, the FCC, and NTIA.” (July 14, 2011) Serial Number 112–75.

Hearing entitled “Legislative Hearing To Address Spectrum and Public Safety Issues.” (July 15, 2011) Serial Number 112–76.

Hearing entitled “H.R. 3035, The Mobile Informational Call Act of 2011.” (November 4, 2011) Serial Number 112–103.

Hearing entitled “ICANN’s Top-Level Domain Name Program.” (December 14, 2011) Serial Number 112–107.

Hearing entitled “Cybersecurity: Threats to Communications Networks and Private-Sector Responses.” (February 8, 2012) Serial Number 112–112.

Hearing entitled “The Budget and Spending of the Federal Communications Commission.” (February 16, 2012) Serial Number 112–117.

Hearing entitled “Cybersecurity: The Pivotal Role of Communications Networks.” (March 7, 2012) Serial Number 112–123.

Hearing entitled “Cybersecurity: Threats to Communications Networks and Public-Sector Responses.” (March 28, 2012) Serial Number 112–134.

Hearing entitled “Broadband Loans and Grants.” (May 16, 2012) Serial Number 112–143.

Hearing entitled “International Proposals to Regulate the Internet.” (May 31, 2012) Serial Number 112–145.

Hearing entitled “The Future of Audio.” (June 6, 2012) Serial Number 112–148.

Hearing entitled “The Future of Video.” (June 27, 2012) Serial Number 112–155.

Hearing entitled “Oversight of the Federal Communications Commission.” (July 10, 2012) Serial Number 112–160.

Hearing entitled “Creating Opportunities through Improved Government Spectrum Efficiency.” (September 13, 2012) Serial Number 112–177.

Hearing entitled “The Role of Receivers in a Spectrum Scarce World.” (November 29, 2012) Serial Number 112–183.

Hearing entitled “Keeping the New Broadband Spectrum Law on Track.” (December 12, 2012) Serial Number 112–184.

SUBCOMMITTEE ON ENERGY AND POWER

(Ratio 16–11)

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(Ex Officio)

Jurisdiction: National energy policy generally; Fossil energy, renewable energy resources and synthetic fuels, energy conservation, energy information; Energy regulation and utilization; Utility issues and regulation of nuclear facilities; Interstate energy compacts; Nuclear energy; The Clean Air Act and air emissions; and, All laws, programs, and government activities affecting such matters.

LEGISLATIVE ACTIVITIES

TEMPORARY PAYROLL TAX CUT CONTINUATION ACT OF 2011

PUBLIC LAW 112–78 (H.R. 3765, TITLE V)

To extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, and for other purposes.

Summary

Title V of H.R. 3765 directs the President, acting through the Secretary of State, to grant a permit for the Keystone XL pipeline project application filed on September 19, 2008. The requirement is waived if the President determines that the Keystone XL pipeline would not serve the national interest and requires the President, in that case, to report to certain congressional committees and officials a justification for his determination. Title V declares that a permit for such pipeline shall take effect by operation of law if after 60 days following enactment of this Act if the President fails to grant the permit or determine that the Keystone XL pipeline would not serve the national interest.

Legislative History

On December 23, 2011, H.R. 3765 was introduced by Mr. Camp and referred to the Committee on Ways and Means, the Committee on Energy and Commerce, the Committee on Transportation and Infrastructure, the Committee on Natural Resources, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Budget.

On December 23, 2011, H.R. 3765 was discharged from committees of jurisdiction and considered by unanimous consent.

On December 23, 2011, H.R. 3765 passed the House without objection.

On December 23, 2011, H.R. 3765 was ordered received, read twice, considered, read the third time, and passed the Senate by unanimous consent.

On December 23, 2011, H.R. 3765 was presented to and signed by the President (Public Law 112–78).

PIPELINE INFRASTRUCTURE AND COMMUNITY PROTECTION ACT OF
2011

PUBLIC LAW 112–90 (H.R. 2937, H.R. 2845)

To amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation’s energy products by pipeline, and for other purposes.

Summary

H.R. 2937 provides for enhanced safety and environmental protection in pipeline transportation by directing the Secretary of Transportation to enforce numerous requirements for pipeline operators and perform several studies on pipeline safety standards and technology. Additionally, the bill reauthorizes pipeline safety programs administered by the Department of Transportation through fiscal year 2014.

Legislative History

The Subcommittee on Energy and Power held two days of hearings on pipeline safety in the 112th Congress as part of the “American Energy Initiative” series. On June 16, 2011, Members received testimony on the current status of pipeline safety, and on July 15 and July 21 2011, the Subcommittee held a hearing on a Committee Print that became H.R. 2937.

H.R. 2937 was introduced by Mr. Upton and Mr. Dingell on September 15, 2011, and referred to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce.

On September 20, 2011, the Committee on Energy and Commerce referred H.R. 2937 to the Subcommittee on Energy and Power.

On September 20 and 21, 2011, the Committee on Energy and Commerce met in an open markup session and ordered H.R. 2937 favorably reported to the House, as amended, by a roll call vote of 51 yeas and 0 nays.

On November 16, 2011, the Committee on Energy and Commerce reported H.R. 2937 to the House, as amended (H. Rept. 112–287, Part I).

On September 7, 2011, H.R. 2845, the “Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011,” was introduced by Mr. Shuster and referred to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce.

On September 8, 2011, the Committee on Transportation and Infrastructure met in open markup session and ordered H.R. 2845 favorably reported to the House, as amended, by a voice vote.

On December 1, 2011, the Committee on Transportation and Infrastructure reported H.R. 2845 to the House, as amended (H. Rept. 112–297, Part I).

On December 12, 2011, H.R. 2845, which included provisions similar to H.R. 2937, was considered under suspension of the Rules and passed the House by a voice vote.

On December 13, 2011, H.R. 2845 was received in the Senate, read twice, considered, read the third time, and passed without amendment by unanimous consent.

On December 23, 2011, H.R. 2845 was presented to the President, and on January 3, 2012, H.R. 2845 was signed into law (Public Law 112–90).

TEMPORARY SURFACE TRANSPORTATION EXTENSION ACT OF 2012

PUBLIC LAW 112–140 (H.R. 6064, TITLE II)

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

Summary

Title II extends the authorization of appropriations for specified National Highway Traffic Safety Administration safety programs. Section 202 extends the authorization of appropriations for Federal Motor Carrier Safety Administration programs, and section 203 extends the funding for hazardous materials research projects.

Legislative Actions

On June 29, 2012, H.R. 6064 was introduced in the House and referred to the Committee on Transportation and Infrastructure, the Committee on Ways and Means, the Committee on Natural Resources, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on Education and the Workforce.

H.R. 6064 was considered in the House by unanimous consent, and the bill was passed without objection.

The bill was received in the Senate, read twice, considered, read a third time, and passed, without amendment, by unanimous consent.

On June 29, 2012, H.R. 6064 was presented to and signed by the President (Public Law 112–140).

AMERICAN ENERGY MANUFACTURING TECHNICAL CORRECTIONS ACT

PUBLIC LAW 112–210 (H.R. 6582, H.R. 4850)

To allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals, and to make technical corrections to existing Federal energy efficiency laws to allow American manufacturers to remain competitive.

Summary

Section 2 of the American Energy Manufacturing Technical Corrections amends the Energy Policy and Conservation Act (EPCA) to exempt a walk-in cooler or walk-in freezer components manufactured on or after January 1, 2009, from the requirement that it contain wall, ceiling, and door insulation of at least R–25 for coolers and R–32 for freezers, if the manufacturer has demonstrated to the Secretary of Energy (DOE) that such components reduce energy consumption at least as much as if such requirement were to apply.

Section 3 amends EPCA to direct the Department of Energy to establish a uniform efficiency energy descriptor for all covered water heaters and to establish testing procedures.

Section 4 amends EPCA by defining the term “service over the counter, self-contained, medium temperature commercial refrigerator (SOC–SC–M)” and establishes a standard for SOC–SC–Ms.

Section 5 amends EPCA to establish standards for through the wall central air conditioners and air conditioning heat pumps, and small duct, high velocity systems.

Sections 6 and 7 require coordination among Federal agencies to help develop and deploy industrial energy efficiency technologies.

Sections 8 and 9 amend EPCA to improve Federal energy efficiency.

Section 10 makes additional routine technical corrections to the 2007 energy bill.

Legislative History

H.R. 4850 was introduced by Mr. Aderholt on April 26, 2012, and referred to the Committee on Energy and Commerce. On April 27, 2012, the Committee on Energy and Commerce referred H.R. 4850 to the Subcommittee on Energy and Power.

On June 26, 2012, H.R. 4850 was considered under suspension of the Rules and passed the House by a voice vote.

On June 27, 2012, H.R. 4850 was received in the Senate and read twice and referred to the Committee on Energy and Natural Resources.

On September 22, 2012, the Committee on Energy and Natural Resources discharged H.R. 4850, and the Senate passed the bill, as amended, by unanimous consent.

On September 24, 2012, a message on Senate action was sent to the House.

No further action was taken on H.R. 4850 during the 112th Congress.

H.R. 6582 was introduced by Mr. Aderholt on November 2, 2012, and included provisions substantially similar to those of H.R. 4850.

On December 4, 2012, H.R. 6582 was considered under suspension of the Rules and passed the House by a roll call vote of 398 yeas, 2 nays, and 1 present (Roll Call No. 614).

On December 5, 2012, H.R. 6582 was received in the Senate and read twice. On December 6, 2012, the bill passed the Senate by unanimous consent.

On December 12, 2012, H.R. 6582 was presented to the President, and on December 18, 2012, the bill was signed by the President (Public Law 112–210).

A ROADMAP FOR AMERICA'S ENERGY FUTURE

H.R. 909

To expand domestic fossil fuel production, develop more nuclear power, and expand renewable electricity, and for other purposes.

Summary

H.R. 909, A Roadmap for America's Energy Future, seeks to expand domestic energy supplies by facilitating increased production of conventional sources of oil in the Outer Continental Shelf (OCS) and Arctic National Wildlife Refuge, non-conventional sources of oil such as oil shale and coal-to-liquids, and increased nuclear power. The additional revenues from leasing and production on federal lands and the OCS in this bill would be used to fund renewable electricity sources through a process of reverse auctions.

Legislative History

H.R. 909 was introduced by Mr. Nunes (CA) on March 3, 2011, and referred to the Committee on Natural Resources, and in addition to the Committee on Oversight and Government Reform, the Committee on Ways and Means, the Committee on Energy and Commerce, and the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On March 11, 2011, the Committee on Energy and Commerce referred H.R. 909 to the Subcommittee on Energy and Power.

On May 31, 2011, and June 3, 2011, the Subcommittee on Energy and Power held hearings on H.R. 909.

No further action was taken on H.R. 909 during the 112th Congress.

ENERGY TAX PREVENTION ACT OF 2011

H.R. 910

To amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes.

Summary

H.R. 910 prohibits the Administrator of the Environmental Protection Agency from using the Clean Air Act to promulgate any reg-

ulation concerning, take action relating to, or take into consideration the emission of a greenhouse gas (GHG) to address climate change. To this end, certain prior Clean Air Act greenhouse gas agency actions are repealed, including without limitation, the Agency's actions with respect to the "Endangerment and Cause or Contribute Findings for Greenhouse Gases" under Section 202(a) of the Clean Air Act" and the rulemaking entitled "Mandatory Reporting of Greenhouse Gases." The legislation would nullify recently finalized tailpipe standards for cars and trucks. Notwithstanding the foregoing, reporting requirements as a result of implementation and enforcement of section 821 of Public Law 101-549 (commonly referred to as the Clean Air Act Amendments of 1990) would remain in effect.

Legislative History

On February 9, 2011, the Subcommittee on Energy and Power held a hearing on a Committee Print entitled the "Energy Tax Prevention Act of 2011." The Subcommittee held another hearing on March 1, 2011, entitled "EPA's Greenhouse Gas Regulations and Their Effect on American Jobs."

H.R. 910 was introduced by Mr. Upton on March 3, 2011, and referred to the Committee on Energy and Commerce.

On March 8, 2011, the bill was referred to the Subcommittee on Energy and Power, and the Subcommittee held another legislative hearing on the bill entitled "Climate Science and EPA's Greenhouse Gas Regulations."

The Subcommittee on Energy and Power met in open markup session on March 10, 2011, and H.R. 910 was forwarded to the full Committee, without amendment, by a voice vote.

The Committee on Energy and Commerce met in open markup session on March 14 and 15, 2011, and ordered H.R. 910 favorably reported to the House, as amended, by a roll call vote of 34 yeas and 19 nays.

On April 1, 2011, the Committee on Energy and Commerce reported H.R. 910 to the House (H. Rept. 112-50), and the bill was placed on the Union Calendar (Calendar No. 24).

On April 6 and 7, 2011, H.R. 910 was considered in the House pursuant to H. Res. 203, and on April 7, 2011, the bill was passed, as amended, by a roll call vote of 255 yeas and 172 nays (Roll Call No. 249).

On April 8, 2011, H.R. 910 was received in the Senate and referred to the Committee on Environment and Public Works.

The text of H.R. 910 was included as Title II of H.R. 3409, which passed the House on September 21, 2012.

No further action was taken on H.R. 910 or H.R. 3409 during the 112th Congress.

FARM DUST REGULATION PREVENTION ACT OF 2011

H.R. 1633

To establish a temporary prohibition against revising any national ambient air quality standards applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas

in which such dust is regulated under State, tribal, or local law, and for other purposes.

Summary

H.R. 1633 prohibits the Environmental Protection Agency (EPA) from proposing, finalizing, implementing, or enforcing any regulation revising the National Ambient Air Quality Standards applicable to coarse particulate matter for one year from the date of enactment, and limits Federal regulation of a subset of particulate matter defined as “nuisance dust” when it is already addressed by state or local regulations unless the Administrator finds that: (1) nuisance dust causes substantial adverse public health and welfare effects at ambient concentrations and (2) the benefits of applying Federal Clean Air Act standards to nuisance dust outweigh the costs.

Legislative History

H.R. 1633 was introduced by Ms. Noem on April 15, 2011, and referred to the Committee on Energy and Commerce.

On April 25, 2011, the bill was referred to the Subcommittee on Energy and Power, and on October 25, 2011, the Subcommittee held a hearing on the bill.

On November 3, 2011, the Subcommittee on Energy and Power met in an open markup session and forwarded H.R. 1633, as amended, to the full Committee.

On November 29, 2011, the Committee on Energy and Commerce met in an open markup session and ordered H.R. 1633 reported to the House, as amended, by a roll call vote of 33 yeas and 16 nays.

On December 6, 2011, the Committee on Energy and Commerce reported H.R. 1633 to the House (H. Rept. 112–316), and the bill was placed on the Union Calendar (Calendar No. 215).

On December 8, 2011, H.R. 1633 was considered in the House pursuant to the provisions of H. Res. 487, and the bill was passed by a roll call vote of 268 yeas and 150 nays (Roll Call No. 912).

On December 12, 2011, H.R. 1633 was received in the Senate and read once and placed on Senate Legislative Calendar under Read the First Time. On December 13, 2011, H.R. 1633 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 256).

No further action was taken on H.R. 1633 during the 112th Congress.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE
NATION ACT OF 2011

H.R. 1705

To require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes.

Summary

H.R. 1705 establishes an interagency committee to conduct a cumulative analysis of certain EPA regulations that impact energy

and manufacturing in the United States and to report the findings to Congress.

Legislative History

On April 7, 2011, the Subcommittee on Energy and Power held a hearing on a discussion draft of the Transparency in Regulatory Analysis of Impacts on the Nation Act.

H.R. 1705 was introduced by Mr. Sullivan on May 4, 2011, and referred to the Committee on Energy and Commerce and, in addition, to the Committee on Transportation and Infrastructure.

On May 6, 2011, the Committee on Energy and Commerce referred H.R. 1705 to the Subcommittee on Energy and Power. The Subcommittee met in open markup session on May 24, 2011, and H.R. 1705 was forwarded to the full Committee, as amended, by a voice vote.

No further action was taken on H.R. 1705 during the 112th Congress.

For further activity, see H.R. 2401.

NORTH AMERICAN-MADE ENERGY SECURITY ACT

H.R. 1938

To direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes.

Summary

H.R. 1938 directs the President of the United States to coordinate with each Federal agency responsible for coordinating or considering an aspect of the President's National Interest Determination and Presidential Permit decision regarding construction and operation of the Keystone XL pipeline to ensure that all necessary actions are taken on an expedited schedule. The bill also directs the President, within 30 days after the final environmental impact statement, but not later than November 1, 2011, to issue a final order granting or denying the Presidential Permit for the Keystone XL pipeline.

Legislative History

Mr. Terry introduced H.R. 1938 on May 23, 2011, and referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce and the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On May 24, 2011, H.R. 1938 was referred to Subcommittee on Energy and Power. On June 15, 2011, the Subcommittee met in open markup session, and H.R. 1938 was forwarded to the full Committee by a voice vote.

On June 23, 2011, the Committee on Energy and Commerce met in open markup session, and ordered H.R. 1938 favorably reported to the House by a roll call vote of 33 yeas and 13 nays.

On July 8, 2011, the Committee on Energy and Commerce reported H.R. 1938 to the House (H. Rept. 112-140, Part I).

On July 26, 2011, H.R. 1938 was considered in the House pursuant to H. Res. 370 and was passed by a roll call vote of 279 yeas, 147 nays, and 1 present (Roll No. 650).

On July 27, 2011, H.R. 1938 was received in the Senate, read the first time, and placed on the Senate Legislative Calendar under Read the First Time. On July 28, 2011, the bill was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 116).

No further action was taken on H.R. 1938 during the 112th Congress.

Provisions similar to H.R. 1938 were included in H.R. 3630, the "Temporary Payroll Tax Cut Continuation Act of 2011." However, these provisions were struck from the legislation prior to enactment. The legislative history of H.R. 3630 is discussed in the sections on the Subcommittee on Communications and Technology and the Subcommittee on Health.

JOBS AND ENERGY PERMITTING ACT OF 2011

H.R. 2021

To amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

Summary

H.R. 2021, the Jobs and Energy Permitting Act of 2011 ("JEPA"), would amend section 328 of the Clean Air Act (CAA) to clarify when a drilling operation becomes an Outer Continental Shelf source ("OCS Source"), which vessels can be regulated as part of the OCS source, and where to measure the air quality impacts of the OCS source. H.R. 2021 also would make several changes to the administrative and judicial review process for permits issued under section 328.

Legislative History

On April 13, 2011 and May 13, 2011, the Subcommittee on Energy and Power held hearings on a Committee Print entitled the "Jobs and Energy Permitting Act of 2011." The Subcommittee on Energy and Power met in open markup session on May 24, 2011, and the Committee Print was forwarded to the full Committee, without amendment, by a voice vote.

On May 26, 2011, H.R. 2021 was introduced by Mr. Gardner and referred to the Committee on Energy and Commerce.

The full Committee met in open markup session on June 1 and 2, 2011, and ordered H.R. 2021 favorably reported to the House, without amendment, by a roll call vote of 34 yeas and 14 nays.

On June 16, 2011, the Committee on Energy and Commerce reported H.R. 2021 to the House (H. Rept. 112-108), and the bill was placed on the Union Calendar (Calendar No. 62).

On June 22, 2011, H.R. 2021 was considered in the House pursuant to the provisions of H. Res. 316, and the bill was passed by a roll call vote of 253 yeas and 166 nays (Roll Call No. 477).

On June 23, 2011, H.R. 2021 was received in the Senate, read the first time, and placed on the Senate Legislative Calendar. On June 27, 2011, the bill was read the second time and placed on the

Senate Legislative Calendar under General Orders (Calendar No. 86).

No further action was taken on H.R. 2021 during the 112th Congress.

ENERGY AND REVENUE ENRICHMENT ACT OF 2011

H.R. 2054

To provide for the reenrichment of certain depleted uranium owned by the Department of Energy, and for the sale or barter of the resulting reenriched uranium, and for other purposes.

Summary

H.R. 2054 directs the Secretary of the Department of Energy (DOE) to contract with a qualified operator for a 24-month pilot program for the re-enrichment of depleted uranium. The Secretary is authorized to sell the re-enriched uranium generated under the contract. The proceeds from the sale are available to carry out the pilot program, and the remaining funds are deposited into the Uranium Decontamination and Decommissioning Fund. The Secretary retains title to the depleted uranium generated by the pilot program, and is authorized to assume or transfer title to additional depleted uranium to satisfy the terms of the pilot program contract.

During the 2-year pilot program, and the 2 years thereafter, the Secretary is authorized to sell up to 15 percent of the U.S.'s nuclear fuel requirements. After that 4-year period, the Secretary may sell up to only 10 percent of the U.S.'s nuclear fuel requirements in any year, unless the Secretary determines there will be no impact on the uranium markets.

Legislative History

H.R. 2054 was introduced by Mr. Whitfield on May 26, 2011, and referred to the Committee on Energy and Commerce.

On June 3, 2011, the bill was referred to the Subcommittee on Energy and Power, and on June 13, 2011, the Subcommittee held a legislative hearing. The Subcommittee met in open markup session on July 27, 2011, and H.R. 2054 was forwarded to the full Committee, as amended, by a voice vote.

No further action was taken on H.R. 2054 during the 112th Congress.

EPA REGULATORY RELIEF ACT OF 2011

H.R. 2250

To provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

Summary

The bill nullifies four interrelated Environmental Protection Agency (EPA) rules setting maximum achievable control technology (MACT) and other performance standards for industrial, commercial, and institutional boilers and process heaters, and commercial

and industrial solid waste incineration units and then directs the Administrator of the EPA to promulgate new rules 15 months after the date of enactment pursuant to regulatory standards that can be met under actual operating conditions and that impose the least burdensome regulatory alternatives.

Legislative History

H.R. 2250 was introduced on June 21, 2011, by Mr. Griffith and Mr. Butterfield, and referred to the Committee on Energy and Commerce.

On June 22, 2011, H.R. 2250 was referred to the Subcommittee on Energy and Power. On September 8, 2011, the Subcommittee on Energy and Power held a legislative hearing on H.R. 2250 entitled “Legislative Hearing on H.R. 2250, the EPA Regulatory Relief Act of 2011 and H.R. 2681, the Cement Sector Regulatory Relief Act of 2011.”

On September 13, 2011, the Subcommittee on Energy and Power met in open markup session and forwarded the bill to the full Committee, without amendment, by a voice vote.

On September 20 and 21, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 2250 favorably reported to the House, as amended, by a roll call vote of 36 yeas and 14 nays. On September 26, 2011, the Committee on Energy and Commerce reported H.R. 2250 to the House (H. Rept. 112–225), and the bill was placed on the Union Calendar (Calendar No. 146).

On October 3, 2011, H.R. 2250 was considered in the House pursuant to H. Res. 419, and the bill was passed by a roll call vote of 275 yeas and 142 nays (Roll Call No. 791).

On October 17, 2011, H.R. 2250 was received in the Senate and read once and placed on Senate Legislative Calendar under Read the First Time. On October 18, 2011, H.R. 2250 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 201).

Provisions similar to H.R. 2250 were included as Title I, Subtitle B of H.R. 3630 as passed by the House. These provisions were not included in the conference report approved by the House and Senate.

No further action was taken on H.R. 2250 during the 112th Congress.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE
NATION ACT OF 2011

H.R. 2401

To require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes.

Summary

H.R. 2401 establishes an interagency committee, chaired by the Secretary of Commerce, to analyze and report on the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency (EPA) and to report the findings to

Congress. The bill nullifies the rule entitled “Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP approvals” and then directs the Administrator of EPA to promulgate new rules under section 110(a)(2)(D)(i)(I) or section 126 of the Clean Air Act relating to national ambient air quality standards for ozone or particulate matter. The bill also nullifies the rule entitled “National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional; and Small Industrial-Commercial-Institutional Steam Generating Units,” and directs the Administrator to promulgate new rules under section 112 of the Clean Air Act with respect to each hazardous air pollutant for which the Administrator finds such regulations are appropriate and necessary pursuant to (n)(1)(A) of such section. Lastly, in establishing any national primary or secondary ambient air quality standard under section 109 of the Clean Air Act, the Administrator is required to consider cost and feasibility.

Legislative History

H.R. 2401 was introduced by Mr. Sullivan on June 24, 2011, and referred to the Committee on Energy and Commerce.

On June 24, 2011, the Committee on Energy and Commerce referred H.R. 2401 to the Subcommittee on Energy and Power.

The Subcommittee on Energy and Power met in an open markup session on July 8, 2011, and forwarded H.R. 2401 to the full Committee, without amendment, by a voice vote.

The Committee on Energy and Commerce met in an open markup session on July 11, 12, and 13, 2011, and ordered H.R. 2401 reported to the House, as amended, by a roll call vote of 33 yeas and 13 nays.

On September 15, 2011, the Committee on Energy and Commerce reported H.R. 2401, as amended, to the House (H. Rept. 112–208), and the bill was placed on the Union Calendar (Calendar No. 136).

On September 22 and 23, 2011, H.R. 2401 was considered in the House pursuant to H. Res. 406, and on September 23, 2011, the bill was passed by a roll call vote of 249 yeas and 169 nays (Roll Call No. 741).

On September 26, 2011, H.R. 2401 was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

Provisions similar to H.R. 2401 were included as Title III of H.R. 3409, as passed by the House.

No further action was taken on H.R. 2401 or 3409 during the 112th Congress.

BETTER USE OF LIGHTBULBS ACT

H.R. 2417

To repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, and for other purposes.

Summary

H.R. 2417 repeals provisions of the Energy Independence and Security Act of 2007 concerning lighting energy efficiency. In addition, the bill provides that: (1) no federal, state, or local requirement or standard regarding energy efficient lighting shall be effective to the extent that the requirement or standard can be satisfied only by installing or using lamps containing mercury; and (2) no state or local regulation concerning the energy efficiency or energy use of medium screw base general service incandescent lamps shall be effective.

Legislative History

H.R. 2417 was introduced by Mr. Barton (TX) on July 6, 2011, and referred to the Committee on Energy and Commerce.

On July 6, 2011, the Committee on Energy and Commerce referred H.R. 2417 to the Subcommittee on Energy and Power.

H.R. 2417 was considered in the House under suspension of the Rules and failed by a roll call vote of 233 yeas and 193 nays (Roll Call No. 563).

No further action was taken on H.R. 2417 during the 112th Congress.

CEMENT SECTOR REGULATORY RELIEF ACT OF 2011

H.R. 2681

To provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes.

Summary

The legislation requires the Environmental Protection Agency (EPA) to issue new rules 15 months after the date of enactment under the Clean Air Act (CAA) governing emissions of hazardous air pollutants from cement manufacturing plants and nullifies the existing rule entitled “National Emissions Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants,” and nullifies the following two rules to the extent they apply to the Portland Cement Manufacturing Industry and Portland Cement plants entitled: “Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units,” and “Identification of Non-Hazardous Secondary Materials that are Solid Waste.” The new rules are required to use regulatory standards that can be met under actual operating conditions and that impose the least burdensome regulatory alternatives.

Legislative History

On July 28, 2011, H.R. 2681 was introduced to the House by Mr. Sullivan and referred to the Committee on Energy and Commerce.

On August 5, 2011, the bill was referred to the Subcommittee on Energy and Power, and on September 8, 2011, the Subcommittee held a legislative hearing.

The Subcommittee on Energy and Power met in open markup session on September 13, 2011, and forwarded H.R. 2681 to the full Committee, without amendment, by a voice vote.

On September 20 and 21, 2011, the full Committee met in open markup session and ordered H.R. 2681 reported to the House, as amended, by a roll call vote of 33 yeas and 12 nays.

On September 26, 2011, the Committee on Energy and Commerce reported H.R. 2681 to the House (H. Rept. 112–227), and the bill was placed on the Union Calendar (Calendar No. 148).

On October 5 and 6, 2011, H.R. 2681 was considered in the House pursuant to the provisions of H. Res. 419, and on October 6, 2011, the bill was passed, as amended, by a roll call vote of 262 yeas and 161 nays (Roll Call No. 764).

On October 11, 2011, the bill was received in the Senate, read the first time, and placed on the Senate Legislative Calendar under Read the First Time. On October 12, 2011, the bill was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 192).

No further action was taken on H.R. 2681 during the 112th Congress.

STOP THE WAR ON COAL ACT OF 2012

H.R. 3409

To limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977.

Summary

Title II of H.R. 3409 prohibits the Secretary of the Interior from issuing regulations that would hurt jobs, reduce government revenue or hurt coal consumption or export,

Title II, which is similar to H.R. 910, prohibits the regulation of greenhouse gasses under the Clean Air Act subject to limited exceptions for certain fuel efficiency standards for cars and trucks, renewable fuel standards, research, and other purposes.

Title III, which is similar to H.R. 2401, requires the Department of Commerce to lead an interagency committee that will complete an analysis of Environmental Protection Agency rules and actions; reinstates the Clean Air Interstate Rule (CAIR) and requires re-proposal of Utility MACT with direction to ensure standards are achievable in practice; and requires the consideration of cost in setting future National Ambient Air Quality Standards (NAAQS) air quality standards.

Title IV, which is similar to H.R. 2273, establishes minimum Federal requirements for the management and disposal of coal ash. The Federal criteria would be administered by States through enforceable permits and by EPA if a state fails.

Title V, which is similar to H.R. 2018, restricts EPA's ability to override or delay a state's permitting and water quality certifications under the Clean Air Act once EPA has already approved a state's program, unless the state concurs that a new standard is necessary.

Legislative History

H.R. 3409 was introduced by Mr. Johnson (OH) on November 14, 2011, and referred to the Committee on Natural Resource.

On February 29, 2012, the Committee on Natural Resources ordered H.R. 3409 reported to the House by a roll call vote of 26 yeas and 16 nays, and on September 13, 2012, the Committee on Natural Resources reported H.R. 3409 to the House (H. Rept. 112-670), and the bill was placed on the Union Calendar (Calendar No. 482).

On September 20, 2012, and September 21, 2012, the House considered H.R. 3409 pursuant to the provisions of H. Res. 788. Under the provisions of H. Res. 788, legislation similar to H.R. 910, H.R. 2401, H.R. 2273, and H.R. 2018 were consolidated in to H.R. 3409.

On September 21, 2012, the House passed H.R. 3409, as amended, by a roll call vote of 233 yeas and 175 nays (Roll Call No. 603).

On November 13, 2012, H.R. 3409 was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

No further action was taken on H.R. 3409 during the 112th Congress.

THE NORTH AMERICAN ENERGY ACCESS ACT

H.R. 3548

To facilitate United States access to North American oil resources, and for other purposes.

Summary

H.R. 3548 directs the Federal Energy Regulatory Commission (FERC) to issue a permit for the construction, operation, and maintenance of the Keystone XL Pipeline Project within 30 days of receiving an application, or the permit will be deemed to have been issued.

An applicant may make substantial modifications to the pipeline only with the approval of FERC, and FERC is directed to expedite consideration of such a modification.

FERC also is directed to enter into a memorandum of understanding (MOU) with the State of Nebraska for a review under National Environmental Policy Act of 1969 of any modification to the pipeline route in Nebraska, and to approve modifications within 30 days of receiving approval of the proposed modification from the Governor of Nebraska, or the modification will be deemed approved.

Legislative History

H.R. 3548 was introduced by Mr. Terry on December 2, 2011, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, and the Committee on Natural Resources.

On December 9, 2011, the Committee on Energy and Commerce referred H.R. 3548 to the Subcommittee on Energy and Power.

On January 25, 2012, and February 3, 2012, the Subcommittee on Energy and Power held a legislative hearing entitled, "American Jobs Now: A Legislative Hearing on H.R. 3548, the North Amer-

ican Energy Access Act.” The February 3, 2012, hearing was held as a result of a minority request for a day of hearings pursuant to Rule XI of the Committee rules.

The Committee on Energy and Commerce met in an open markup session on February 6 and 7, 2012, and ordered H.R. 3548 favorably reported to the House, as amended, by a roll call vote of 33 yeas and 20 nays.

On December 17, 2012, the Committee on Energy and Commerce reported H.R. 3548 to the House, as amended (H. Rept. 112–703), and the bill was placed on the Union Calendar (Calendar No. 515).

No further action was taken on H.R. 3548 during the 112th Congress.

The provisions of H.R. 3548 are substantially similar to Title II of H.R. 4348, the “Surface Transportation Extension Act of 2012, Part II.”

H.R. 4348 was introduced by Mr. Mica on April 16, 2012, and referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, the Committee on Natural Resources, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On April 18, 2012, H.R. 4348 was considered in the House pursuant to the provisions of H. Res. 619, and the bill was passed, as amended, by a roll call vote of 293 yeas and 127 nays (Roll Call No. 170).

On April 18, 2012, H.R. 4348 was received in the Senate, and on April 24, 2012, the Senate passed the bill, as amended, by unanimous consent. The Senate insisted upon its amendment, asked for a conference, appointed the following conferees, Sen. Boxer, Sen. Baucus, Sen. Rockefeller, Sen. Durbin, Sen. Johnson (SD), Sen. Schumer, Sen. Nelson (FL), Sen. Menendez, Sen. Inhofe, Sen. Vitter, Sen. Hatch, Sen. Shelby, Sen. Hutchison, and Sen. Hoeven, and sent a message on Senate action to the House.

On April 25, 2012, the House disagreed to the Senate amendment, agreed to the Senate’s request to go to conference by unanimous consent, and the Speaker appointed conferees. From the Committee on Energy and Commerce, the Speaker appointed Mr. Upton, Mr. Whitfield, and Mr. Waxman for consideration of section 142 and Title II and Title V of the House bill, and sections 1113, 1201, 1202, subtitles B, C, D, and E of Title I of Division C, sections 32701–32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference.

On May 18, 2012, Mr. Barrow filed a motion to instruct conferees regarding the consideration of Title II (the Keystone XL provisions). The motion passed by a roll call vote of 261 yeas and 152 nays (Roll Call No. 292).

The provisions of the Keystone XL Pipeline Project that were included in H.R. 4348 were not included in the conference report (H. Rept. 112–557) filed on June 28, 2012.

ACCOUNTABILITY IN GRANTS ACT OF 2012

H.R. 4255

To prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity to occur outside the United States and its territories and possessions.

Summary

H.R. 4255 amends the Clean Air Act to prohibit the Administrator of EPA from awarding grants, contracts, cooperative agreements, or other financial assistance under the national research and development program for the prevention and control of air pollution for any program, project, or activity to occur outside the United States and its territories and possessions.

Legislative History

H.R. 4255 was introduced by Mr. Whitfield (KY) on March 22, 2012, and referred to the Committee on Energy and Commerce.

On April 23, 2012, the Committee on Energy and Commerce referred H.R. 4255 to the Subcommittee on Energy and Power.

On September 11, 2012, the Subcommittee on Energy and Power held a hearing on H.R. 4255.

No further action was taken on H.R. 4255 during the 112th Congress.

RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS ACT
OF 2012

H.R. 4273

To clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

Summary

H.R. 4273 amends section 202(c) of the Federal Power Act to clarify that when an electric generator is operating pursuant to a section 202(c) emergency directive to generate or transmit electricity, it will not be considered in violation of environmental laws or regulations, or subject to civil or criminal liability or citizen suits, as a result of its actions to comply with the Federal emergency order. H.R. 4273 directs the Department of Energy (DOE) to work to minimize adverse environmental impacts in emergency orders issued pursuant to section 202(c) of the Federal Power Act. This legislation clarifies that the term “environmental law” does not include laws and regulations under the Occupational Safety and Health Act of 1970 and provides that section 202(d) of the Federal Power Act is applicable to municipalities.

Legislative History

H.R. 4273 was introduced by Mr. Olson on March 28, 2012, and referred to the Committee on Energy and Commerce.

On March 30, 2012, the bill was referred to the Subcommittee on Energy and Power, and on May 9, 2012, the Subcommittee held a hearing on the bill.

On June 7, 2012, the Subcommittee met in an open markup session and forwarded H.R. 4273 to the full Committee.

On June 20, 2012, the Committee on Energy and Commerce met in an open markup session and ordered H.R. 4273 reported to the House, as amended, by a voice vote.

On July 9, 2012, the Committee on Energy and Commerce reported H.R. 4273 to the House (H. Rept. 112-586), and the bill was placed on the Union Calendar (Calendar No. 425).

On August 1, 2012, H.R. 4273 was considered in the House under suspension of the Rules and passed the House by a voice vote.

On August 2, 2012, H.R. 4273 was received in the Senate and read twice and referred to the Committee on Environment and Public Works.

No further action was taken on H.R. 4273 during the 112th Congress.

GASOLINE REGULATIONS ACT OF 2012

H.R. 4471

To require analyses of the cumulative impacts of certain rules and actions of the Environmental Protection Agency that impact gasoline, diesel fuel, and natural gas prices, jobs, and the economy, and for other purposes.

Summary

H.R. 4471 establishes an interagency committee chaired by the Secretary of Energy to conduct a cumulative analysis of certain Environmental Protection Agency regulations relating to gasoline and diesel fuel in the United States and to report the findings to Congress. The bill also defers for at least 6 months after submission of the final report developed by the interagency committee the following new regulations: (i) Tier 3 motor vehicle emissions and fuel standards; (ii) new or revised performance or emissions standards applicable to petroleum refineries; and (iii) new ozone standards. In addition, in establishing any national primary or secondary ambient air quality standard under section 109 of the Clean Air Act, the Administrator is required to consider cost and feasibility.

Legislative History

On March 28, 2012, the Subcommittee on Energy and Power held a hearing entitled “The American Energy Initiative” which focused on draft legislation, including the Committee Print entitled the “Gasoline Regulations Act of 2012.”

The Subcommittee on Energy and Power met in an open markup session on April 16, 2012, and forwarded the Committee Print, as amended, to the full Committee.

H.R. 4471 was introduced by Mr. Whitfield on April 23, 2012, and referred to the Committee on Energy and Commerce. H.R. 4471 was substantially similar to the Committee Print considered by the Subcommittee.

On May 16 and 17, 2012, the Committee on Energy and Commerce met in an open markup session and ordered H.R. 4471 favorably reported to the House, without amendment, by a roll call vote of 28 yeas and 13 nays.

On June 6, 2012, the Committee on Energy and Commerce reported H.R. 4471 to the House (H. Rept. 112–519), and the bill was placed on the Union Calendar (Calendar No. 366).

Provisions similar to H.R. 4471 were included as Title II of H.R. 4480, which passed the House on June 21, 2012.

No further action was taken on H.R. 4471 or H.R. 4480 during the 112th Congress.

STRATEGIC ENERGY PRODUCTION ACT OF 2012

H.R. 4480

To provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve.

Summary

H.R. 4480 directs the Secretary of Energy (in consultation with the Secretaries of Agriculture, Interior, and Defense), upon the first drawdown from the Strategic Petroleum Reserve, to establish a plan to increase the percentage of Federal lands and waters leased for oil and gas development.

Legislative History

On March 28, 2012, the Subcommittee on Energy and Power held a hearing entitled “The American Energy Initiative” which focused on draft legislation, including the Committee Print entitled the “Strategic Energy Production Act of 2012.”

The Subcommittee on Energy and Power met in an open markup session on April 17, 2012, and forwarded the Committee Print, as amended, to the full Committee.

H.R. 4480 was introduced by Mr. Gardner on April 24, 2012, and referred to the Committee on Energy and Commerce, the Committee on Natural Resources, the Committee on Agriculture, and the Committee on Armed Services. On April 27, 2012, the Committee on Energy and Commerce referred H.R. 4480 to the Subcommittee on Energy and Power. H.R. 4480 was substantially similar to the Committee Print considered by the Subcommittee.

On May 16 and 17, 2012, the Committee on Energy and Commerce met in an open markup session and ordered H.R. 4480 favorably reported to the House, as amended, by a roll call vote of 31 yeas and 16 nays.

On June 8, 2012, the Committee on Energy and Commerce reported H.R. 4480 to the House, as amended (H. Rept. 112–520, Part I), and the bill was placed on the Union Calendar (Calendar No. 367).

On June 20, 2012, H.R. 4480 was considered in the House pursuant to the provisions of H. Res. 691, and on June 21, 2012, the bill

was passed by a roll call vote of 248 yeas and 163 nays (Roll Call No. 410).

On June 25, 2012, H.R. 4480 was received in the Senate, read twice and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 4480 during the 112th Congress.

COLLINSVILLE RENEWABLE ENERGY PROMOTION ACT

H.R. 5625

To reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

Summary

H.R. 5625 authorizes the Federal Energy Regulatory Commission (FERC) to reinstate the license for the projects numbered 10822 and 10823, and extend for two years the time period during which the licensee must commence project construction.

Legislative History

On May 8, 2012, H.R. 5625 was introduced by Mr. Murphy (CT) and referred to the Committee on Energy and Commerce. On May 11, 2012, the Committee on Energy and Commerce referred H.R. 5625 to the Subcommittee on Health.

On June 26, 2012, H.R. 5625 was considered in the House under suspension of the Rules and passed the House by a voice vote.

On June 27, 2012, H.R. 5625 was received in the Senate and read twice and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 5625 during the 112th Congress.

HYDROPOWER REGULATORY EFFICIENCY ACT OF 2012

H.R. 5892

To improve hydropower, and for other purposes.

Summary

H.R. 5892 facilitates the development of new hydropower resources in the United States by streamlining the Federal licensing requirements for small hydropower projects and qualifying conduit hydropower facilities. The legislation also requires the Federal Energy Regulatory Commission to study ways to improve Federal hydropower licensing for non-powered dams and closed-loop pumped storage facilities.

Legislative History

On May 9, 2012, the Subcommittee on Energy and Power held a hearing on a discussion draft entitled the "Hydropower Regulatory Efficiency Act of 2012."

H.R. 5892 was introduced by Ms. McMorris Rodgers and Ms. DeGette on June 5, 2012, and referred to the Committee on Energy

and Commerce. On June 8, 2012, the bill was referred to the Subcommittee on Energy and Power.

On June 7, 2012, the Subcommittee met in an open markup session and forwarded H.R. 5892 to the full Committee.

On June 20, 2012, the Committee on Energy and Commerce met in an open markup session and ordered H.R. 5892 reported to the House, as amended, by a voice vote.

On June 29, 2012, the Committee on Energy and Commerce reported H.R. 5892 to the House (H. Rept. 112-563), and the bill was placed on the Union Calendar (Calendar No. 404).

On July 9, 2012, H.R. 5892 was considered under suspension of the Rules and the bill was passed by a roll call vote of 372 yeas and 0 nays (Roll Call No. 454).

On July 10, 2012, H.R. 5892 was received in the Senate and read twice and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 5892 during the 112th Congress.

TO PROHIBIT THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY FROM FINALIZING ANY RULE IMPOSING ANY STANDARD OF PERFORMANCE FOR CARBON DIOXIDE EMISSIONS FROM ANY EXISTING OR NEW SOURCE THAT IS A FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNIT UNLESS AND UNTIL CARBON CAPTURE AND STORAGE IS FOUND TO BE TECHNOLOGICALLY AND ECONOMICALLY FEASIBLE

H.R. 6172

To prohibit the Administrator of the Environmental Protection Agency from finalizing any rule imposing any standard of performance for carbon dioxide emissions from any existing or new source that is a fossil fuel-fired electric utility generating unit unless and until carbon capture and storage is found to be technologically and economically feasible.

Summary

H.R. 6172 prohibits the Administrator of the Environmental Protection Agency (EPA) from finalizing any rule imposing a standard of performance for carbon dioxide emissions from any existing or new source that is a fossil fuel-fired electric utility generating unit unless and until three of four specified officials (the Administrator of the Energy Information Administration, the Comptroller General, the Director of the National Energy Technology Laboratory, and the Under Secretary of Commerce for Standards and Technology) publish and submit to Congress a report finding that carbon capture and storage is technologically and economically feasible for such units.

Legislative History

H.R. 6172 was introduced by Mr. McKinley (WV) on July 24, 2012, and referred to the Committee on Energy and Commerce.

On July 27, 2012, the Committee on Energy and Commerce referred H.R. 6172 to the Subcommittee on Energy and Power.

On September 20, 2012, the Subcommittee on Energy and Power held a hearing on H.R. 6172.

No further action was taken on H.R. 6172 during the 112th Congress.

ASTHMA INHALERS RELIEF ACT OF 2012

H.R. 6190

To direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of over-the-counter CFC epinephrine inhalers.

Summary

H.R. 6190 directs the Environmental Protection Agency (EPA) to allow the distribution, sale, and consumption of the remaining inventories of over-the-counter asthma inhalers that contain chlorofluorocarbons (CFCs) through August 1, 2013. Sales of this type of inhaler have been phased out under the Clean Air Act and the Montreal Protocol, an international treaty to reduce ozone-depleting substances, such as CFCs.

Legislative History

H.R. 6190 was introduced in the House by Mr. Burgess on July 25, 2012, and referred to the Committee on Energy and Commerce. On July 27, 2012, H.R. 6190 referred to the Subcommittee on Energy and Power.

On July 18, 2012, the Subcommittee on Energy and Power held a hearing on the bill, and on July 18 and July 19, 2012, the Subcommittee met in an open markup session, and forwarded H.R. 6190 to the full Committee by a voice vote.

The Committee on Energy and Commerce met in an open markup session on July 31 and August 1, 2012, and ordered H.R. 6190 favorably reported to the House by a voice vote.

On September 9, 2012, the Committee on Energy and Commerce reported H.R. 6190 to the House (H. Rept. 112-673), and the bill was placed on the Union Calendar (Calendar No. 485).

On December 12, 2012, H.R. 6190 was considered in the House under suspension of the Rules and was defeated by a roll call vote of 229 yeas and 182 nays (Roll Call No. 623).

No further action was taken on H.R. 6190 during the 112th Congress.

U.S. AGRICULTURAL SECTOR RELIEF ACT OF 2012

H.R. 6194

To ensure the viability and competitiveness of the United States agricultural sector.

Summary

H.R. 6194 requires the Environmental Protection Agency (EPA) to seek critical-use exemptions under the Montreal Protocol for applications submitted to the agency for the production, importation, and consumption of methyl bromide.

Legislative History

H.R. 6194 was introduced in the House by Mr. Gingrey on July 25, 2012, and referred to the Committee on Energy and Commerce. On July 27, 2012, the Committee on Energy and Commerce referred the bill to the Subcommittee on Energy and Power.

On July 18, 2012, the Subcommittee on Energy and Power held a hearing on H.R. 6194, and on July 18 and 19, 2012, the Subcommittee on Energy and Power met in open markup session and forwarded the bill, as amended, to the full Committee by a roll call vote of 15 ayes and 6 nays.

On July 31 and August 1, 2012, the Committee on Energy and Commerce met in open markup session and ordered H.R. 6194 reported to the House by a roll call vote of 28 ayes and 16 nays.

On September 19, 2012, the Committee on Energy and Commerce reported H.R. 6194 to the House (H. Rept. 112–679), and the bill was placed on the Union Calendar (Calendar No. 491).

No further action was taken on H.R. 6194 during the 112th Congress.

NO MORE SOLYNDRAS ACT

H.R. 6213

To limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005.

Summary

H.R. 6213 prohibits the Department of Energy from issuing loan guarantees under title XVII of the Energy Policy Act of 2005, as amended by the Energy Independence and Security Act of 2010, for applications submitted after December 31, 2011. It provides that loan guarantee applicants that submitted applications prior to December 31, 2011, remain eligible for a loan guarantee if certain conditions are satisfied, including: the Secretary of the Treasury (Treasury) must provide a written recommendation to DOE on the merits of the guarantee; if DOE makes a guarantee that does not conform to a Treasury recommendation, DOE must identify in a report to Congress its reasons for deviating from the Treasury recommendation; and for any new guarantee issued, DOE must report to Congress on: (i) the review and decision-making process utilized by DOE in issuing the guarantee; (ii) the terms of the guarantee; (iii) the recipient; and (iv) the technology and project.

The bill also prohibits DOE from restructuring the terms of any guarantee unless it first consults with Treasury. It also prohibits the subordination of U.S. taxpayer dollars to any other financing.

Legislative History

On July 12, 2012, the Subcommittee on Energy and Power held a joint hearing with the Subcommittee on Oversight and Investigations on a discussion draft entitled the “No More Solyndras Act.”

On July 24, 2012 and July 25, 2012, the Subcommittee on Energy and Power met in open markup session to consider a committee print, which was forwarded to the full Committee by a voice vote.

H.R. 6213, which was substantially similar to the committee print considered by the Subcommittee on Energy and Power, was introduced by Mr. Upton on July 26, 2012, and referred to the Committee on Energy and Commerce and in addition to the Committee on Science, Space, and Technology.

On July 27, 2012, the bill was referred to the Subcommittee on Energy and Power.

On August 1, 2012, the Committee on Energy and Commerce met in open markup session, and H.R. 6213 was forwarded to the House, as amended, by a roll call vote of 29 yeas and 19 nays.

On September 10, 2012, the Committee on Energy and Commerce reported H.R. 6213 to the House, as amended (H. Rept. 112-652), and it was placed on the Union Calendar (Calendar No. 470).

On September 14, 2012, H.R. 6213 was considered pursuant to the provisions of H. Res. 779, and H.R. 6213 was passed by a roll call vote of 245 yeas and 161 nays (Roll Call No. 584).

On September 19, 2012, H.R. 6213 was received in the Senate and read twice and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 6213 during the 112th Congress.

OVERSIGHT ACTIVITIES

THE EFFECTS OF MIDDLE EAST EVENTS ON U.S. ENERGY MARKETS

On February 10, 2011, the Subcommittee on Energy and Power held a hearing to examine the impact of riots and political upheaval in North Africa and the Middle East on global oil markets and U.S. energy security. The Subcommittee received testimony from representatives of the Energy Information Administration, Deutsche Bank AG, Citizens for Affordable Energy, Province of Alberta's Minister-Counselor, the Louisiana Mid-Continent Oil & Gas Association, and the Apollo Alliance.

EPA'S GREENHOUSE GAS REGULATIONS AND THEIR EFFECT ON AMERICAN JOBS

On March 1, 2011, the Subcommittee on Energy and Power held a hearing entitled "EPA's Greenhouse Gas Regulations (GHG) and Their Effect on American Jobs." The Subcommittee received testimony from of the Ohio Coal Association, James River Air Conditioning Company Inc., McConnell Honda & Acura, a private citizen, the Steyer-Taylor Center for Energy Policy and Finance at Stanford Law School, Industrial Energy Consumers of America, and the Assistant Administrator at the Office of Air and Radiation for the U.S. Environmental Protection Agency.

CLIMATE SCIENCE AND EPA'S GREENHOUSE GAS REGULATIONS

On March 8, 2011, the Subcommittee on Energy and Power held a hearing entitled "Climate Science and EPA's Greenhouse Gas Regulations (GHG)." The Subcommittee received testimony from a Professor Emeritus of Scripps Institution of Oceanography at the University of California at San Diego, the Director of Earth System Science Center at the University of Alabama in Huntsville, the Di-

rector of the Department of Global Ecology at the Carnegie Institution of Washington, a Senior Research Scientist of the Cooperative Institute for Research in Environmental Sciences at the University of Colorado at Boulder, the Director of the Department of Pacific Climate Impacts Consortium at the University of Victoria, the Director of the University of Michigan Biological Station, and a Professor Emeritus at the Uniformed Services University of Health Sciences.

THE FISCAL YEAR 2012 PROPOSED BUDGET OF THE U.S.
ENVIRONMENTAL PROTECTION AGENCY

On March 11, 2011, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy held a joint oversight hearing on the Environmental Protection Agency's (EPA) proposed budget for fiscal year 2012. The purpose of the hearing was to evaluate the proposed \$8.9 billion budget for EPA, which affects issues such as funding for climate change, air quality programs, drinking water system compliance, cleanup of hazardous waste sites within the Superfund account, scientific research that underpins regulatory decision-making, homeland security activities, and air quality programs. The sole witness was Lisa P. Jackson, the EPA Administrator.

THE FISCAL YEAR 2012 DEPARTMENT OF ENERGY AND NUCLEAR
REGULATORY COMMISSION BUDGETS

On March 16, 2011, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy held a joint hearing on the fiscal year 2012 Department of Energy and the Nuclear Regulatory Commission budgets. The purpose of the hearing was to evaluate the proposed budgets, current priorities, and current programs and initiatives of the Department of Energy and the Nuclear Regulatory Commission. The hearing also examined the status of the nuclear reactors in Japan following the earthquake and tsunami which occurred on March 11, 2011. The Subcommittees received testimony from the Secretary of the Department of Energy and the Chairman of the Nuclear Regulatory Commission.

OIL SUPPLIES, GASOLINE PRICES, AND JOBS IN THE GULF OF MEXICO

On March 7, 2011, the Subcommittee on Energy and Power held the first day of its hearing on "The American Energy Initiative." The hearing focused on oil supplies, gasoline prices, and jobs in the Gulf of Mexico. The Subcommittee received testimony from representatives of the Energy Policy Research Foundation, Louisiana State University, the Shallow Water Energy Security Coalition, the Offshore Marine Service Association, the Marine Well Containment Company, the Mississippi Gulf Coast Tourism Commission, and the Consumer Federation of America.

EPA'S GREENHOUSE GAS AND CLEAN AIR ACT REGULATIONS: A
FOCUS ON TEXAS' ECONOMY, ENERGY PRICES, AND JOBS

On March 24, 2011, the Subcommittee on Energy and Power held a field hearing in Houston, Texas on the Environmental Protection

Agency's (EPA) greenhouse gas and Clean Air Act regulations. The purpose of the hearing was to examine EPA's implementation of current and potential greenhouse gas regulations, the burdens and costs associated with those regulations, as well as EPA's actions with respect to the Texas Flexible Air Permitting Program. The hearing included testimony from the Assistant Administrator of the EPA, State officials, Texas Public Policy Foundation, and the East Harris County Manufacturers Association.

CHINA'S ENERGY PORTFOLIO AND THE IMPLICATIONS FOR JOBS AND ENERGY PRICES IN THE UNITED STATES

On April 4, 2011, the Subcommittee on Energy and Power held the second hearing of the "The American Energy Initiative" series. The hearing focused on China's energy portfolio and implications for jobs and energy prices in the United States. The Subcommittee received testimony from representatives of Douglas-Westwood, the World Coal Association, the World Resources Institute, and the Institute for Energy Research.

EPA RULEMAKINGS RELATING TO BOILERS, CEMENT MANUFACTURING PLANTS, AND UTILITIES

On April 15, 2011, the Subcommittee on Energy and Power held a hearing focused on recent EPA rulemakings setting utility, cement manufacturing plant, and boiler "Maximum Achievable Control Technology" standards. Witnesses testified on the impacts and the timelines for implementing these rules, in the context of the economy and other recent EPA rulemakings as well as the public health and environmental costs and benefits of the rules. Specific issues included the current schedules for issuance and implementation of the rules, the costs and feasibility of implementing the rules, and the potential impacts of the rules on jobs, the economy, and energy reliability. The Subcommittee received testimony from Southern Company, DTE Energy, Titan America LLC, the Clean Energy Group, MeadWestvaco Corporation, the University of Notre Dame, and the Natural Resources Defense Council.

ALTERNATIVE TRANSPORTATION FUELS AND VEHICLES

On May 5, 2011, the Subcommittee on Energy and Power held the sixth hearing of "The American Energy Initiative" series. The hearing focused on the challenges and opportunities for alternative transportation fuels and vehicles. The Subcommittee received testimony from representatives of the U.S. Energy Information Administration, the Environmental Protection Agency, the U.S. Department of Energy, Tesla Motors, NGVAmerica, the Energy Policy Research Foundation, Inc., the RAND Corporation, the National Association of Convenience Stores, the Renewable Fuels Association, and the Advanced Biofuels Association.

THE AMERICAN ENERGY INITIATIVE: PIPELINE SAFETY

On June 16, 2011, the Subcommittee on Energy and Power held a hearing entitled, "The American Energy Initiative," which focused on pipeline safety. The Subcommittee received testimony

from the Administrator of the Pipeline and Hazardous Material Safety Administration at the Department of Transportation and other stakeholders.

THE AMERICAN ENERGY INITIATIVE: EPA REGULATIONS AND RELIABILITY OF THE ELECTRIC GRID

On September 14, 2011, the Subcommittee on Energy and Power held a hearing entitled, “The American Energy Initiative,” which focused on the potential cumulative effects of the Environmental Protection Agency’s new and proposed power sector regulations on the reliability of the electric grid. The Subcommittee received testimony from the Federal Energy Regulatory Commission, State officials, and other policy experts.

THE AMERICAN ENERGY INITIATIVE: ELECTRIC TRANSMISSION ISSUES

On October 13, 2011, the Subcommittee on Energy and Power held a hearing entitled “The American Energy Initiative,” and focused on electric transmission issues, including topics related to the siting, planning, and allocation of costs for electricity transmission infrastructure. The Subcommittee received testimony from the Honorable Jon Wellinohoff, Chairman of the Federal Energy Regulatory Commission, a representative of the Department of Energy, State officials, and policy experts.

THE AMERICAN ENERGY INITIATIVE: EPA’S UTILITY MACT RULE

On Wednesday, February 8, 2012, the Subcommittee on Energy and Power held the fifteenth hearing of the “The American Energy Initiative” series. The hearing focused on what EPA’s Utility MACT rule will cost U.S. consumers as well as the public health and environmental costs and benefits of the rule. The Subcommittee received testimony from the Assistant Administrator of the Environmental Protection Agency, representatives from NERA Economic Consulting, Gerdau Long Steel North America, RMB Consulting & Research, Inc., Harvard School of Public Health, the Navajo Nation, Evangelical Environmental Network, and the Economic Policy Institute.

THE AMERICAN ENERGY INITIATIVE: RISING GASOLINE PRICES

On Wednesday, March 7, 2012, the Subcommittee on Energy and Power held the sixteenth hearing of the “The American Energy Initiative” series. The hearing focused on rising gasoline prices, examining the current market; financial, and geopolitical factors that influence the current price of oil; the effect of high gasoline prices on U.S. consumers and businesses; forecasted trends in the global and U.S. oil supply, demand, and price; and, Federal policy solutions to mitigate the effects of high gasoline prices. The Subcommittee received testimony from the American Petroleum Institute, the Rapidan Group, American Fuel & Petrochemical Manufacturers, Owner-Operator Independent Drivers Association, the Center for American Progress, the Truman National Security Project, and the National Association of Convenience Stores.

THE FISCAL YEAR 2013 DEPARTMENT OF ENERGY BUDGET

On Thursday, March 8, 2012, the Subcommittee on Energy and Power held a hearing on the U.S. Department of Energy's budget for fiscal year 2013. The purpose of the hearing was to examine and evaluate funding priorities, major budget changes, planned rulemaking, priority science and research, loans and grants, management and security, and enforcement activities. The sole witness was the Secretary of the U.S. Department of Energy.

THE FUTURE OF ENERGY TECHNOLOGY WITH AN EMPHASIS ON
CANADIAN OIL SANDS

On Tuesday, March 20, 2012, the Subcommittee on Energy and Power held a hearing entitled "The American Energy Initiative," which focused on the future of energy technology with an emphasis on Canadian oil sands. The Subcommittee received testimony from various industry experts including the Presidents and CEOs of Alberta Innovates—Energy and Environment Solutions, N-Solv Corporation, and MEG Energy Corporation, a former Director of the Naval Oil Shale Reserve with the U.S. Department of Energy, a former Minister of Energy of the Province of Alberta, the Policy Director of the Pembina Institute, and the Climate & Energy Campaigner for Greenpeace Canada.

EPA ENFORCEMENT PRIORITIES AND PRACTICES

On June 6, 2012, the Subcommittee on Energy and Power held a hearing entitled "EPA Enforcement Priorities and Practices." The purpose of the hearing was to examine EPA's current enforcement priorities; EPA's enforcement strategies, actions affecting the energy and other sectors, and those relating to State implementation plans and permitting; and the potential impact of EPA enforcement actions on jobs, the economy and consumers. The Subcommittee received testimony from the Texas Commission on Environmental Quality, the Texas Railroad Commission, the Navajo Nation Environmental Protection Agency, the Modesto Irrigation District, Oklahoma Independent Petroleum Association, and Nova Southeastern University.

THE AMERICAN ENERGY INITIATIVE: EPA GREENHOUSE GAS
REGULATIONS

On June 19, 2012, the Subcommittee on Energy and Power held the twentieth hearing of the "The American Energy Initiative" series. The hearing focused on EPA greenhouse gas regulations. The Subcommittee received testimony from the National Association of Regulatory Commissioners; various industry experts, including the presidents and CEOs of the American Bakers Association, CountryMark Cooperative, and Rain CII Carbon; professors from Duke University and Colorado School of Public Health; and representatives from the Pennsylvania Farm Bureau, Center for American Progress, Natural Resources Defense Council, CONSOL Energy Inc., and Tri-State Generation and Transmission Association, Inc.

THE AMERICAN ENERGY INITIATIVE: FOCUS ON THE NEW PROPOSAL
TO TIGHTEN NATIONAL STANDARDS FOR FINE PARTICULATE MATTER

On June 28, 2012, the Subcommittee on Energy and Power held the twenty-first hearing of “The American Energy Initiative” series, focusing on the new proposal by the EPA to tighten national standards for fine particulate matter in the ambient air. The Subcommittee received testimony from representatives of the American Road and Transportation Builders Association, Charlotte Pipe and Foundry Company, the American Thoracic Society, Gradient Corporation, the Department of NREC for the state of Delaware, NERA Economic Consulting, and Bracewell and Giuliani.

THE AMERICAN ENERGY INITIATIVE: EPA GREENHOUSE GAS
REGULATIONS (PART II)

On June 29, 2012, the Subcommittee on Energy and Power held the twenty-second hearing of the “The American Energy Initiative” series, focusing on EPA’s greenhouse gas regulations. The sole witness was Gina McCarthy, the Assistant Administrator for Air and Radiation at the U.S. Environmental Protection Agency. This hearing followed a Subcommittee hearing held on June 19, 2012, on this topic in which testimony was received from State regulators, private sector, and other non-governmental witnesses.

THE AMERICAN ENERGY INITIATIVE: ALTERNATIVE FUELS AND
VEHICLES

On July 10, 2012, the Subcommittee on Energy and Power held the twenty-third hearing of the “The American Energy Initiative” series. The hearing focused on the challenges and opportunities facing alternative transportation fuels and vehicles. The Subcommittee received testimony from the Cumberland Gulf Group, American Petroleum Group, the Renewable Fuels Association, American Tradition Institute, Advanced Biofuels Association, Truman National Security Project, the National Research Center for Coal and Energy at West Virginia University, the Advanced Biofuels Association, Truman National Security Project, National Wildlife Federation, Methanol Institute, Flex Fuel U.S., Alliance of Automobile Manufacturers, America’s Natural Gas Alliance, and Johnson Controls, Inc.

EPA’S PROPOSED GREENHOUSE GAS NEW SOURCE PERFORMANCE
STANDARDS

On July 16, 2012, the Subcommittee on Energy and Power held a field hearing in Abingdon, Virginia on EPA’s proposed Greenhouse Gas New Source Performance Standards for utilities and the impact this regulation will have on jobs. The purpose of the hearing was to examine the costs and feasibility of the proposed Utility GHG NSPS rule; and the impacts of the rule on energy costs, energy-intensive and trade exposed industries, and on jobs, the economy, and consumers. The Subcommittee received testimony from a mechanic electrician at Cliffs Natural Resources, as well as representatives from Dominion Resources, Alpha Natural Resources,

Inc., LG&E and KU Energy, LLC, Parkdale Mills, West River Conveyors & Machinery Company, and Shearer's Foods, Inc.

THE AMERICAN ENERGY INITIATIVE: ROLE OF FEDERAL AGENCIES IN ALTERNATIVE TRANSPORTATION FUELS AND VEHICLES

On July 17, 2012, the Subcommittee on Energy and Power held the twenty-sixth hearing of the "The American Energy Initiative" series. The hearing focused on the role of Federal agencies in alternative transportation fuels and vehicles. The purpose of the hearing was to discuss the responsibilities of the Federal government in implementing the Renewable Fuel Standard (RFS) and other alternative fuels and vehicles programs, as well as Federally-supported research and development of new fuels and vehicle technologies. The Subcommittee received testimony from Federal agencies including the U.S. Energy Information Administration, the U.S. Environmental Protection Agency, and the U.S. Department of Energy.

"U.S. AGRICULTURAL SECTOR RELIEF ACT OF 2012" AND "ASTHMA INHALERS RELIEF ACT OF 2012"

On July 18, 2012, the Subcommittee on Energy and Power held a legislative hearing on discussion drafts entitled the "U.S. Agricultural Sector Relief Act of 2012" and the "Asthma Inhalers Relief Act of 2012." The focus of this hearing was to examine the current and expected future needs for methyl bromide for critical use and the international critical use exemption process under the Montreal Protocol. The Subcommittee received testimony from industry experts from the California Strawberry Commission, Mellano & Company, Russell Costanza Farms, Dimare Ruskin, Inc., Natural Resources Defense Council, Amphastar Pharmaceuticals, Inc., Allergy & Asthma Center of Southern Oregon, the American Thoracic Society, and the Board of Directors of the Asthmas and Allergy Foundation of America.

THE AMERICAN ENERGY INITIATIVE: GROWING DIFFERENCES FOR ENERGY DEVELOPMENT ON FEDERAL VS. NON-FEDERAL LANDS

On August 2, 2012, the Subcommittee on Energy and Power held the twenty-seventh hearing of the "The American Energy Initiative" series. The focus of the hearing was to examine the differences for energy development on Federal vs. non-Federal lands, in particular the development of oil and gas resources. The Subcommittee received testimony from Federal, State, and local industry experts.

H.R. 4255, THE "ACCOUNTABILITY IN GRANTS ACT OF 2012"

On September 11, 2012, the Subcommittee on Energy and Power held a legislative hearing on H.R. 4255, the "Accountability in Grants Act of 2012." The purpose of the hearing was to examine the EPA foreign recipient grant programs under the CAA section 103, including existing and pending foreign grants, the criteria for the agency's award, and the source of funding for such foreign grants or financial assistance. The Subcommittee received testi-

mony from the U.S. Environmental Protection Agency, the Heritage Foundation, the Institute for Energy Research, the Institute for Philosophy and Public Policy at George Mason University, and Winrock International.

THE AMERICAN ENERGY INITIATIVE: THE OUTLOOK FOR ACHIEVING
NORTH AMERICAN ENERGY INDEPENDENCE WITHIN THE DECADE

On September 13, 2012, the Subcommittee on Energy and Power held the twenty-eighth hearing of the “The American Energy Initiative” series. This hearing focused on the outlook for achieving North American energy independence within the decade. The Subcommittee received testimony from industry experts including Citigroup, Continental Resources, Raymond James & Associates, Inc., Center for American Progress Action Fund, Leeco Steel, LLC, Manhattan Institute, and the Canadian Energy Research Institute.

HEARINGS HELD

Hearing entitled “H.R. ____, the ‘Energy Tax Prevention Act of 2011.’” (February 9, 2011) Serial Number 112–2.

Hearing entitled “The Effects of Middle East Events on U.S. Energy Markets.” (February 10, 2011) Serial Number 112–4.

Hearing entitled “EPA’s Greenhouse Gas Regulations and Their Effect on American Jobs.” (March 1, 2011) Serial Number 112–12.

Hearing entitled “Climate Science and EPA’s Greenhouse Gas Regulations.” (March 8, 2011) Serial Number 112–16.

Hearing entitled “The FY2012 EPA Budget.” (March 11, 2011) Serial Number 112–19.

Hearing entitled “The FY2012 Department of Energy and Nuclear Regulatory Commission Budgets.” (March 16, 2011) Serial Number 112–20.

Hearing entitled “The American Energy Initiative (Day 1): Oil Supplies, Gasoline Prices, and Jobs in the Gulf of Mexico.” (March 17, 2011) Serial Number 112–22.

Hearing entitled “EPA’s Greenhouse Gas and Clean Air Act Regulations: A Focus on Texas’ Economy, Energy Prices and Jobs.” (March 24, 2011) Serial Number 112–26.

Hearing entitled “The American Energy Initiative (Day 2): China’s Energy Portfolio and the Implications for Jobs and Energy Prices in the United States.” (April 4, 2011) Serial Number 112–31.

Hearing entitled “The American Energy Initiative (Day 3): H.R. ____, a Discussion Draft of the ‘Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011.’” (April 7, 2011) Serial Number 112–35.

Hearing entitled “The American Energy Initiative (Day 4): Discussion Draft of H.R. ____, the ‘Jobs and Energy Permitting Act of 2011.’” (April 13, 2011) Serial Number 112–37.

Hearing entitled “The American Energy Initiative (Day 5): Recent EPA Rulemakings Relating to Boilers, Cement Manufacturing Plants, and Utilities.” (April 15, 2011) Serial Number 112–41.

Hearing entitled “The Role of the Nuclear Regulatory Commission in America’s Energy Future.” (May 4, 2011) Serial Number 112–43.

Hearing entitled “The American Energy Initiative (Day 6): Overview of the Challenges and Opportunities for Alternative Transportation Fuels and Vehicles.” (May 5, 2011) Serial Number 112–45.

Hearing entitled “The American Energy Initiative (Day 7): Discussion Draft of H.R. _____, the ‘Jobs and Energy Permitting Act of 2011.’” (May 13, 2011) Serial Number 112–47.

Hearing entitled “The American Energy Initiative (Day 8): Discussion Draft of H.R. _____, the ‘North American Made Energy Security Act of 2011.’” (May 23, 2011) Serial Number 112–49.

Hearing entitled “Protecting the Electric Grid: H.R. _____, the ‘Grid Reliability and Infrastructure Defense Act.’” (May 31, 2011) Serial Number 112–52.

Hearing entitled “The American Energy Initiative (Day 9): H.R. 909, ‘Roadmap for America’s Energy Future.’” (June 3, 2011) Serial Number 112–57.

Hearing entitled “H.R. 2054, the ‘Energy and Revenue Enrichment Act of 2011.’” (June 13, 2011) Serial Number 112–59.

Hearing entitled “The American Energy Initiative (Day 10): Pipeline Safety Oversight.” (June 16, 2011) Serial Number 112–63.

Hearing entitled “The American Energy Initiative (Day 11): a Discussion Draft of H.R. _____, the ‘Pipeline Infrastructure and Community Protection Act of 2011.’” (July 15, 2011) Serial Number 112–77A.

Hearing entitled “The American Energy Initiative (Day 11): a Discussion Draft of H.R. _____, the ‘Pipeline Infrastructure and Community Protection Act of 2011.’” (July 21, 2011) Serial Number 112–77B.

Hearing entitled “H.R. 2250, the ‘EPA Regulatory Relief Act of 2011,’ and H.R. 2681, the Cement Sector Regulatory Relief Act of 2011.’” (September 8, 2011) Serial Number 112–82.

Hearing entitled “The American Energy Initiative (Day 12): the Impacts of the Environmental Protection Agency’s New and Proposed Power Sector Regulations on Electric Reliability.” (September 14, 2011) Serial Number 112–83.

Hearing entitled “The American Energy Initiative (Day 13): Electric Transmission Issues, Including Topics Related to the Siting, Planning, and Allocation of Costs for Electricity Transmission Infrastructure.” (October 13, 2011) Serial Number 112–97.

Hearing entitled “H.R. 1633, the ‘Farm Dust Regulation Prevention Act of 2011.’” (October 25, 2011) Serial Number 112–99.

Hearing entitled “The American Energy Initiative (Day 14): Expediting the Keystone XL Pipeline; Energy Security and Jobs.” (December 2, 2011) Serial Number 112–106.

Hearing entitled “American Jobs Now: A Legislative Hearing on H.R. 3548, the ‘North American Energy Access Act (Day 1).” (January 25, 2012) Serial Number 112–108A.

Hearing entitled “American Jobs Now: A Legislative Hearing on H.R. 3548, the ‘North American Energy Access Act’ (Day 2).” (February 3, 2012) Serial Number 112–108B.

Hearing entitled “The American Energy Initiative (Day 15): What EPA’s Utility MACT Rule Will Cost U.S. Consumers.” (February 8, 2012) Serial Number 112–113.

Hearing entitled “The FY 2013 EPA Budget.” (February 28, 2012) Serial Number 112–119.

Hearing entitled “The American Energy Initiative (Day 16): Rising Gasoline Prices.” (March 7, 2012) Serial Number 112–124.

Hearing entitled “The FY 2013 DOE Budget.” (March 8, 2012) Serial Number 112–124.

Hearing entitled “The American Energy Initiative (Day 17): The Future of Energy Technology with an Emphasis on Canadian Oil Sands.” (March 20, 2012) Serial Number 112–128.

Hearing entitled “The American Energy Initiative (Day 18): a discussion draft of H.R. ____, the ‘Gasoline Regulations Act of 2012;’ and of H.R. ____, the ‘Strategic Energy Production Act of 2012.’” (March 28, 2012) Serial Number 112–133.

Hearing entitled “The American Energy Initiative (Day 19): H.R. 4273, the ‘Resolving Environmental and Grid Reliability Conflicts Act of 2012;’ and H.R. ____, the ‘Hydropower Regulatory Efficiency Act of 2012.’” (May 9, 2012) Serial Number 112–141.

Hearing entitled “EPA Enforcement Priorities and Practices.” (June 6, 2012) Serial Number 112–147.

Hearing entitled “The American Energy Initiative (Day 20): EPA’s Greenhouse Gas Regulations.” (June 19, 2012) Serial Number 112–151.

Hearing entitled “The American Energy Initiative (Day 21): The New Proposal by the Environmental Protection Agency to Tighten National Standards for Fine Particulate Matter in the Ambient Air.” (June 28, 2012) Serial Number 112–157.

Hearing entitled “The American Energy Initiative (Day 22): EPA’s Greenhouse Gas Regulations.” (June 29, 2012) Serial Number 112–158.

Hearing entitled “The American Energy Initiative (Day 23): Alternative Fuels and Vehicles, Both the Challenges and the Opportunities.” (July 10, 2012) Serial Number 112–159.

Hearing entitled “The American Energy Initiative (Day 24): Discussion Draft of H.R. ____, the ‘No More Solyndras Act;’ and, Discussion Draft of H.R. ____, the ‘Smart Energy Act.’” (July 12, 2012) Serial Number 112–163.

Hearing entitled “The American Energy Initiative (Day 25): The Greenhouse Gas New Source Performance Standards (NSPS) for Utilities and the Impact this Regulation will have on Jobs.” (July 16, 2012) 112–165.

Hearing entitled “The American Energy Initiative (Day 26): Federal Government Perspectives regarding Alternative Fuels and Vehicles.” (July 17, 2012) Serial Number 112–166.

Hearing entitled “H.R. ____, the ‘U.S. Agricultural Sector Relief Act of 2012;’ and, H.R. ____, the ‘Asthma Inhalers Relief Act of 2012.’” (July 18, 2012) Serial Number 112–168.

Hearing entitled “NRC Policy and Governance Oversight.” (July 24, 2012) Serial Number 112–169.

Hearing entitled “The American Energy Initiative (Day 27): A Focus on Growing Differences for Energy Development on Federal Versus Non-Federal Lands.” (August 2, 2012) Serial Number 112–170.

Hearing entitled “H.R. 4255, the ‘Accountability in Grants Act of 2012.’” (September 11, 2012) Serial Number 112–173.

Hearing entitled “The American Energy Initiative (Day 28): The Outlook for Achieving North American Energy Independence within the Decade.” (September 13, 2012) Serial Number 112–176.

Hearing entitled “The American Energy Initiative (Day 29): H.R. 6172, A Bill that Prohibits the Environmental Protection Agency from Finalizing any Standards of Performance for Carbon Dioxide Emissions from Existing or New Fossil Fuel-Fired Power Plants Until Carbon Capture and Storage is Found to be Technologically and Economically Feasible.” (September 20, 2012) Serial Number 112–179.

SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY

(Ratio 14–9)

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Vice Chairman

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DIANA DeGETTE, Colorado

LOIS CAPPES, California

JOHN D. DINGELL, Michigan,

(Ex Officio-non voting)

–HENRY A. WAXMAN, California

(Ex Officio)

Jurisdiction: All matters relating to soil and water contamination; The regulation of solid, hazardous, and nuclear wastes; The regulation of industrial plant security; The regulation of drinking water; and, The regulation of toxic substances and noise.

LEGISLATIVE ACTIVITIES

HAZARDOUS WASTE ELECTRONIC MANIFEST ACT

PUBLIC LAW 112–195 (S. 710)

To amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

Summary

S. 710 amends the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency (EPA) to establish a hazardous waste electronic manifest system within three years that may be used by any person that is required to use a manifest to comply with any Federal or State requirement to track hazardous waste or material shipped from the generation site to an off-site facility for treatment, storage, disposal, or recycling.

Legislative History

S. 710 was introduced in the Senate by Mr. Thune on March 31, 2011, and referred to the Committee on Environment and Public Works. On April 14, 2011, the Committee on Environment and Public Works ordered S. 710 favorably reported to the Senate by a voice vote.

On June 7, 2012, the Committee on Environment and Public Works reported S. 710 (Calendar No. 20), without amendment, and

the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 72).

On August 2, 2011, the Senate passed S. 710 without amendment by unanimous consent.

On August 5, 2011, S. 710 was received in the House and held at the desk.

On July 24, 2012, S. 710 was referred to the Committee on Energy and Commerce, and on July 27, 2012, referred to the Subcommittee on Environment and the Economy.

The Subcommittee on Environment and the Economy met in an open markup session on July 26, 2012, and forwarded S. 710 to the full Committee, as amended, by a voice vote.

The Committee on Energy and Commerce met in an open markup session on July 31, 2012, and ordered S. 710 favorably reported to the House, as amended, by a voice vote.

On September 10, 2012, the Committee on Energy and Commerce reported S. 710 to the House (H. Rept. 112-654), and the bill was placed on the Union Calendar (Calendar No. 472).

On September 11, 2012, S. 710 was considered under suspension of the Rules and passed the House, as amended, by a voice vote.

On September 22, 2012, the Senate agreed to the House amendment by unanimous consent.

S. 710 was presented to the President on September 25, 2012, and the President signed the bill on October 5, 2012 (Public Law 112-195).

FULL IMPLEMENTATION OF THE CHEMICAL FACILITY ANTI-TERRORISM STANDARDS ACT

H.R. 908

To extend the authority of the Secretary of Homeland Security to maintain the Chemical Facility Anti-Terrorism Standards program.

Summary

H.R. 908 amends section 550(b) of the Department of Homeland Security Appropriations Act for fiscal year 2007 (Public Law 109-295; 6 U.S.C. 121 note) by extending the Chemical Facility Anti-Terrorism Standards Program (CFATS) until October 4, 2017.

Under this law, the Secretary of Homeland Security (DHS) is authorized to issue interim final regulations establishing risk-based performance standards for the security of facilities with chemicals of interest, and requiring vulnerability assessments and the development and implementation of site security plans for such facilities.

Legislative History

H.R. 908 was introduced by Mr. Murphy on March 3, 2011, and referred to Committee on Energy and Commerce.

On March 11, 2011, the bill was referred to the Subcommittee on Environment and the Economy, and the Subcommittee held a legislative hearing on the bill on March 31, 2011. The Subcommittee received testimony from the Department of Homeland Security, the National Association of Chemical Distributors, the American Coat-

ings Association, the Society of Chemical Manufacturers and Affiliates, and the Blue-Green Alliance.

The Subcommittee met in open markup session on May 4, 2011, and H.R. 908 was forwarded to the full Committee, as amended, by a voice vote.

On May 25 and 26, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 908 favorably reported to the House, as amended, by a roll call vote of 33 yeas and 16 nays.

On September 19, 2011, the Committee on Energy and Commerce reported H.R. 908 to the House (H. Rept. 112–211), and the bill was placed on the Union Calendar (Calendar No. 139).

No further action was taken on H.R. 908 during the 112th Congress.

RECYCLING COAL COMBUSTION RESIDUALS ACCESSIBILITY ACT OF
2011 OR THE RCCRA ACT OF 2011

H.R. 1391

To prohibit the Environmental Protection Agency from regulating fossil fuel combustion waste under subtitle C of the Solid Waste Disposal Act.

Summary

H.R. 1391 amends the Solid Waste Disposal Act (SWDA) by exempting fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels from regulation as hazardous waste.

Legislative History

H.R. 1391 was introduced in the House by Mr. McKinley on April 6, 2011, and referred to the Committee on Energy and Commerce.

On April 6, 2011, H.R. 1391 was referred to the Subcommittee on Environment and the Economy. The Subcommittee held a legislative hearing on H.R. 1391 on April 14, 2011, and received testimony from the Environmental Protection Agency, the Association of State and Territorial Solid Waste Management Officials, the American Coal Ash Association, Gradient, Veritas Economic Consulting, Earthjustice, and a private citizen.

On June 16, 2011, the Subcommittee on Environment and the Economy met in open markup session to consider H.R. 1391, and the Subcommittee immediately recessed until June 21, 2011, when it considered H.R. 2273, which is similar to H.R. 1391.

No further action was taken on H.R. 1391 during the 112th Congress.

For further information, see H.R. 2273.

COAL RESIDUALS REUSE AND MANAGEMENT ACT

H.R. 2273, H.R. 4348

To amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels.

Summary

H.R. 2273 would replace current EPA regulatory options under the Solid Waste Disposal Act with authority for States to adopt and implement coal combustion residual permit programs subject to standards set out in H.R. 2273.

Legislative History

On April 6, 2011, Mr. McKinley (WV) introduced H.R. 1391, the “Recycling Coal Combustion Residuals Accessibility Act of 2011,” (the precursor to H.R. 2273). On April 6, 2011, the bill was referred to the Committee on Energy and Commerce, and referred to the Subcommittee on Environment and the Economy.

On April 14, 2011, the Subcommittee on Environment and the Economy held a legislative hearing on the bill.

On June 16, 2011, the Subcommittee on Environment and the Economy met in open markup session to consider H.R. 1391. The bill was not called up, and the Subcommittee immediately recessed.

On June 21, 2011, the Subcommittee on Environment and the Economy met in open markup session and forwarded a Committee Print entitled the “Coal Residuals Reuse and Management Act,” without amendment, to the full Committee.

On June 22, 2011, H.R. 2273, the “Coal Residuals Reuse and Management Act” was introduced by Mr. McKinley (WV) and referred to the Committee on Energy and Commerce. On June 22, 2011, the Committee on Energy and Commerce referred the bill to the Subcommittee on Environment and the Economy.

On July 11, 12, and 13, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 2273 reported to the House, as amended, by a roll call vote of 35 yeas and 12 nays. On September 26, 2011, the Committee on Energy and Commerce reported H.R. 2273 to the House (H. Rept. 112–226), and the bill was placed on the Union Calendar (Calendar No. 147).

On October 14, 2011, H.R. 2273 was considered in the House pursuant to H. Res. 431, and the bill was passed by a roll call vote of 267 yeas and 144 nays (Roll Call No. 800).

On October 17, 2011, H.R. 2273 was received in the Senate, read the first time, and placed on Senate Legislative Calendar under Read the First Time. On October 18, 2011, H.R. 2273 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 202).

The provisions of H.R. 2273 are identical to the text of Mr. McKinley’s amendment (H. Amdt. 1015), which was adopted by a voice vote during consideration of H.R. 4348, the “Surface Transportation Extension Act of 2012, Part II,” on April 18, 2012. On June 21, 2012, Mr. McKinley filed a motion to instruct conferees regarding the inclusion of the H.R. 2273 provisions. The motion passed by a roll call vote of 260 yeas and 138 nays (Roll Call No. 411). However, these provisions were not included in the conference report on H.R. 4348.

No further action was taken on H.R. 2273 during the 112th Congress.

See H.R. 3409, which included provisions similar to 2273

SUPERFUND COMMON SENSE ACT

H.R. 2997

To amend the Comprehensive Environmental Responsive Compensation and Liability Act of 1980 ('Superfund') to provide that manure is not considered a hazardous substance or pollutant or contaminant under that Act, and for other purposes.

Summary

H.R. 6172 amends the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) to exclude manure from the definition of "hazardous substance" and "pollutant or contaminant" for purposes of such Act. The bill also defines "manure" to mean: (1) digestive emissions, feces, urine, urea and other excrement from livestock; (2) any associated bedding, compost, raw materials or other materials commingled with such excrement from livestock; (3) any process water associated with such items; and (4) any byproducts, constituents, or substances contained in, or originating from, such items or any emissions relating to such items. In addition, H.R. 6172 amends the Superfund Amendments and Reauthorization Act of 1986 to exempt from notification requirements releases associated with manure.

Legislative History

H.R. 2997 was introduced by Mr. Long (MO) on September 21, 2011, and referred to the Committee on Energy and Commerce.

On September 25, 2012, the Committee on Energy and Commerce referred H.R. 2997 to the Subcommittee on Environment and the Economy, and the Subcommittee held a hearing on the bill.

No further action was taken on H.R. 2997 during the 112th Congress.

SPORTSMEN'S HERITAGE ACT OF 2012

H.R. 4089

To protect and enhance opportunities for recreational hunting, fishing and shooting.

Summary

Title IV of H.R. 4089 amends the Toxic Substances Control Act (TSCA) to exclude from the definition of "chemical substance" for purposes of TSCA: (1) any component of any pistol, revolver, firearm, shell, or cartridge the sale of which is subject to federal excise tax, including shot, bullets and other projectiles, propellants, and primers; and (2) any sport fishing equipment the sale of which is subject to federal excise tax and sport fishing equipment components.

Legislative History

H.R. 4089 was introduced by Mr. Miller (FL) on February 27, 2012, and referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture and the Committee on Energy and Commerce, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On February 29, 2012 the Committee on Natural Resources ordered H.R. 4089 to be reported to the House, as amended, by a roll call vote of 27 yeas and 16 nays.

On April 13, 2012, the Committee on Natural Resources reported H.R. 4089, as amended, to the House (H. Rept. 426, Part I), and the Committee on Agriculture and the Committee on Energy and Commerce were discharged from further consideration of the bill. H.R. 4089 was placed on the Union Calendar (Calendar No. 293)

On April 17, 2012, H.R. 4089 was considered in the House pursuant to the provisions of H. Res. 614, and the House passed the bill, as amended, by a roll call vote of 274 yeas and 146 nays (Roll Call No. 163)

On April 18, 2012, H.R. 4089 was received in the Senate.

No further action was taken on H.R. 4089 during the 112th Congress.

DOMESTIC FUELS PROTECTION ACT OF 2012

H.R. 4345

To provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes.

Summary

H.R. 4345 addresses fuel compatibility, misfueling, and limitation on liability.

Section 2, "Fuel Compatibility," provides that no person shall be liable, and no provider of financial assurance shall deny payment for any claim, because an underground storage tank, tank system, or dispensing equipment is not compatible with a fuel or fuel additive if such equipment has been determined to be compatible with the fuel or fuel additive under regulations issued by EPA. Section 2 also requires EPA to set (or revise) standards for determining whether an underground storage tank, tank system, or dispensing equipment is compatible with a fuel or fuel additive that is authorized and registered by EPA for use in a motor vehicle or nonroad vehicle or equipment. Section 2 also deems compatible any underground storage tank, tank system, or dispensing equipment that on date of enactment is listed as compatible by a national testing laboratory.

Section 3, "Misfueling," provides that (with two exceptions, below) no person will be liable if a self-service purchaser introduces fuel into a motor vehicle or non-road vehicle or equipment for which the fuel has not been approved by EPA, nor shall such person be liable if such misfueling voids a manufacturer's warranty on the vehicle or nonroad equipment. Exceptions: This provision does not apply to sellers of transportation fuel who fail to comply with EPA's misfueling regulations, or to anyone who intentionally misfuels.

Section 4, "Limitation on Liability," provides that no "qualified civil liability action" may be filed or maintained in any Federal or State court (and any such pending actions would be dismissed).

“Qualified civil liability action” is defined as “any civil action or proceeding brought by any person against a covered entity for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, penalties, or other relief resulting from the introduction of any qualified product into any motor vehicle, motor vehicle engine, nonroad vehicle, nonroad engine, or nonroad equipment.”

Section 4 also provides that no “qualified product” shall be considered to be a defective product if it does not violate a control or prohibition respecting any characteristic or component of the product imposed by EPA under Section 211 of the Clean Air Act. “Qualified product” means (a) any fuel or fuel additive for which a registration is in effect under Section 211 (b) of the Clean Air Act or other Federal law enacted after October 12, 2010; (b) a transportation fuel or fuel additive that contains any renewable fuel and is designated for introduction into interstate commerce by EPA or DOE; (c) any component of a fuel or fuel additive; or (d) any blend stock.

Legislative History

H.R. 4345 was introduced by Mr. Shimkus (IL) on March 3, 2012, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On September 30, 2012, the Committee on Energy and Commerce referred H.R. 4345 to the Subcommittee on Environment and the Economy, and the Subcommittee held a hearing on the bill on April 19, 2012.

No further action was taken on H.R. 4345 during the 112th Congress.

OVERSIGHT ACTIVITIES

ENVIRONMENTAL REGULATION, THE ECONOMY, AND JOBS

On February 15, 2011, the Subcommittee on Environment and the Economy held a hearing entitled “Environmental Regulation, the Economy, and Jobs.” The Subcommittee examined the impact of rules issued by the Environmental Protection Agency under President Obama. Regulatory and economic experts as well as representatives from business associations, affected companies, and a law professor were heard.

THE FISCAL YEAR 2012 PROPOSED BUDGET OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY

On March 11, 2011, the Subcommittee on Environment and the Economy and the Subcommittees on Energy and Power held a joint oversight hearing on the Environmental Protection Agency’s (EPA) proposed budget for fiscal year 2012. The purpose of the hearing was to evaluate the proposed \$8.9 billion budget for EPA, which affects issues such as funding for climate change, air quality programs, drinking water system compliance, cleanup of hazardous

waste sites within the Superfund account, scientific research that underpins regulatory decision-making, homeland security activities, and air quality programs. The sole witness was Lisa P. Jackson, the EPA Administrator.

THE FISCAL YEAR 2012 DEPARTMENT OF ENERGY AND NUCLEAR REGULATORY COMMISSION BUDGETS

On March 16, 2011, the Subcommittee on Environment and the Economy and the Subcommittees on Energy and Power held a joint hearing on the fiscal year 2012 Department of Energy and Nuclear Regulatory Commission Budgets. The purpose of the hearing was to evaluate the proposed budgets, current priorities, and current programs and initiatives of the Department of Energy and Nuclear Regulatory Commission. The hearing also examined the status of the nuclear reactors in Japan following the earthquake and tsunami which occurred on March 11, 2011. The Subcommittees received testimony from the Secretary of the Department of Energy and the Chairman of the Nuclear Regulatory Commission.

THE ROLE OF THE NUCLEAR REGULATORY COMMISSION IN AMERICA'S ENERGY FUTURE

On May 4, 2011, the Subcommittee on Environment and the Economy held a hearing entitled "The Role of the Nuclear Regulatory Commission in America's Energy Future." The hearing examined the Nuclear Regulatory Commission's decision-making process, the impact of the Fukushima nuclear incident on nuclear safety policy, the status of licensing and re-licensing nuclear reactors, and a review of the Department of Energy's license for construction of a repository at Yucca Mountain. The Subcommittee received testimony from the Chairman and Commissioners of the Nuclear Regulatory Commission.

THE DEPARTMENT OF ENERGY'S ROLE IN MANAGING CIVILIAN RADIOACTIVE WASTE

On June 1, 2011, the Subcommittee on Environment and the Economy held a hearing entitled "The Department of Energy's Role in Managing Civilian Radioactive Waste." The hearing focused on the Department of Energy's decision to withdraw its license application for the construction of the Yucca Mountain high-level nuclear waste repository program and the effects of that decision. Federal, State, and local officials were heard.

NRC CHAIRMAN'S UNILATERAL DECISION TO TERMINATE NRC'S REVIEW OF THE DOE YUCCA MOUNTAIN REPOSITORY LICENSE APPLICATION

On June, 14, 2011, the Subcommittee on Environment and Economy held a hearing entitled "NRC Chairman's Unilateral Decision to Terminate NRC's Review of the DOE Yucca Mountain Repository License Application." The purpose of the hearing was to investigate issues related to the Nuclear Regulatory Commission's (NRC) review of the Department of Energy's license application to build the Yucca Mountain Repository. The Subcommittee received

testimony from NRC Inspector General, who was accompanied by the NRC Assistant Inspector General for Investigations and a Senior Level Assistant for Investigative Operations.

NRC REPOSITORY SAFETY DIVISION—STAFF PERSPECTIVE ON YUCCA
LICENSE REVIEW

On June 24, 2011, the Subcommittee on Environment and the Economy conducted a hearing entitled “NRC Repository Safety Division—Staff Perspective on Yucca License Review.” The hearing focused on the views of the Nuclear Regulatory Commission (NRC) staff members that were responsible for conducting the safety evaluation and technical reviews of the license application for the Yucca Mountain Repository. The Subcommittee received testimony from NRC staff members within the Division of High-Level Waste Repository Safety and the Office of Nuclear Material Safety and Safeguards.

REGULATORY CHAOS: FINDING LEGISLATIVE SOLUTIONS TO BENEFIT
JOBS AND THE ECONOMY

On July 14, 2011, the Subcommittee on Environment and the Economy held a hearing entitled “Regulatory Chaos: Finding Legislative Solutions to Benefit Jobs and the Economy.” The purpose of the hearing was to review issues related regulation and regulatory reform. The Subcommittee received testimony from the U.S. Chamber of Commerce, National Association of Manufacturers, National Federation of Independent Business Legal Center, and the American Farm Bureau Federation.

CHEMICAL RISK ASSESSMENT: WHAT WORKS FOR JOBS AND THE
ECONOMY?

On October 6, 2011, the Subcommittee on Environment and the Economy held a hearing entitled “Chemical Risk Assessment: What Works for Jobs and the Economy?” The hearing explored the U.S. Environmental Protection Agency’s (EPA) chemical risk assessment program—the Integrated Risk Information System (IRIS)—and its role in the setting of State and Federal environmental regulations, as well as its non-regulatory impact on commercial markets. Witnesses included representatives from the Environmental Protection Agency, the Government Accountability Office, the National Academy of Sciences, regulatory experts, stakeholders, and public and private sector scientists

RECOMMENDATIONS OF THE BLUE RIBBON COMMISSION ON
AMERICA’S NUCLEAR FUTURE

On February 1, 2012, the Subcommittee on Environment and the Economy held a hearing entitled “Recommendations of the Blue Ribbon Commission on America’s Nuclear Future.” The hearing reviewed the findings and recommendations of the Blue Ribbon Commission in its January 2012 Report to the Secretary of Energy, focusing on the future of America’s nuclear waste management program. The Subcommittee received testimony from the two Co-

Chairs of the Blue Ribbon Commission, and experts on nuclear issues.

EVALUATING INTERNAL OPERATION AND IMPLEMENTATION OF THE
CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM
(CFATS) BY THE DEPARTMENT OF HOMELAND SECURITY

On February 3, 2012, the Subcommittee on Environment and the Economy held a hearing entitled “Evaluating Internal Operation and Implementation of the Chemical Facility Anti-Terrorism Standards program (CFATS) by the Department of Homeland Security.” The hearing focused on an internal report concerning the implementation and operation of the CFATS program by the Department of Homeland Security (DHS). The Subcommittee received testimony from two DHS witnesses: the Honorable Rand Beers, Under Secretary for the National Protection and Programs Directorate (NPPD) and Mr. David Wulf, Deputy Director, Infrastructure Security Compliance Division, Office of Infrastructure Protection, National Protection and Programs Directorate.

THE FY 2013 EPA BUDGET

On February 28, 2012, the Subcommittee on Environment and the Economy held a hearing entitled “The FY 2013 EPA Budget.” The hearing focused on examining the Environmental Protection Agency’s (EPA) fiscal year 2013 Budget. The Subcommittee received testimony from the Administrator of the EPA.

NRC POLICY AND GOVERNANCE OVERSIGHT

On July 24, 2012, the Subcommittee on Environment and the Economy and the Subcommittee on Energy and Power held a joint hearing entitled “NRC Policy and Governance Oversight.” The hearing focused on U.S. Nuclear Regulatory Commission (NRC) decisions and actions relating to licensing, policymaking, and governance of the agency. The Subcommittee received testimony from the Chairman and Commissioners of the NRC.

THE CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM—A
PROGRESS REPORT

On September 11, 2012, the Subcommittee on Environment and the Economy held a hearing entitled “The Chemical Facility Anti-Terrorism Standards Program—A Progress Report.” The hearing reviewed the progress of the Chemical Facility Anti-Terrorism Standards (CFATS) Program in helping facilities implement security plans to protect against terrorist threats. The Subcommittee received testimony from the Department of Homeland Security, the Government Accountability Office, industry representatives and a private consultant.

HEARINGS HELD

Hearing entitled “Environmental Regulations, the Economy, and Jobs.” (February 15, 2011) Serial Number 112–6.

Hearing entitled “The FY2012 EPA Budget.” (March 11, 2011) Serial Number 112–19.

Hearing entitled “The FY2012 Department of Energy and Nuclear Regulatory Commission Budgets.” (March 16, 2011) Serial Number 112–20.

Hearing entitled “H.R. 908, a bill to extend the authority of the Secretary of Homeland Security to maintain the Chemical Facility Anti-Terrorism Standards Program.” (March 31, 2011) Serial Number 112–28.

Hearing entitled “H.R. 1391, a bill to prohibit the Environmental Protection Agency from regulating fossil fuel combustion waste under subtitle C of the Solid Waste Disposal Act (42 USC 6921).” (April 14, 2011) Serial Number 112–40.

Hearing entitled “The Role of the Nuclear Regulatory Commission in America’s Energy Future.” (May 4, 2011) Serial Number 112–43.

Hearing entitled “The Department of Energy’s Role in Managing Civilian Radioactive Waste.” (June 1, 2011) Serial Number 112–54.

Hearing entitled “The NRC Inspector General Report on the NRC Chairman’s Unilateral Decision to Terminate NRC’s Review of the DOE Yucca Mountain Repository License Application.” (June 14, 2011–06–14) Serial Number 112–61.

Hearing entitled “NRC Repository Safety Division—Staff Perspective on Yucca License Review.” (June 24, 2011) Serial Number 112–67.

Hearing entitled “Regulatory Chaos: Finding Legislative Solutions to Benefit Jobs and the Economy.” (July 14, 2011) Serial Number 112–74.

Hearing entitled “Chemical Risk Assessment: What Works for Jobs and the Economy?” (October 6, 2011) Serial Number 112–93.

Hearing entitled “Recommendations of the Blue Ribbon Commission on America’s Nuclear Future.” (February 1, 2012) Serial Number 112–109.

Hearing entitled “Evaluating Internal Operation and Implementation of the Chemical Facility Anti-Terrorism Standards program (CFATS) by the Department of Homeland Security.” (February 3, 2012) Serial Number 112–111.

Hearing entitled “The FY 2013 EPA Budget.” (February 28, 2012) Serial Number 112–119.

Hearing entitled “H.R. 4345, The “Domestic Fuels Protection Act of 2012.”” (April 19, 2012) Serial Number 112–138.

Hearing entitled “Electronic Submission of Hazardous Waste Manifests—Modernizing for the 21st Century.” (June 21, 2012) Serial Number 112–154.

Hearing entitled “H.R. 2997, ‘The Superfund Common Sense Act’ and H.R.—, ‘The Increasing Manufacturing Competitiveness Through Improved Recycling Act of 2012.’” (June 27, 2012) Serial Number 112–156.

Hearing entitled “NRC Policy and Governance Oversight.” (July 24, 2012) Serial Number 112–169.

Hearing entitled “The Chemical Facility Anti-Terrorism Standards Program—A Progress Report.” (September 11, 2012) Serial Number 112–172.

SUBCOMMITTEE ON HEALTH

(Ratio 16–11)

JOSEPH R. PITTS, Pennsylvania, *Chairman*

MICHAEL C. BURGESS, Texas,
Vice Chairman

ED WHITFIELD, Kentucky

JOHN SHIMKUS, Illinois

MIKE ROGERS, Michigan

SUE WILKINS MYRICK, North Carolina

TIM MURPHY, Pennsylvania

MARSHA BLACKBURN, Tennessee

PHIL GINGREY, Georgia

ROBERT E. LATTA, Ohio

CATHY McMORRIS RODGERS, Washington

LEONARD LANCE, New Jersey

BILL CASSIDY, Louisiana

BRETT GUTHRIE, Kentucky

JOE BARTON, Texas

FRED UPTON, Michigan

(Ex Officio)

FRANK PALLONE, JR., New Jersey,
Ranking Member

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EDOLPHUS TOWNS, New York

ELIOT L. ENGEL, New York

LOIS CAPP, California

JAN SCHAKOWSKY, Illinois

CHARLES A. GONZALEZ, Texas

TAMMY BALDWIN, Wisconsin

MIKE ROSS, Arkansas

JIM MATHESON, Utah

HENRY A. WAXMAN, California

(Ex Officio)

Jurisdiction: Public health and quarantine; hospital construction; mental health and research; biomedical programs and health protection in general, including public and private health insurance; food and drugs; and, drug abuse.

LEGISLATIVE ACTIVITIES

COMBATING AUTISM REAUTHORIZATION ACT OF 2011

PUBLIC LAW 112–32 (H.R. 2005)

To Reauthorize the Combating Autism Act of 2006.

Summary

The bill amends the Public Health Service Act to extend and reauthorize the surveillance and research program for autism spectrum disorders and other developmental disabilities.

Legislative History

On May 26, 2011, Mr. Smith (NJ) introduced H.R. 2005, which was referred to the Committee on Energy and Commerce.

On June 3, 2011, H.R. 2005 was referred to the Subcommittee on Health, and on July 11, 2011, the Subcommittee on Health held a legislative hearing on the bill.

On September 20, 2011, H.R. 2005 was considered in the House under suspension of the Rules, and the bill passed the House by a voice vote.

On September 21, 2011, H.R. 2005 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 174). On September 26, 2011, the bill passed the Senate by a voice vote.

H.R. 2005 was presented to the President on September 29, 2011, and the President signed the bill on September 30, 2011 (Public Law 112–32).

TEMPORARY PAYROLL TAX CUT CONTINUATION ACT OF 2011

PUBLIC LAW 112–78 (H.R. 3765, TITLE III)

To extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, and for other purposes.

Summary

Title III of H.R. 3765 amends title XVIII (Medicare) of the Social Security Act (SSA), Medicare, the Tax Relief and Health Care Act of 2006, the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000, SSA title XIX (Medicaid), and the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) to provide extensions. Title III sets the Medicare physician payment update and extends section 508 hospital reclassifications, the Medicare work geographic adjustment floor, exceptions process for Medicare therapy caps, payment for technical component of certain physician pathology services, ambulance add-ons, the physician fee schedule mental health add-on payment, the outpatient hold harmless provision, minimum payment for bone mass measurement, the qualifying individual (QI) program, Transitional Medical Assistance (TMA), and temporary assistance for needy families (TANF).

Legislative History

On December 23, 2011, H.R. 3765 was introduced by Mr. Camp and referred to the Committee on Ways and Means, the Committee on Energy and Commerce, the Committee on Transportation and Infrastructure, the Committee on Natural Resources, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Budget.

On December 23, 2011, H.R. 3765 was discharged from committees of jurisdiction and considered by unanimous consent.

On December 23, 2011, H.R. 3765 passed the House without objection.

On December 23, 2011, H.R. 3765 was ordered received, read twice, considered, read the third time, and passed the Senate by unanimous consent.

On December 23, 2011, H.R. 3765 was presented to and signed by the President (Public Law 112–78).

MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

PUBLIC LAW 112–96 (H.R. 3630)

To provide incentives for the creation of jobs, and for other purposes.

Summary

Section 3003 of the bill (Medicare Physician Payment Rates) would prevent a 27.4 percent cut in Medicare physician payment rates slated to begin on January 1, 2012, and instead increase pay-

ment rates by 1 percent in 2012 and again in 2013. During this period, the Medicare Payment Advisory Commission (MedPAC), Government Accountability Office (GAO), and Department of Health and Human Services (HHS) are required to submit reports to Congress to assist in the development of a long-term replacement to the current Medicare physician payment system. The provision also directs the Committee on Ways and Means, the Committee on Energy and Commerce, and the Committee on Financial Services to study and review this issue during the 112th Congress and, as part of that process, to solicit input from key stakeholders.

Sections 3101 extends the Qualifying Individual Program through December 31, 2012, and provides States with 100 percent Federal funding for the payment of Medicare Part B premiums for low-income qualifying individuals. Section 3102 extends the Transitional Medicaid Assistance program through December 31, 2012, and provides States with a capped funding amount to continue Medicaid coverage for low-income families with children as they transition to employment.

The bill includes several health care provisions to offset the costs of the spending provisions, including, but not limited to, a rebasing of the Disproportionate Share Hospitals (DSH) payments and a technical correction to the disaster recovery Federal match payments to States.

Legislative History

On December 9, 2011, H.R. 3630 was introduced by Mr. Camp and referred to the Committee on Ways and Means, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Transportation and Infrastructure, the Committee on Agriculture, the Committee on Oversight and Government Reform, the Committee on House Administration, the Committee on Budget, the Committee on Natural Resources, the Committee on Rules, and the Committee on Intelligence.

On December 13, 2011, H.R. 3630 was considered in the House pursuant to the provisions of H. Res. 491, and passed the House by a roll call vote of 234 yeas and 193 nays (Roll Call No. 923).

On December 13, 2011, H.R. 3630 was read the first time, and ordered placed on the Senate Legislative Calendar under Read the First Time. On December 14, 2011, the bill was received in the Senate, read the second time, and placed on Senate Legislative Calendar under General Orders (Calendar No. 257).

On December 17, 2011, H.R. 3630 passed the Senate with an amendment by unanimous consent.

On December 20, 2011, the House adopted a motion to disagree to the Senate amendment and requested a conference with the Senate by a roll call vote of 229 yeas and 193 nays (Roll Call No. 946), and the Speaker appointed the following conferees, Mr. Camp, Mr. Upton, Mr. Brady (TX), Mr. Walden, Mr. Price (GA), Mr. Reed, Mrs. Ellmers, and Mrs. Hayworth.

On December 23, 2011 the Speaker appointed additional conferees, including Mr. Levin, Mr. Becerra, Mr. Van Hollen, Mrs. Schwartz, and Mr. Waxman.

On December 23, 2011, the Senate insisted upon its amendments and agreed to the House's request to go to conference, and on January 3, 2012, the Senate appointed conferees, including Sen. Baucus, Sen. Reed, Sen. Cardin, Sen. Casey, Sen. Kyl, Sen. Crapo, and Sen. Barrasso.

The conference met on February 2 and 7, 2012. The conference report (H. Rpt. 112–399) was filed on February 16, 2012.

On February 17, 2012, the conference report was considered in the House pursuant to the provisions of H. Res. 554, and the conference report was agreed to by a roll call vote of 293 yeas and 132 nays (Roll Call No. 72).

The Senate agreed to the conference report by a roll call vote of 60 yeas and 36 nays (Roll Call No. 22).

On February 22, 2012, H.R. 3639 was presented to and signed by the President (Public Law 112–96).

THE FOOD AND DRUG ADMINISTRATION REFORM ACT OF 2012

PUBLIC LAW 112–144 (S. 3187, H.R. 5651)

To amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

Summary

The Food and Drug Administration Reform Act of 2012 reauthorizes the prescription drug user fee and medical device user fee, authorizes a generic drug user fee and biosimilar user fee, reauthorizes the Best Pharmaceuticals for Children Act and the Pediatric Research Equity Act, institutes reforms at the Food and Drug Administration (FDA) to improve the predictability, consistency, and transparency of its regulation of drugs and devices, and establishes policies to address the drug shortage crisis.

Legislative History

On April 18, 2012, the Subcommittee on Health held a legislative hearing on a Committee Print entitled “The Food and Drug Administration Reform Act of 2012.”

On May 8, 2012 the Subcommittee on Health met in open markup session to consider the Committee Print, which was forwarded to the full Committee, as amended, by a voice vote.

H.R. 5651 was introduced by Mr. Upton on May 9, 2012, and referred to the Committee on Energy and Commerce.

On May 9 and 10, 2012, the Committee on Energy and Commerce met in open markup session and ordered H.R. 5651 favorably reported to the House, without amendment, by a roll call vote of 46 yeas and 0 nays.

On May 25, 2012, the Committee on Energy and Commerce reported H.R. 5654 to the House, without amendment (H. Rept. 112–495), and the bill was placed on the Union Calendar (Calendar No. 348).

On May 30, 2012, H.R. 5651 was considered in the House under suspension of the Rules and passed by a roll call vote of 387 yeas and 5 nays (Roll No. 294).

On June 4, 2012, H.R. 5651 was received in the Senate, read for the first time, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 420).

No further action was taken on H.R. 5651 during the 112th Congress.

S. 3187 was introduced by Mr. Harkin on May 15, 2012, read the first time, and placed on Senate Legislative Calendar under Read the First Time. On May 16, 2012, the bill was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 400).

On May 24, 2012, S. 3187 passed the Senate by a roll call vote of 96 yeas and 1 nay (Roll Call No. 111).

On May 25, 2012, S. 3187 was received in the House and held at the desk.

On June 20, 2012, S. 3187 was considered in the House under suspension of the Rules and passed, as amended, by a voice vote.

On June 20, 2012, S. 3187, as amended by the House, was received in the Senate. On June 21, 2012, the bill was laid before the Senate by unanimous consent, and on June 26, 2012, S. 3187, as amended by the House, passed the Senate by a roll call vote of 92 yeas and 4 nays (Roll Call No. 168).

S. 3187 was presented to the President on June 28, 2012, and the President signed the bill on July 9, 2012 (Public Law 112–144).

FDA USER FEE CORRECTIONS ACT OF 2012

PUBLIC LAW 122–193 (H.R. 6433)

To make corrections with respect to Food and Drug Administration user fees.

Summary

The FDA User Fee Corrections Act of 2012 reauthorizes user fee programs for prescription drugs and medical devices, establishes user fee programs for generic drugs and biosimilars, and reforms Food and Drug Administration (FDA) programs.

Legislative History

Mr. Upton introduced H.R. 6433 in the House on September 19, 2012, and the bill was referred to the Committee on Energy and Commerce.

H.R. 6433 was considered in the House by unanimous consent, and the bill was agreed to without objection.

On September 22, 2012, the Senate passed H.R. 6433, without amendment, by unanimous consent.

H.R. 6433 was presented to the President on September 25, 2012, and on October 5, 2012, the President signed the bill (Public Law 122–193).

TAKING ESSENTIAL STEPS FOR TESTING ACT OF 2012

PUBLIC LAW 112–202 (H.R. 6118)

To amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

Summary

The Taking Essential Steps for Testing Act of 2012 would amend section 353 of the Public Health Service Act to allow the Secretary of HHS discretion to impose a one-year ban on Medicare participation for laboratories that improperly refer proficiency testing samples (PTs), and to levy intermediate sanctions against the owner or operator of an improperly-referring laboratory instead of the current, mandatory two-year prohibition against ownership or operation of any lab.

Legislative History

H.R. 6118 was introduced in the House by Mr. Grimm on July 12, 2012, and referred to the Committee on Energy and Commerce.

On July 13, 2012, the bill was referred to the Subcommittee on Health. The Subcommittee met in open session on September 11, 2012, and favorably forwarded H.R. 6118 to the full Committee by a voice vote.

On September 19, 2012, H.R. 6118 was considered in the House under suspension of the Rules and agreed to by a voice vote.

H.R. 6118 was received in the Senate on September 20, 2012, and read twice. The Senate passed H.R. 6118, without amendment, by unanimous consent on November 14, 2012.

On November 28, 2012, H.R. 6118 was presented to the President, and on December 4, 2012, the President signed H.R. 6118 (Public Law 112–202).

STRENGTHENING MEDICARE AND REPAYING TAXPAYERS ACT OF 2012

AWAITING WHITE HOUSE ACTION (H.R. 1063, H.R. 1845)

To amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

Summary

H.R. 1063 modifies the process through which the Medicare program is reimbursed when another payer is responsible for a beneficiary's medical costs. The provisions of H.R. 1063 would make it easier for other payers to repay Medicare, thus reducing program costs.

Legislative History

H.R. 1063 was introduced by Mr. Murphy (PA) on March 14, 2011, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On September 13, 2012, the Subcommittee on Health met in open markup session and forwarded H.R. 1063 to the full Committee, as amended, by a voice vote.

On September 20, 2012, the Committee on Energy and Commerce met in open markup session and ordered H.R. 1063 favorably reported to the House, as amended, by a voice vote.

The Committee on Energy and Commerce reported H.R. 1063 to the House on December 20, 2012 (H. Rept. 112–715).

No further action was taken on H.R. 1063 during the 112th Congress.

The provisions of H.R. 1063 were included in the text of H.R. 1845, the “Medicare IVIG Access and Strengthening Medicare and Repaying Taxpayers Act of 2012,” and on December 19, 2012, H.R. 1845 was considered by the House under suspension of the Rules and passed the House by a roll call vote of 401 yeas to 3 nays (Roll Call No. 634).

H.R. 1845 was received in the Senate on December 20, 2012, and read twice.

On December 21, 2012, the Senate passed the bill by unanimous consent.

On December 27, 2012, a message on Senate action was sent to the House.

On December 31, 2012, H.R. 1845 was presented to the President.

H.R. 1845, as approved by the House and the Senate, was awaiting action by the President when this report was filed.

HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE
(HEALTH) ACT OF 2011

H.R. 5

To improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

Summary

H.R. 5 sets conditions for lawsuits arising from health care liability claims regarding health care goods or services or any medical product affecting interstate commerce.

Legislative History

H.R. 5 was introduced by Mr. Gingrey on January 24, 2011, and referred to the Committee on the Judiciary and the Committee on Energy and Commerce.

The Committee on the Judiciary met in open markup session on February 9 and February 16, 2011, and ordered H.R. 5 reported to the House, as amended, by a voice vote. On March 17, 2011, the Committee on the Judiciary reported H.R. 5 to the House (H. Rept. 112–39, Part I).

On March 17, 2011, the Committee on Energy and Commerce was granted an extension for further consideration of the bill ending no later than May 13, 2011.

On April 6, 2011, the Subcommittee on Health held a hearing on H.R. 5.

On May 10 and 11, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 5 favorably reported to the House, as amended, by a roll call vote of 30 yeas and 20 nays.

On May 13, 2011, the Committee on Energy and Commerce was granted an extension for further consideration ending not later than May 23, 2011.

On May 23, 2011, the Committee on Energy and Commerce reported H.R. 5 to the House, as amended (H. Rept. 112–39, Part II), and the bill was placed on the Union Calendar (Calendar No. 47).

On March 20, 21, and 22, 2012, H.R. 5 was considered in the House pursuant to H. Res. 591, which incorporated the text of H.R. 452, the “Medicare Decisions Accountability Act of 2011,” and on March 22, 2012, the bill was passed by a roll call vote of 223 yeas and 181 nays, 4 present (Roll Call No. 126).

On March 22, 2012, H.R. 5 was received in the Senate, read the first time, and placed on Senate Legislative Calendar under Read the First Time.

On March 26, 2012, H.R. 5 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 353).

On March 27, 2012, the Senate returned papers to House by unanimous consent.

On March 28, 2012, a message on Senate action was sent to the House.

On March 29, 2012, H.R. 5 was received in the Senate, read the first time, and placed on Senate Legislative Calendar under Read the First Time.

On April 16, 2012, H.R. 5 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 353).

No further action was taken on H.R. 5 during the 112th Congress.

For further information, see H.R. 452, Medicare Decisions Accountability Act of 2011, and Title III of Proposed Matter for Inclusion in Reconciliation Recommendations, which were incorporated in to H.R. 5652.

PROTECT LIFE ACT

H.R. 358

To amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of abortion services under such Act.

Summary

H.R. 358, Protect Life Act, amends the Patient Protection and Affordable Care Act (PPACA) to prevent Federal funding of abortion or abortion coverage except in specified circumstances. It also ensures that nothing in PPACA can be construed to require coverage of, or access to, abortion and ensures that nothing in PPACA allows anyone implementing PPACA to require coverage of, access to, or training in abortion services.

Legislative History

H.R. 358 was introduced in the House by Mr. Pitts on January 20, 2011, and referred to the Committee on Energy and Commerce.

On February 1, 2011, the Committee on Energy and Commerce referred H.R. 358 to the Subcommittee on Health. On February 9, 2011, the Subcommittee held a hearing on the bill and received testimony from an Associate Professor from George Mason University School of Law; the Chair of the Department of Health Policy at George Washington University; and the Federal Legislative Director of the National Right to Life Committee.

The Subcommittee on Health met in open markup session on February 11, 2011, and forwarded H.R. 358 to the full Committee, as amended, by a roll call vote of 14 yeas and 9 nays.

The Committee on Energy and Commerce met in open markup session on February 15, 2011, and ordered H.R. 358 favorably reported to the House, as amended, by a roll call vote of 33 yeas and 19 nays. The Committee on Energy and Commerce reported the bill to the House on March 17, 2011 (H. Rept. 112-40, Part 1).

On March 17, 2011, H.R. 358 was referred sequentially to the Committee on Ways and Means for a period not later than April 15, 2011. On April 15, 2011, the Committee on Ways and Means was granted an extension for further consideration ending not later than May 20, 2011. On May 20, 2011, the Committee on Ways and Means was granted an extension for further consideration ending not later than September 9, 2011. On September 9, 2011, the Committee on Ways and Means was granted an extension for further consideration ending not later than September 12, 2011.

On September 12, 2011, H.R. 358 was discharged by the Committee on Ways and Means, and the bill was placed on Union Calendar (Calendar No. 133).

On October 13, 2011, H.R. 358 was considered in the House pursuant to the provisions of H. Res. 430 and passed the House by a roll call vote of 251 yeas and 172 nays (Roll No. 789).

On October 17, 2011, H.R. 358 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on H.R. 358 during the 112th Congress.

MEDICARE DECISIONS ACCOUNTABILITY ACT OF 2011

H.R. 452

To repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

Summary

H.R. 452 repeals sections of the Patient Protection and Affordable Care (PPACA) and restores provisions of law amended by such sections related to the establishment of an Independent Payment Advisory Board (IPAB) to develop and submit detailed proposals to reduce the per capita rate of growth in Medicare spending to the President for Congress to consider. The bill does retain requirements for expedited consideration of IPAB related proposals to reduce Medicare spending.

Legislative History

On January 26, 2011, Mr. Roe introduced H.R. 452, which was referred to the Committee on Ways and Means, and in addition to

the Committee on Rules, and the Committee on Energy and Commerce.

On January 27, 2011, the bill was referred to the Subcommittee on Health. On February 29, 2012, the Subcommittee on Health met in open markup session and forwarded H.R. 452 to the full Committee, without amendment, by a roll call vote of 17 yeas and 5 nays.

On March 5, 2012, the Committee on Energy and Commerce met in open markup session and ordered H.R. 452 to the House, as amended, by a voice vote.

On March 16, 2012, the Committee on Energy and Commerce reported H.R. 452 to the House (112–412, Part II), and the bill was placed on the Union Calendar (Calendar No. 284).

H.R. 452 was incorporated into H.R. 5 pursuant to H. Res. 591.

No further action was taken on H.R. 452 during the 112th Congress.

For further information, see also H.R. 5.

VETERINARY HEALTH AMENDMENTS OF 2011

H.R. 525

To amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health.

Summary

H.R. 525 revises the public health workforce grant and loan repayment programs within the Public Health Service Act to include public health veterinarians.

H.R. 525 defines “veterinary public health” to include veterinarians engaged in one or more of the following areas to the extent such areas have an impact on human health: biodefense and emergency preparedness, emerging and reemerging infectious diseases, environmental health, ecosystem health, pre- and post-harvest food protection, regulatory medicine, diagnostic laboratory medicine, veterinary pathology, biomedical research, the practice of food animal medicine in rural areas, and government practice.

Legislative History

H.R. 525 was introduced by Ms. Baldwin on February 8, 2011, and referred to the Committee on Energy and Commerce.

On February 10, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in open markup session on February 11, 2011, and H.R. 525 was forwarded to the full Committee, without amendment, by a voice vote.

The full Committee met in open markup session on February 15, 2011, and ordered H.R. 525 favorably reported to the House by a voice vote.

On March 2, 2011, the Committee on Energy and Commerce reported H.R. 525 to the House (H. Rept. 112–22), and the bill was placed on the Union Calendar (Calendar No. 10).

On March 8, 2011, H.R. 525 was considered under suspension of the Rules and passed the House by a roll call vote of 280 yeas and 138 nays (Roll Call No. 164).

On March 9, 2011, H.R. 525 was received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 525 during the 112th Congress.

NEGLECTED INFECTIONS OF IMPOVERISHED AMERICANS ACT OF 2011

H.R. 528

To require the submission of a report to the Congress on parasitic diseases among poor Americans.

Summary

H.R. 528, the Neglected Infections of Impoverished Americans Act of 2011, would require the Secretary of the Department of Health and Human Services (HHS) to issue a report to the Congress on the epidemiology and impact of the neglected diseases of poverty and the appropriate level of funding required to address those diseases. HHS must conduct the study of these diseases within 12 months, including Chagas disease, cysticercosis, toxocariasis, toxoplasmosis, trichomoniasis, soil-transmitted helminthes, and related parasitic diseases.

Legislative History

H.R. 528 was introduced by Mr. Johnson (GA) on February 8, 2011, and referred to the Committee on Energy and Commerce.

On February 10, 2011, the Committee on Energy and Commerce referred H.R. 528 to the Subcommittee on Health. On February 11, 2011, the Subcommittee met in open markup session and forwarded H.R. 528 to the full Committee, without amendment, by a voice vote.

The Committee on Energy and Commerce met in open markup on February 15, 2011, and ordered H.R. 528 favorably reported to the House, without amendment, by a voice vote.

The Committee on Energy and Commerce reported H.R. 528 to the House on March 2, 2011 (H. Rept. 112–23).

On March 2, 2011, H.R. 528 was placed on the Union Calendar (Calendar No. 11).

No further action was taken on H.R. 528 during the 112th Congress.

DENTAL EMERGENCY RESPONDER ACT OF 2011

H.R. 570

To amend the Public Health Service Act to enhance the roles of dentists and allied dental personnel in the Nation's disaster response framework, and for other purposes.

Summary

H.R. 570, the Dental Emergency Responder Act, would allow, but not require, the Department of Health and Human Services to utilize dentists and dental facilities as part of Federal public health disaster response preparedness framework.

Legislative History

H.R. 570 was introduced by Mr. Burgess on February 9, 2011, and referred to the Committee on Energy and Commerce.

On February 10, 2011, the Committee on Energy and Commerce referred H.R. 570 to the Subcommittee on Health.

The Subcommittee met in open markup session on February 11, 2011, and forwarded H.R. 570 to the full Committee, without amendment, by a voice vote.

On February 15, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 570 favorably reported to the House, without amendment, by a voice vote.

The Committee on Energy and Commerce reported H.R. 570 to the House on March 2, 2011 (H. Rept. 112–24). On March 8, 2011, H.R. 570 was considered in the House under suspension of the Rules, and passed the House by a roll call vote of 401 yeas and 12 nays (Roll No. 163).

On March 9, 2011, H.R. 570 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 570 during the 112th Congress.

Provisions substantially similar to H.R. 570 were included in the H.R. 6672, Pandemic and All-Hazards Preparedness Reauthorization Act of 2012, and H.R. 2405, Pandemic and All-Hazards Preparedness Reauthorization Act of 2011. For further information, see both H.R. 6672 and H.R. 2405.

RECALCITRANT CANCER RESEARCH ACT OF 2012

H.R. 733

To provide for scientific frameworks with respect to recalcitrant cancers.

Summary

H.R. 733 amends the Public Health Service Act to require to the Director of the National Cancer Institute to develop frameworks for research on recalcitrant cancers. The scientific framework for each initial cancer identified would be updated five years after the initial framework is completed. The National Institutes of Health would then be required to issue a report to Congress with recommendations on the effectiveness of the scientific framework model.

Legislative History

H.R. 733 was introduced by Ms. Eshoo on February 16, 2011, and referred to the Committee on Energy and Commerce.

On February 28, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in open session on September 11, 2012, and H.R. 733 was forwarded to the full Committee, as amended, by a voice vote.

On September 19, 2012, H.R. 733 was considered in the House under suspension of the Rules and agreed to by a voice vote.

On September 20, 2012, H.R. 733 was received in the Senate.

No further action was taken on H.R. 733 during the 112th Congress.

Provisions substantially similar to H.R. 733 were included in the National Defense Authorization Act for Fiscal Year 2013 (see section 1083 of the conference report accompanying H.R. 4310).

FISCAL RESPONSIBILITY AND RETIREMENT SECURITY ACT OF 2011

H.R. 1173

To repeal the CLASS program.

Summary

H.R. 1173 repeals a provision of the Public Health Service Act enacted under the Patient Protection and Affordable Care Act entitled the “Community Living Assistance Services and Supports Act” or the “CLASS Act.”

Legislative History

H.R. 1173 was introduced by Mr. Boustany, Jr. on March 17, 2011, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means.

On March 28, 2011, the Committee on Energy and Commerce referred the bill to the Subcommittee on Health. The Subcommittee met in open markup session on November 15, 2011, and H.R. 1173 was forwarded to the full Committee, without amendment, by a voice vote.

On November 29, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 1173 favorably reported to the House, as amended, by a roll call vote of 33 yeas and 17 nays.

On December 23, 2011, the Committee on Energy and Commerce reported H.R. 1173 to the House, as amended (H. Rept. 112–342, Part I). On January 23, 2012, H.R. 1173 was placed on the Union Calendar (Calendar No. 253).

On February 1, 2012, H.R. 1173 was considered in the House pursuant to the provisions of H. Res. 522, and the bill was passed by a roll call vote of 267 yeas and 159 nays (Roll Call No. 18).

H.R. 1173 was received in the Senate on February 2, 2012. On February 27, 2012, H.R. 1173 was read once and placed on Senate Legislative Calendar under Read the First Time. On February 28, 2012, H.R. 1173 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 331).

No further action was taken on H.R. 1173 during the 112th Congress.

TO REPEAL MANDATORY FUNDING PROVIDED TO STATES IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT TO ESTABLISH AMERICAN HEALTH BENEFIT EXCHANGES

H.R. 1213

Summary

H.R. 1213 amends the Patient Protection and Affordable Care Act to repeal provisions appropriating funds to the Secretary of Health and Human Services to award grants to States for activi-

ties, including planning activities, related to establishing an American Health Benefit Exchange. The legislation strikes the unlimited direct appropriation that is available until the end of 2014 and rescinds any unobligated funds.

Legislative History

H.R. 1213 was introduced by Mr. Upton on March 29, 2011, and referred to the Committee on Energy and Commerce.

On March 29, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in open session on March 31, 2011, and H.R. 1213 was forwarded to the full Committee, without amendment, by a roll call vote of 14 yeas and 11 nays.

The full Committee met in open markup session on April 5, 2011, and ordered H.R. 1213 favorably reported to the House, without amendment, by a roll call vote of 31 yeas and 20 nays.

On April 27, 2011, the Committee on Energy and Commerce reported H.R. 1213 to the House (H. Rept. 112–65), and the bill was placed on the Union Calendar (Calendar No. 33).

On May 3, 2011, H.R. 1213 was considered in the House pursuant to H. Res. 236, and the bill was passed by a roll call vote of 238 yeas and 183 nays (Roll Call No. 285).

On May 4, 2011, H.R. 1213 was received in the Senate, read the first time, and placed on the Senate Legislative Calendar. On May 5, 2011, the bill was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 39).

No further action was taken on H.R. 1213 during the 112th Congress.

TO REPEAL MANDATORY FUNDING FOR SCHOOL-BASED HEALTH
CENTER CONSTRUCTION

H.R. 1214

To repeal mandatory funding for school-based health center construction.

Summary

H.R. 1214 amends the Patient Protection and Affordable Care Act to repeal the program requiring the Secretary of Health and Human Services to award grants to school-based health centers or their sponsoring facilities to support the construction or renovation of such health centers. The bill rescinds any unobligated appropriations for the program.

Legislative History

On March 9, 2011, the Subcommittee on Health held a hearing on draft legislation that became H.R. 1214.

H.R. 1214 was introduced by Mr. Burgess on March 29, 2011, and referred to the Committee on Energy and Commerce and, in addition, to the Committee on Education and the Workforce.

On March 29, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in open markup session on March 31, 2011, and H.R. 1214 was forwarded to the full Committee, without amendment, by a roll call vote of 14 yeas and 11 nays.

The Committee on Energy and Commerce met in open markup session on April 5, 2011, and ordered H.R. 1214 favorably reported to the House, without amendment, by a roll call vote of 27 yeas and 15 nays.

On April 27, 2011, the Committee on Energy and Commerce reported H.R. 1214 to the House (H. Rept. 112–66, Part 1), the Committee on Education and Labor was discharged, and the bill was placed on the Union Calendar (Calendar No. 34).

On May 3 and 4, 2011, H.R. 1214 was considered in the House pursuant to H. Res. 236, and on May 4, 2011, the bill was passed by a roll call vote of 235 yeas and 191 nays (Roll Call No. 290).

On May 5, 2011, H.R. 1214 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1214 during the 112th Congress.

TO AMEND TITLE V OF THE SOCIAL SECURITY ACT TO CONVERT FUNDING FOR PERSONAL RESPONSIBILITY EDUCATION PROGRAMS FROM DIRECT APPROPRIATIONS TO AN AUTHORIZATION OF APPROPRIATIONS

H.R. 1215

To amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations.

Summary

H.R. 1215 amends title V of the Social Security Act to convert funding for Personal Responsibility Education Programs from a direct appropriation to an authorization of appropriations. The bill also rescinds any unobligated funds made available under section 513 of such Act.

Legislative History

On March 9, 2011, the Subcommittee on Health held a hearing on draft legislation that became H.R. 1215.

H.R. 1215 was introduced by Mr. Latta on March 29, 2011, and referred to the Committee on Energy and Commerce.

On March 29, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in open markup session on March 29, 2011, and forwarded H.R. 1215 to the full Committee, without amendment, by a roll call vote of 15 yeas and 11 nays.

The Committee on Energy and Commerce met in open markup session on April 5, 2011, and ordered H.R. 1215 favorably reported to the House, without amendment, by a roll call vote of 25 yeas and 17 nays.

On April 27, 2011, the Committee on Energy and Commerce reported H.R. 1215 to the House (H. Rept. 112–63), and the bill was placed on the Union Calendar (Calendar No. 31).

No further action was taken on H.R. 1215 during the 112th Congress.

TO AMEND THE PUBLIC HEALTH SERVICE ACT TO CONVERT FUNDING FOR GRADUATE MEDICAL EDUCATION IN QUALIFIED TEACHING HEALTH CENTERS FROM DIRECT APPROPRIATIONS TO AN AUTHORIZATION OF APPROPRIATIONS

H.R. 1216

To amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations.

Summary

H.R. 1216 amends the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from a direct appropriation to an authorization of appropriations. H.R. 1216 also rescinds any unobligated balances appropriated for such programs.

Legislative History

On March 9, 2011, the Subcommittee on Health held a hearing on draft legislation that became H.R. 1216.

H.R. 1216 was introduced by Mr. Guthrie on March 29, 2011, and referred to the Committee on Energy and Commerce.

On March 29, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in an open markup session on March 31, 2011, and H.R. 1216 was forwarded to the full Committee, without amendment, by a roll call vote of 14 yeas and 11 nays.

The Committee on Energy and Commerce met in an open markup session on April 5, 2011, and ordered H.R. 1216 favorably reported to the House, without amendment, by a roll call vote of 21 yeas and 14 nays.

On April 27, 2011, the Committee on Energy and Commerce reported H.R. 1216 to the House (H. Rept. 112–64), and the bill was placed on the Union Calendar (Calendar No. 32).

On May 24 and 25, 2011, H.R. 1216 was considered in the House pursuant to H. Res. 269, and the bill was passed by a roll call vote of 234 yeas and 185 nays (Roll Call No. 340).

On May 26, 2011, H.R. 1216 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1216 during the 112th Congress.

A BILL TO REPEAL THE PREVENTION AND PUBLIC HEALTH FUND

H.R. 1217

To repeal the Prevention and Public Health Fund.

Summary

The bill amends the Patient Protection and Affordable Care Act to repeal provisions establishing and appropriating funds to the Prevention and Public Health Fund, which is administered by the Secretary of the Department of Health and Human Services. H.R. 1217 rescinds any unobligated funds appropriated to the fund and

directs the Secretary to post a notice of any rescission and the amounts to be rescinded.

Legislative History

On March 9, 2011, the Subcommittee on Health held a hearing on draft legislation that became H.R. 1217.

H.R. 1217 was introduced by Mr. Pitts on March 29, 2011, and referred to the Committee on Energy and Commerce.

On March 29, 2011, the bill was referred to the Subcommittee on Health. The Subcommittee met in open markup session on March 31, 2011, and H.R. 1217 was forwarded to the full Committee by a roll call vote of 14 yeas and 11 nays.

The full Committee met in an open markup session on April 5, 2011, and ordered H.R. 1217 to the House, without amendment, by a roll call vote of 26 yeas and 16 nays.

On April 11, 2011, the Committee on Energy and Commerce reported H.R. 1217 to the House (H. Rept. 112–57), and the bill was placed on the Union Calendar (Calendar No. 29).

On April 13, 2011, H.R. 1217 was considered in the House pursuant to H. Res. 219, and the bill was passed, as amended, by a roll call vote of 236 yeas and 183 nays (Roll Call No. 264).

On April 14, 2011, H.R. 1217 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1217 during the 112th Congress.

SYNTHETIC DRUG CONTROL ACT OF 2011

H.R. 1254

To amend the Controlled Substances Act to place synthetic drugs in Schedule I.

Summary

H.R. 1254 amends the Controlled Substances Act to add synthetic drugs that imitate the hallucinogenic or stimulant properties of drugs like marijuana, cocaine, or methamphetamines to the list of Schedule I controlled substances. In addition, H.R. 1254 enhances the authority of the Drug Enforcement Administration to temporarily schedule new substances.

Legislative History

On March 30, 2011, H.R. 1254 was introduced by Mr. Dent and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On April 7, 2011, the Committee on Energy and Commerce referred H.R. 1254 to the Subcommittee on Health.

On July 21, 2011, the Subcommittee on Health held a hearing entitled “Legislative Hearing to Address Bioterrorism, Controlled Substances and Public Health Issues,” during which it considered H.R. 1254.

On July 26, 2011, the Subcommittee on Health met in open markup session, and H.R. 1254 was forwarded to the full Committee, as amended, by a voice vote.

On July 28, 2011, the Committee on Energy and Commerce met in open markup session, and H.R. 1254 was ordered reported to the House, as amended, by a voice vote.

On November 22, 2011, the Committee on Energy and Commerce and the Committee on the Judiciary reported H.R. 1254 to the House (H. Rept. 112–291, Part I and Part II, respectively), and the bill was placed on the Union Calendar (Calendar No. 47).

On December 8, 2011, H.R. 1254 was considered in the House under suspension of the Rules and passed the House by a roll call vote of 317 yeas to 98 nays (Roll Call No. 904).

H.R. 1254 was received in the Senate on December 8, 2011, read twice, and referred to the Committee on the Judiciary.

No further action was taken on H.R. 1254 during the 112th Congress.

STATE FLEXIBILITY ACT

H.R. 1683

To restore the longstanding partnership between States and the Federal Government in managing the Medicaid program.

Summary

H.R. 1683 amends the Patient Protection and Affordable Care Act (PPACA) and the American Recovery and Reinvestment Act of 2009 (ARRA) to repeal certain State Medicaid and State Children's Health Insurance Program (CHIP) maintenance of effort requirements under Title XIX and Title XXI of the Social Security Act.

Legislative History

H.R. 1683 was introduced by Mr. Gingrey on May 3, 2011, and referred to the Committee on Energy and Commerce.

On May 6, 2011, the bill was referred to the Subcommittee on Health. On May 12, 2011, the Subcommittee on Health met in open markup session and forwarded H.R. 1683 to the full Committee, without amendment, by a roll call vote of 14 yeas and 9 nays.

H.R. 1683 is substantially similar to provisions included in Title I, "Repeal of Certain ACA Funding Provisions" of the Committee on Energy and Commerce's Reconciliation Recommendations submitted to the Committee on the Budget, and which were included in Title II of H.R. 5652.

No further action was taken on H.R. 1683 during the 112th Congress.

For further information, see also the Proposed Matter for Inclusion in Reconciliation Recommendations.

THE CHILDREN'S HOSPITAL GME SUPPORT AUTHORIZATION ACT OF 2011

H.R. 1852

To amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

Summary

H.R. 1852 reauthorizes the Children's Hospital Graduate Medical Education program through 2016 to provide freestanding children's hospitals with Federal support for direct and indirect expenses associated with operating medical residency training programs.

Legislative History

H.R. 1852 was introduced by Mr. Pitts on May, 11, 2011, and referred to the Committee on Energy and Commerce.

On May 13, 2011, the bill was referred to the Subcommittee on Health. On July 26, 2011, the Subcommittee on Health met in open markup session and forwarded H.R. 1852 to the full Committee, without amendment, by a voice vote.

On July 28, 2011, the Committee on Energy and Commerce met in open markup session and ordered H.R. 1852 reported to the House, without amendment, by a voice vote.

On September 12, 2011, the Committee on Energy and Commerce reported H.R. 1852 to the House (H. Rept. 112-205), and the bill was placed on the Union Calendar (Calendar No. 132).

On September 20, 2011, H.R. 1852 was considered under suspension of the Rules and passed the House by a voice vote.

On September 21, 2011, H.R. 1852 was received in the Senate, read twice, and placed on Senate Legislative Calendar under General Orders (Calendar No. 175).

No further action was taken on H.R. 1852 during the 112th Congress.

The text of H.R. 1852 was incorporated into S. 1440 prior to its consideration by the House of Representatives on December 19, 2012.

VETERAN EMERGENCY MEDICAL TECHNICIAN SUPPORT ACT OF 2012

H.R. 4124

To amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

Summary

The Veteran Emergency Medical Technician Support Act of 2012 would provide demonstration grants to States with emergency medical technician (EMT) shortages to help streamline State requirements and make allowances for returning veterans to enter the EMT workforce without unnecessary duplication of their training.

Legislative History

Mr. Kinzinger introduced H.R. 4124 on March 1, 2012, which was referred to the Committee on Energy and Commerce. On March 2, 2012, the bill was referred to the Subcommittee on Health.

On July 11, 2012, the Subcommittee on Health held a legislative hearing on H.R. 4124.

The Subcommittee on Health met in open markup session on September 11, 2012, and forwarded H.R. 4124 to the full Committee, as amended, by a voice vote.

On September 19, 2012, H.R. 4124 was considered in the House under suspension of the Rules and passed the House by a voice vote.

H.R. 4124 was received in the Senate on September 20, 2012, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4124 during the 112th Congress.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION
ACT

H.R. 6672, H.R. 2405

To reauthorize certain provisions of the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act relating to public health preparedness and countermeasure development, and for other purposes.

Summary

H.R. 6672 amends the Public Health Service Act to reauthorize appropriations for public health preparedness activities, including activities related to tracking the initial distribution of Federally-purchased influenza vaccine in an influenza pandemic, State and local public health and medical preparedness and response, improving hospital surge capacity, expanding the capabilities of the Assistant Secretary for Preparedness and Response to respond effectively to bioterrorism and other public health emergencies, and the operations of the National Disaster Medical System.

Legislative History

Mr. Rogers (MI) introduced H.R. 2405 on June 28, 2011, which was referred to the Committee on Energy and Commerce. On July 6, 2011, the bill was referred to the Subcommittee on Health.

On July 21, 2011, the Subcommittee on Health held a hearing on H.R. 2405. On July 26, 2011, the Subcommittee met in open markup session, and H.R. 2405 was forwarded to the full Committee, as amended, by a voice vote.

On July 28, 2011, the Committee on Energy and Commerce met in open markup session, and ordered H.R. 2405 favorably reported to the House, as amended, by a voice vote.

On November 16, 2011, the Committee Energy and Commerce reported H.R. 2405 to the House (H. Rept. 112-286), and the bill was placed on the Union Calendar (Calendar No. 189).

On December 6, 2011, H.R. 2405 was considered in the House under suspension of the Rules, and passed the House by a voice vote.

On December 7, 2011, H.R. 2405 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2405 in the 112th Congress.

On December 17, 2012, Mr. Rogers (MI) introduced H.R. 6672, which was substantially similar to H.R. 2405, and the bill was referred to the Committee on Energy and Commerce, and in addition to the Committee on Veterans' Affairs.

On December 19, 2012, H.R. 6672 was considered in the House under suspension of the Rules, and passed the House by a roll call vote of 383 yeas and 16 nays (Roll Call No. 633).

On December 19, 2012, H.R. 6672 was received in the Senate.

No further action was taken on H.R. 6672 or H.R. 2405 during the 112th Congress.

PROPOSED MATTER FOR INCLUSION IN RECONCILIATION
RECOMMENDATIONS

TITLE I—REPEAL OF CERTAIN ACA FUNDING PROVISIONS, H.R. 5652

To provide for recommendations to the House Budget Committee in response to reconciliation instructions from a Republican-proposed budget, H. Con. Res. 112.

Summary

Title I repeals certain Patient Protection and Affordable Care Act (PPACA) funding provisions. First, it amends PPACA to repeal provisions appropriating funds to the Secretary of the Department of Health and Human Services (HHS) to award grants to States for activities, including planning activities, related to establishing an American Health Benefit Exchange. The proposal also strikes the unlimited direct appropriation that is available until the end of 2014 and rescinds unobligated funds.

Second, Title I amends PPACA to repeal provisions establishing and appropriating funds to the Prevention and Public Health Fund, which is administered by the Secretary of HHS. The proposal rescinds any unobligated funds appropriated to the fund and directs the Secretary to post a notice of any rescission and the amounts to be rescinded.

Finally, Title I amends PPACA to repeal provisions appropriating funds for the establishment and operation of the Consumer Operated and Oriented Plan (CO-OP). The proposal rescinds any unobligated balance appropriated under such provisions.

Legislative History

On April 24 and 25, 2012, the Committee on Energy and Commerce met in open markup session to consider the Committee Print entitled "Title I—Repeal of Certain ACA Funding Provisions." The Committee on Energy and Commerce approved the Committee Print by a roll call vote of 30 yeas to 22 nays. A motion by Mr. Upton to transmit the Reconciliation recommendations of the Committee, and all appropriate accompanying material including additional, supplemental, or dissenting views, to the Committee on the Budget, in order to comply with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for fiscal year 2013, H. Con. Res. 112, and consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974, was agreed to by a voice vote.

Title I was included in H.R. 5652, the Sequester Replacement Reconciliation Act of 2012, as “Title II, Subtitle A—Repeal of Certain ACA Funding Provisions and introduced” on May 9, 2012, by Mr. Ryan.

On May 10, 2012, H.R. 5652 was considered in the House pursuant to H. Res. 648, and the bill was passed by a roll call vote of 218 yeas and 199 nays, 1 present (Roll Call No. 247).

On May 14, 2012, H.R. 5652 was received in the Senate, read the first time and placed on Senate Legislative Calendar under Read the First Time.

On May 15, 2012, H.R. 5652 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 398).

No further action was taken on H.R. 5652 during the 112th Congress.

PROPOSED MATTER FOR INCLUSION IN RECONCILIATION
RECOMMENDATIONS

TITLE II—MEDICAID, H.R. 5652

To provide for recommendations to the House Budget Committee in response to reconciliation instructions from a Republican-proposed budget, H. Con. Res. 112.

Summary

Title II amends Title XIX, Medicaid, of the Social Security Act. First, Title II amends Title XIX of the Social Security Act to extend the reduction of the threshold level of permissible State taxes on health care providers before Federal funding to the State for Medicaid is reduced. The proposal adjusts the provider tax threshold back to 5.5 percent beginning in fiscal year 2013. Second, Title II rebases the disproportionate share hospital allotment (DSH) for fiscal year 2022 to maintain the fiscal year 2021 level of reductions. Third, Title II repeals the Maintenance of Effort (MOE) provisions prohibiting States from reducing eligibility for Medicaid, CHIP, and Title XXI of the Social Security Act, as mandated by the Patient Protection and Affordable Care Act (PPACA). Fourth, Title II repeals provisions in PPACA that increased the Federal medical assistance percentage (FMAP) and the cap on Federal Medicaid spending for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa. Finally, Title II repeals provisions providing bonus payments to States for enrollment and retention programs for children covered under Medicaid and CHIP.

Legislative History

On April 24 and 25, 2012, the Committee on Energy and Commerce met in open markup session to consider the Committee Print entitled “Title II—Medicaid.” The Committee on Energy and Commerce approved the Committee Print by a roll call vote of 30 yeas to 20 nays. A motion by Mr. Upton to transmit the Reconciliation recommendations of the Committee, and all appropriate accompanying material including additional, supplemental, or dissenting views, to the Committee on the Budget, in order to comply with the reconciliation directive included in section 201(a) of the Concurrent

Resolution on the Budget for fiscal year 2013, H. Con. Res. 112, and consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974, was agreed to by a voice vote.

Title II was included in H.R. 5652, the Sequester Replacement Reconciliation Act of 2012, as “Title II, Subtitle B—Medicaid” and introduced on May 9, 2012, by Mr. Ryan.

On May 10, 2012, H.R. 5652 was considered in the House pursuant to H. Res. 648, and the bill was passed by a roll call vote of 218 yeas and 199 nays, 1 present (Roll Call No. 247).

On May 14, 2012, H.R. 5652 was received in the Senate, read the first time and placed on Senate Legislative Calendar under Read the First Time.

On May 15, 2012, H.R. 5652 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 398).

No further action was taken on H.R. 5652 during the 112th Congress.

PROPOSED MATTER FOR INCLUSION IN RECONCILIATION
RECOMMENDATIONS

TITLE III—LIABILITY REFORM, H.R. 5652

To provide for recommendations to the House Budget Committee in response to reconciliation instructions from a Republican-proposed budget, H. Con. Res. 112.

Summary

Title III sets conditions for lawsuits arising from health care liability claims regarding health care goods or services or any medical product affecting interstate commerce to reduce the burden of the medical liability system on the health care delivery system. The provisions of Title III are identical to those of H.R. 5 as reported by the Committee,

Legislative History

On April 24 and 25, 2012, the Committee on Energy and Commerce met in open markup session to consider the Committee Print entitled “Title III—Liability Reform.” The Committee on Energy and Commerce approved the Committee Print by a roll call vote of 29 yeas to 22 nays. A motion by Mr. Upton to transmit the Reconciliation recommendations of the Committee, and all appropriate accompanying material including additional, supplemental, or dissenting views, to the Committee on the Budget, in order to comply with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for fiscal year 2013, H. Con. Res. 112, and consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974, was agreed to by a voice vote.

Title III was included in H.R. 5652, the Sequester Replacement Reconciliation Act of 2012, as “Title II, Subtitle C—Liability Reform” and introduced on May 9, 2012, by Mr. Ryan.

On May 10, 2012, H.R. 5652 was considered in the House pursuant to H. Res. 648, and the bill was passed by a roll call vote of 218 yeas and 199 nays, 1 present (Roll Call No. 247).

On May 14, 2012, H.R. 5652 was received in the Senate, read the first time and placed on Senate Legislative Calendar under Read the First Time.

On May 15, 2012, H.R. 5652 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 398).

No further action was taken on H.R. 5652 during the 112th Congress.

REPEAL OF OBAMACARE ACT

H.R. 6079

To repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

Summary

H.R. 6079 repeals the health care provisions of the Health Care and Education and Reconciliation Act of 2010, effective as of the Act's enactment.

Legislative History

H.R. 6079 was introduced by Mr. Cantor on July 9, 2012, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, Committee on Education and the Workforce, Committee on Natural Resources, Committee on the Judiciary, Committee on House Administration, Committee on Rules, Committee on Appropriations, and Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

On July 9, 2012, the Committee on Energy and Commerce referred the bill to the Subcommittee on Health.

On July 10, 2012, H.R. 6079 was considered by the House pursuant to the provisions of H. Res. 724.

On July 11, 2012, H.R. 6079 passed the House by a roll call vote of 244 yeas and 185 nays (Roll Call No. 460).

On July 12, 2012, H.R. 6079 was received in the Senate, read the first time, and placed on the Senate Legislative Calendar. On July 16, 2012, the bill was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 451).

No further action was taken on H.R. 6079 during the 112th Congress.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT OF 2012

H.R. 6163

To amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

Summary

The National Pediatric Research Network Act of 2012 authorizes the National Institutes of Health (NIH) to establish a national pe-

diatric research network comprised of pediatric research consortia and to award grants to a pediatric research consortia which are formed to conduct research into pediatric diseases and conditions.

Legislative History

H.R. 6163 was introduced the House by Ms. McMorris Rodgers on July 19, 2012, and referred to the Committee on Energy and Commerce.

On July 20, 2012, the bill was referred to the Subcommittee on Health. The Subcommittee met in open session on September 11, 2012, and forwarded H.R. 6163 to the full Committee, as amended, by a voice vote.

On September 19, 2012, H.R. 6163 was considered in the House under suspension of the Rules and passed, as amended, by a voice vote.

H.R. 6163 was received in the Senate on September 20, 2012, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 6163 during the 112th Congress.

The text of H.R. 6163 was incorporated into S. 1440 prior to its consideration by the House of Representatives on December 19, 2012.

PREMATURITY RESEARCH EXPANSION AND EDUCATION FOR MOTHERS WHO DELIVER INFANTS EARLY REAUTHORIZATION ACT OR THE PREEMIE REAUTHORIZATION ACT

(S. 1440)

To reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

Summary

S. 1440 authorizes the Department of Health and Human Services to expand, intensify, and coordinate activities to reduce the prevalence of preterm labor and delivery and to improve the care and treatment of preterm infants.

Legislative History

Mr. Alexander (TN) introduced S. 1440 in the Senate on July 28, 2012, and referred to the Committee on Health, Education, Labor, and Pensions.

On September 19, 2012, S. 1440 was ordered to be reported, with an amendment in the nature of a substitute, and the bill was placed on Senate Legislative Calendar under General Orders (Calendar No. 516) on. On November 15, 2012, S. 1440 was agreed to, as amended, by a voice vote.

On November 16, 2012, S. 1440 was received in the House and referred to the Committee on Energy and Commerce.

On December 19, 2012, S. 1440 was considered, as amended, in the House under suspension of the Rule and agreed to by a voice vote.

No further action was taken on S. 1440 during the 112th Congress.

See H.R. 1852 and H.R. 6163, which were incorporated into S. 1440 prior to consideration by the House of Representatives.

OVERSIGHT ACTIVITIES

IMPACT OF MEDICAL DEVICE REGULATION ON JOBS AND PATIENTS

On February 17, 2011, the Subcommittee on Health held a hearing to examine the state of the medical device industry and the impact of regulations on job creation and patient access. The Subcommittee received testimony from the Food and Drug Administration, ExploraMed Development, the Foundry, a professor from the University of Minnesota Law School, the Women's Cardiovascular Services at the University of California San Francisco Medical Center, and a witness who is a professor at the Cleveland Clinic Lerner School of Medicine at Case Western Reserve University and Chairman of the Department of Cardiovascular Medicine at the Cleveland Clinic Foundation.

FY 2012 HHS BUDGET AND THE IMPLEMENTATION OF PUBLIC LAWS 111-148 AND 111-152

On March 3, 2011, the Subcommittee on Health held a hearing entitled "FY 2012 HHS Budget and the Implementation of Public Laws 111-148 and 111-152." The hearing examined budget issues and the implementation of the Patient Protection and Affordable Care Act. The sole witness was the Honorable Kathleen Sebelius, Secretary of the Department of Health and Human Services.

IMPLEMENTATION AND SUSTAINABILITY OF THE NEW, GOVERNMENT-ADMINISTERED COMMUNITY LIVING ASSISTANCE SERVICES AND SUPPORTS (CLASS) PROGRAM

On March 17, 2011, the Subcommittee on Health held a hearing entitled "Implementation and Sustainability of the New, Government-Administered Community Living Assistance Services and Supports (CLASS) Program." The CLASS program is a voluntary, government-administered long-term care program intended to provide a cash benefit for the purchase of nonmedical services to use either at home or at a LTC facility or residence. The CLASS program, established in section 8002 of the Patient Protection and Affordable Care Act (PPACA; P.L. 111-148, as amended), is in its initial phase of development. The hearing looked at the implementation of the CLASS program, issues related to the program's long-term sustainability, the financial risks and benefits for the Federal government, consumers, and employers. The Subcommittee received testimony from the Administration on Aging, the American Academy of Actuaries, the American Enterprise Institute, an employee benefits consultant, the National Industries for the Severely Handicapped, and a representative of LeadingAge and the Advance CLASS, Inc.

PPACA AND PENNSYLVANIA: ONE YEAR OF BROKEN PROMISES

On March 23, 2011, the Subcommittee on Health held a field hearing in Harrisburg, Pennsylvania entitled “PPACA and Pennsylvania: One Year of Broken Promises.” The hearing examined the effect of the Patient Protection and Affordable Care Act and the Health Care Reconciliation Act of 2010 on the State of Pennsylvania and its employers. The Subcommittee received testimony from the Secretary of the Pennsylvania Department of Public Welfare, the Acting Insurance Commissioner of the Pennsylvania Insurance Department, the Chair of the Senate Public Health and Welfare Committee, the Chair of the Pennsylvania House Health Committee, and representatives from the Pennsylvania Chamber of Business and Industry, Case New Holland, and the National Federation of Independent Business.

THE TRUE COST OF PPACA: EFFECTS ON THE BUDGET AND JOBS

On March 30, 2011, the Subcommittee on Health held a hearing entitled “The True Cost of PPACA: Effects on the Budget and Jobs.” The purpose of the hearing was to examine effects of PPACA following its enactment, as well as the potential benefits and possible adverse consequences for both the cost of employer-provided health coverage and the labor market. The Subcommittee received testimony from representatives of the Congressional Budget Office, Centers for Medicare and Medicaid Services, and independent business owners.

THE COST OF THE MEDICAL LIABILITY SYSTEM PROPOSALS FOR REFORM, INCLUDING H.R. 5, THE “HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE (HEALTH) ACT OF 2011”

On April 6, 2011, the Subcommittee on Health held a hearing entitled, “The Cost of the Medical Liability System and Proposals for Reform, including H.R. 5, the Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2011.” At the hearing, the Subcommittee examined the nation’s medical liability system and approaches for reform.

THE NEED TO MOVE BEYOND THE SGR

On May 5, 2011, the Subcommittee on Health held a hearing entitled “The Need to Move Beyond the SGR.” The purpose of the hearing was to examine potential models to reimburse physicians under the Medicare program that focuses on value and quality. The Subcommittee received testimony from experts in the medical field including the Coalition of State Medical and National Specialty Societies, the American Medical Association, the American Academy of Family Physicians, the American College of Surgeons, the Center for Healthcare Quality and Payment Reform, and Harvard University.

EXPANDING HEALTH CARE OPTIONS: ALLOWING AMERICANS TO PURCHASE AFFORDABLE COVERAGE ACROSS STATE LINES

On May 25, 2011, the Subcommittee on Health held a hearing entitled “Expanding Health Care Options: Allowing Americans to

Purchase Affordable Coverage Across State Lines.” The hearing examined Federal and State proposals that would allow consumers to purchase health coverage licensed and sold outside their State of residence. The Subcommittee received testimony from representatives from the Department of Health and Human Services, the Center for Consumer Information and Insurance Oversight, and other policy experts and stakeholders.

PPACA’S EFFECTS ON MAINTAINING HEALTH COVERAGE AND JOBS:
A REVIEW OF THE HEALTH CARE LAW’S REGULATORY BURDEN

On June 2, 2011 and June 15, 2011, the Subcommittee on Health held a hearing entitled “PPACA’s Effects on Maintaining Health Coverage and Jobs: A Review of the Health Care Law’s Regulatory Burden.” The purpose of the hearing was to examine the impact of rules issued by the Department of Health and Human Services to implement the Patient Protection and Affordable Care Act (PPACA) and the Health Care and Education Reconciliation Act of 2010. The Subcommittee received testimony from the Director of the Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services; and other policy experts and stakeholders.

DUAL-ELIGIBLES: UNDERSTANDING THIS VULNERABLE POPULATION
AND HOW TO IMPROVE THEIR CARE

On June 21, 2011, the Subcommittee on Health held a hearing entitled “Dual-Eligibles: Understanding This Vulnerable Population and How To Improve Their Care.” The purpose of the hearing was to inform Members about dual-eligible beneficiaries and their unique needs, including how coverage and access to care for duals is managed across the Medicare and Medicaid programs and what barriers exist to fully integrate care for this vulnerable and complex patient group so that quality is improved and unnecessary costs are eliminated. The Subcommittee received testimony from the Centers for Medicare and Medicaid Services, Texas Health and Human Services Commission, Alzheimer’s Association, National Pace Association, and Community Care of North Carolina.

PDUFA V: MEDICAL INNOVATION, JOBS, AND PATIENTS

On July 7, 2011, the Subcommittee on Health held a hearing entitled “PDUFA V: Medical Innovation, Jobs, and Patients.” The purpose of the hearing was to examine issues expected to be discussed as part of the reauthorization of the Prescription Drug User Fee Act. The Subcommittee received testimony from the Food and Drug Administration, OncoMed Pharmaceuticals Incorporation, Warburg Pincus Limited Liability Company, National Health Council, Friends of Cancer Research, and the Pew Charitable Trusts.

IPAB: THE CONTROVERSIAL CONSEQUENCES FOR MEDICARE AND
SENIORS

On July 13, 2011, the Subcommittee on Health held a hearing entitled “IPAB: The Controversial Consequences for Medicare and

Seniors.” The hearing discussed the structure of the Independent Payment Advisory Board (IPAB), the process by which the Board will develop proposals to reduce spending in the Medicare program, and the process by which the recommendations of the Board will become law. The hearing also included a discussion of the possible impact of the Board on the Medicare program and the overall health care system. Witnesses included Senator John Cornyn (TX), Representative Allyson Schwartz (PA–13), Representative David P. Roe (TN–1), Representative George Miller (CA–07), Secretary of the Department of Health and Human Services Kathleen Sebelius, researchers from the Congressional Research Service, policy analysts, and stakeholders.

CUTTING THE RED TAPE: SAVING JOBS FROM PPACA’S HARMFUL REGULATIONS

On September 15, 2011, the Subcommittee on Health held a hearing entitled “Cutting the Red Tape: Saving Jobs from PPACA’s Harmful Regulations.” The purpose of the hearing was to discuss H.R. 2077, the “MLR Repeal Act of 2011,” and draft legislation to prevent enforcement of the grandfathered plan regulation and preserve the choice of individuals to maintain their health coverage. The Subcommittee received testimony from the Department of Health and Human Services, the Heritage Foundation, Galen Institute, National Association of Health Underwriters, the Center for Public Integrity, and the Consumers Union.

EXAMINING THE INCREASE IN DRUG SHORTAGES

On September 23, 2011, the Subcommittee on Health held a hearing entitled “Examining the Increase in Drug Shortages.” The hearing examined the causes and effects of drug shortages in the U.S. health care system. The Subcommittee heard testimony from a representative from the Department of Health and Human Services and various stakeholders.

IMPACT OF MEDICAL DEVICE AND DRUG REGULATION ON INNOVATION, JOBS AND PATIENTS: A LOCAL PERSPECTIVE

On September 26, 2011, the Subcommittee on Health held a field hearing entitled “Impact of Medical Device and Drug Regulation on Innovation, Jobs and Patients: A Local Perspective.” The Subcommittee investigated how Federal regulations are impacting the medical device community. The Subcommittee received testimony from the California Healthcare Institute, Conatus Pharmaceuticals, Inc., National Venture Capital Association, West Wireless Health Institute, BIOCUM, CONNECT, and TherOx, Inc.

FOOD MARKETING: CAN “VOLUNTARY” GOVERNMENT RESTRICTIONS IMPROVE CHILDREN’S HEALTH?

On October 12, 2011, the Subcommittee on Health and the Subcommittee on Commerce, Manufacturing, and Trade held a joint hearing entitled “Food Marketing: Can ‘Voluntary’ Government Restrictions Improve Children’s Health?” The hearing examined the document entitled “Preliminary Proposed Nutrition Principles to

Guide Industry Self-Regulatory Efforts,” which was issued by the Interagency Working Group comprised of representatives from the Federal Trade Commission, the Centers for Disease Control and Prevention, the Food and Drug Administration, and the Department of Agriculture. The Subcommittees received testimony from representatives of the Department of Agriculture, the Federal Trade Commission, and stakeholders and policy experts.

CLASS CANCELLED: AN UNSUSTAINABLE PROGRAM AND
CONSEQUENCES FOR THE NATION’S DEFICIT

On October 26, 2011, the Subcommittee on Health and the Subcommittee on Oversight and Investigations held a joint hearing entitled “CLASS Cancelled: An Unsustainable Program and Its Consequences for the Nation’s Deficit.” The Subcommittees examined the intent of the CLASS program and the ongoing concerns with the program. The Subcommittees received testimony from Representative Dennis R. Rehberg (MT-AL), Representative Charles W. Boustany, Jr. (LA-07), Representative Theodore E. Deutch (FL-19), former-Representative Patrick J. Kennedy (RI), and representatives from the Department of Health and Human Services.

DO NEW HEALTH LAW MANDATES THREATEN CONSCIENCE RIGHTS
AND ACCESS TO CARE?

On November 2, 2011, the Subcommittee on Health held a hearing entitled, “Do New Health Law Mandates Threaten Conscience Rights and Access to Care?” The hearing examined the August 3, 2011, interim final rule issued by the Department of Health and Human Services (HHS), authorized by the Patient Protection and Affordable Care Act (PPACA), regarding private health plans coverage of contraception for women. The Subcommittee heard testimony from various stakeholders.

REAUTHORIZATION OF PDUFA: WHAT IT MEANS FOR JOBS,
INNOVATION, AND PATIENTS

On February 1, 2012, the Subcommittee on Health held a hearing entitled “Reauthorization of PDUFA: What it Means for Jobs, Innovation, and Patients.” The Subcommittee examined issues pertaining to the reauthorization of the Prescription Drug User Fee Act (PDUFA). The hearing also focused on the reauthorization of the Best Pharmaceuticals for Children Act (BPCA) and the Pediatric Research Equity Act (PREA) and pharmaceutical supply chain issues. The Subcommittee received testimony from the Commissioner of the U.S. Food and Drug Administration, Pfizer, Inc., California Health Institute, Biotechnology Industry Organization, Pharmaceutical Research and Manufacturers of America, the Pew Charitable Trusts, National Organization for Rare Disorders, and American Academy of Pediatrics.

THE REVIEW OF THE PROPOSED GENERIC DRUG AND BIOSIMILARS
USER FEES AND FURTHER EXAMINATION OF DRUG SHORTAGES

On February 9, 2012, the Subcommittee on Health held a hearing entitled “The Review of the Proposed Generic Drug and

Biosimilars User Fees and Further Examination of Drug Shortages.” The Subcommittee examined issues pertaining to the proposed generic and biosimilars user fees and drug shortages. The Subcommittee received testimony from the Director of the Center for Drug Evaluation and Research at the U.S. Food and Drug Administration, Mylan, Inc., Generic Pharmaceutical Association, and St. Jude Children’s Research Hospital.

REAUTHORIZATION OF MDUFA: WHAT IT MEANS FOR JOBS,
INNOVATION, AND PATIENTS

On February 15, 2012, the Subcommittee on Health held a hearing entitled “Reauthorization of MDUFA: What it Means for Jobs, Innovation, and Patients.” The Subcommittee examined issues pertaining to the reauthorization of the medical device user fees. The Subcommittee received testimony from the Director of the Center for Devices and Radiological Health at the U.S. Food and Drug Administration, Terumo BCT, Philips Healthcare, Versant Ventures, Consumers Union, as well as industry and medical experts.

THE FISCAL YEAR 2013 HEALTH AND HUMAN SERVICES BUDGET

On March 1, 2012, the Subcommittee on Health held a hearing entitled “The FY 2013 HHS Budget.” The Subcommittee examined the President’s proposed fiscal year 2013 budget for the Department of Health and Human Services. The Subcommittee received testimony from the Secretary of the Department of Health and Human Services.

FDA USER FEES 2012: HEARING ON ISSUES RELATED TO ACCELERATED APPROVAL, MEDICAL GAS, ANTIBIOTIC DEVELOPMENT, AND DOWNSTREAM PHARMACEUTICAL SUPPLY CHAIN

On March 8, 2012, the Subcommittee on Health held a hearing entitled “FDA User Fees 2012: Hearing on Issues Related to Accelerated Approval, Medical Gas, Antibiotic Development, and Downstream Pharmaceutical Supply Chain.” The Subcommittee examined issues pertaining to the reauthorization of FDA user fees. The Subcommittee received testimony from the Director of the Center for Drug Evaluation and Research at the U.S. Food and Drug Administration, Alnylam Pharmaceuticals, Friends of Cancer Research, Compressed Gas Association, Generic Pharmaceutical Association, Healthcare Distribution Management Association, National Community Pharmacists Association, the Pew Charitable Trusts, and an industry expert.

A REVIEW OF EFFORTS TO PREVENT AND TREAT TRAUMATIC BRAIN INJURY

On March 19, 2012, the Subcommittee on Health held a hearing entitled “A Review of Efforts To Prevent and Treat Traumatic Brain Injury.” The Subcommittee examined the effect of Federal, State, and private efforts to prevent and effectively treat traumatic brain injury and resulting disabilities. The Subcommittee received testimony from the Director of the Division of Services for Children with Special Health Care Needs of the Health Resources and Serv-

ices Administration at the U.S. Department of Health and Human Services, the Director of the TBI Division at the New Jersey Department of Health, a medical expert, and Brain Injury Association of America.

EXAMINING THE CURRENT STATE OF COSMETICS

On March 27, 2012, the Subcommittee on Health held a hearing entitled “Examining the Current State of Cosmetics.” The Subcommittee evaluated the current state of the cosmetic industry. The Subcommittee received testimony from the Director of the Center for Food Safety and Applied Nutrition, at the U.S. Food and Drug Administration, the Personal Care Products Council, Jack Black Skincare, Wholesale Supplies Plus, a representative of California Department of Public Health, and industry experts.

FDA USER FEES 2012: HOW INNOVATION HELPS PATIENTS AND JOBS

On April 18, 2012, the Subcommittee on Health held a hearing entitled “FDA User Fees 2012: How Innovation Helps Patients and Jobs.” The Subcommittee examined the impact of FDA user fees on patients and jobs. The Subcommittee received testimony from the Director of the Center for Drug Evaluation and Research at the U.S. Food and Drug Administration, the Director of the Center for Devices and Radiological Health at the U.S. Food and Drug Administration, Pharmaceutical Research and Manufacturers of America, Biotechnology Industry Organization, Generic Pharmaceutical Association, Advanced Medical Technology Association, and the Pew Charitable Trusts.

A REVIEW OF EFFORTS TO PROTECT THE HEALTH OF JOCKEYS AND HORSES IN HORSERACING

On April 30, 2012, the Subcommittee on Health held a hearing entitled “A Review of Efforts To Protect the Health of Jockeys and Horses in Horseracing.” The Subcommittee review examined the efforts made in the horseracing industry to protect jockeys, horses, and the integrity of the sport. The Subcommittee received testimony from a Hall of Fame jockey, thoroughbred owners, horse trainers, and a veterinarian.

EXAMINING APPROPRIATENESS OF STANDARDS FOR MEDICAL IMAGING AND RADIATION THERAPY TECHNOLOGISTS

On June 8, 2012, the Subcommittee on Health held a hearing entitled, “Examining Appropriateness of Standards for Medical Imaging and Radiation Therapy Technologists.” The purpose of this hearing was to examine accreditation for medical imaging and radiation therapy technologists, identify areas of deficiency, and suggest ways of ensuring that the technical component of any medical imaging or radiation therapy service is performed by personnel who are appropriately trained. The Subcommittee received testimony from representatives from the Centers for Medicare and Medicaid Services, the American Society for Radiation Oncology, the American Society of Radiologic Technologists, and the Departments of Radiology, Epidemiology/Biostatistics, and Obstetrics, Gynecology,

and Reproductive Medicine at the University of California, San Francisco.

THE NATIONAL INSTITUTES OF HEALTH—A REVIEW OF ITS REFORMS,
PRIORITIES, AND PROGRESS

On June 21, 2012, the Subcommittee on Health held a hearing entitled, “The National Institutes of Health—A Review of Its Reforms, Priorities, and Progress.” The purpose of this hearing was to provide members of the Subcommittee an opportunity to question Dr. Collins about the NIH budget, research priorities, organizational structure, Scientific Management Review Board, and National Center for Advancing Translational Sciences, as well as other provisions of the 2006 NIH Reform Act. The Subcommittee received testimony from the Director of the National Institutes of Health.

HELPING VETERANS WITH EMERGENCY MEDICAL TRAINING
TRANSITION TO CIVILIAN SERVICE

On July 11, 2012, the Subcommittee on Health held a hearing entitled, “Helping Veterans with Emergency Medical Training Transition to Civilian Service.” The purpose of this hearing was to understand challenges associated with post-military service licensing of medics and to discuss H.R. 4124, Veteran Emergency Medical Technician Support Act of 2012. The Subcommittee received testimony from representatives from the National Association of Emergency Medical Technicians and Victory Media.

USING INNOVATION TO REFORM MEDICARE PHYSICIAN PAYMENT

On July 18, 2012, the Subcommittee on Health held a hearing entitled, “Using Innovation To Reform Medicare Physician Payment.” The purpose of this hearing was to explore innovative ideas and payment and delivery models Medicare is using, as well as additional private sector activities that could be applied to reform the Medicare physician payment system. The Subcommittee received testimony from representatives from the Blue Cross and Blue Shield Association, the Capital District Physicians’ Health Plan, the American College of Physicians, the American College of Surgeons, and the Brookings Institution.

TITLE 42—A REVIEW OF SPECIAL HIRING AUTHORITIES

On September 14, 2012, the Subcommittee on Health held a hearing to review the use of special hiring authorities under Title 42 of the U.S. Code by the Department of Health and Human Services to appoint and compensate specialized science and research positions, many of which are well above the salary limits for federal employees. The Subcommittee received testimony from the Government Accountability Office.

EXAMINING OPTIONS TO COMBAT HEALTH CARE WASTE, FRAUD, AND
ABUSE

On November 28, 2012, the Subcommittee on Health held a hearing to examine current anti-fraud measures employed by Centers

for Medicare and Medicaid Services in Medicare and additional approaches to address waste, fraud, and abuse in the Medicare program. The Subcommittee received testimony from the Government Accountability Office, Health Information Designs, WellPoint, National Health Care Anti-Fraud Association, the Secure I.D. Coalition, Zebra Technologies, and an expert in Computer Science and Engineering.

HEARINGS HELD

Hearing entitled “H.R. _____, a bill to amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of abortion services under such Act.” (February 9, 2011) Serial Number 112–3.

Hearing entitled “Impact of Medical Device Regulation on Jobs and Patients.” (February 17, 2011) Serial Number 112–9.

Hearing entitled “Administration’s Proposed Budget for Fiscal Year 2012.” (March 3, 2011) Serial Number 112–14.

Hearing entitled “Setting Fiscal Priorities in Health Care Funding.” (March 9, 2011) Serial Number 112–17.

Hearing entitled “The Implementation and Sustainability of the New, Government-Administered Community Living Assistance Services and Supports (CLASS) Program.” (March 17, 2011) Serial Number 112–23.

Hearing entitled “PPACA and Pennsylvania: One Year of Broken Promises.” (March 23, 2011) Serial Number 112–25.

Hearing entitled “True Cost of PPACA: Effects on the Budget and Jobs.” (March 30, 2011) Serial Number 112–27.

Hearing entitled “The Cost of the Medical Liability System Proposals for Reform, including H.R. 5, the ‘Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2011.’” (April 6, 2011) Serial Number 112–33.

Hearing entitled “The Need to Move Beyond the SGR.” (May 5, 2011) Serial Number 112–46.

Hearing entitled “Expanding Health Care Options: Allowing Americans to Purchase Affordable Coverage Across State Lines.” (May 25, 2011) Serial Number 112–50.

Hearing entitled “PPACA’s Effects on Maintaining Health Coverage and Jobs: A Review of the Health Care Law’s Regulatory Burden (Day 1).” (June 2, 2011) Serial Number 112–56.

Hearing entitled “PPACA’s Effects on Maintaining Health Coverage and Jobs: A Review of the Health Care Law’s Regulatory Burden (Day 2).” (June 15, 2011) Serial Number 112–56B.

Hearing entitled “Dual-Eligibles: Understanding This Vulnerable Population and How to Improve Their Care.” (June 21, 2011) Serial Number 112–64.

Hearing entitled “PDUFA V: Medical Innovation, Jobs, and Patients.” (July 7, 2011) Serial Number 112–70.

Hearing entitled “Legislative Hearing on Miscellaneous Public Health and Biosecurity Legislation.” (July 11, 2011) Serial Number 112–72.

Hearing entitled “IPAB: The Controversial Consequences for Medicare and Seniors.” (July 13, 2011) Serial Number 112–73.

Hearing entitled “Legislative Hearing to Address Bioterrorism, Controlled Substances and Public Health Issues.” (July 21, 2011) Serial Number 112–79.

Hearing entitled “Cutting the Red Tape: Saving Jobs from PPACA’s Harmful Regulations.” (September 15, 2011) Serial Number 112–85.

Hearing entitled “Examining the Increase in Drug Shortages.” (September 23, 2011) Serial Number 112–88.

Hearing entitled “Impact of Medical Device and Drug Regulation on Innovation, Jobs and Patients: A Local Perspective.” (September 26, 2011) Serial Number 112–90.

Hearing entitled “Food Marketing: Can ‘Voluntary’ Government Restrictions Improve Children’s Health?” (October 12, 2011) Serial Number 112–94.

Hearing entitled “CLASS Cancelled: An Unsustainable Program and Its Consequences for the Nation’s Deficit.” (October 26, 2011) Serial Number 112–101.

Hearing entitled “Do New Health Law Mandates Threaten Conscience Rights and Access to Care?” (November 2, 2011) Serial Number 112–102.

Hearing entitled “Reauthorization of PDUFA: What It Means for Jobs, Innovation, and Patients.” (February 1, 2012) Serial Number 112–110.

Hearing entitled “Review of the Proposed Generic Drug and Biosimilars, User Fees and Further Examination of Drug Shortages.” (February 9, 2012) Serial Number 112–114.

Hearing entitled “Reauthorization of MDUFA: What It Means for Jobs, Innovation and Patients.” (February 15, 2012) Serial Number 112–116.

Hearing entitled “The FY 2013 HHS Budget.” (March 1, 2012) Serial Number 112–121.

Hearing entitled “FDA User Fees 2012: Hearing on Issues Related to Accelerated Approval, Medical Gas, Antibiotic Development and Downstream Pharmaceutical Supply Chain.” (March 8, 2012) Serial Number 112–126.

Hearing entitled “A Review of Efforts to Prevent and Treat Traumatic Brain Injury.” (March 19, 2012) Serial Number 112–127.

Hearing entitled “Examining the Current State of Cosmetics.” (March 27, 2012) Serial Number 112–132.

Hearing entitled “FDA User Fees 2012: How Innovation Helps Patients and Jobs.” (April 18, 2012) Serial Number 112–136.

Hearing entitled “A Review of Efforts to Protect the Health of Jockeys and Horses in Horseracing.” (April 30, 2012) Serial Number 112–140.

Hearing entitled “Examining the Appropriateness of Standards for Medical Imaging and Radiation Therapy Technologists.” (June 8, 2012) Serial Number 112–150.

Hearing entitled “The National Institutes of Health—A Review of its Reforms, Priorities, and Progress.” (June 21, 2012) Serial Number 112–153.

Hearing entitled “Helping Veterans with Emergency Medical Training Transition to Civilian Service.” (July 11, 2012) Serial Number 112–162.

Hearing entitled “Using Innovation to Reform Medicare Physician Payment.” (July 18, 2012) Serial Number 112–167.

Hearing entitled “Title 42—A Review of Special Hiring Authorities.” (September 14, 2012) Serial Number 112–178.

Hearing entitled “Examining Options to Combat Health Care Waste, Fraud and Abuse.” (November 28, 2012) Serial Number 112–182.

Hearing entitled “State of Uncertainty: Implementation of PPACA’s Exchanges and Medicaid Expansion.” (December 13, 2012) Serial Number 112–185.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

(Ratio 14–9)

CLIFF STEARNS, Florida, *Chairman*

LEE TERRY, Nebraska	DIANA DEGETTE, Colorado,
SUE WILKINS MYRICK, North Carolina	<i>Ranking Member</i>
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TIM MURPHY, Pennsylvania	MIKE ROSS, Arkansas
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CORY GARDNER, Colorado	JOHN D. DINGELL, Michigan
H. MORGAN GRIFFITH, Virginia	HENRY A. WAXMAN, California
JOE BARTON, Texas	<i>(Ex Officio)</i>
FRED UPTON, Michigan	
<i>(Ex Officio)</i>	

Jurisdiction: Responsibility for oversight of agencies, departments, and programs within the jurisdiction of the full committee, and for conducting investigations within such jurisdiction.

HEARINGS AND INVESTIGATIVE ACTIVITIES PERTAINING TO TELECOMMUNICATIONS

The Subcommittee on Oversight and Investigations has conducted ongoing oversight of issues related to cybersecurity, including supply chain integrity and matters related to critical infrastructure security. The Subcommittee received briefings on cybersecurity issues, including from the Department of Homeland Security, the Department of Defense, the Department of Commerce, and the Department of Energy.

CYBERSECURITY: AN OVERVIEW OF RISKS TO CRITICAL INFRASTRUCTURE

On July 26, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Cybersecurity: An Overview of Threats to Critical Infrastructure.” The purpose of the hearing was to provide an overview of the Federal government’s efforts to protect critical infrastructure, such as the electric grid and nuclear power plants, from cyber threats and to discuss current cyber threats and risks. The Subcommittee received testimony from representatives of the Department of Homeland Security and the Government Accountability Office.

CRITICAL INFRASTRUCTURE CYBERSECURITY: ASSESSMENTS OF SMART GRID SECURITY

On February 29, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled “Critical Infrastructure Cybersecurity: Assessments of Smart Grid Security.” The purpose of the

hearing was to examine cybersecurity threats to the Smart Grid and examine weaknesses that make the Smart Grid vulnerable to attacks. The Subcommittee received testimony from the Director of Information Security Issues at the Government Accountability Office, the Director of Natural Resources and Environment from the Government Accountability Office, and a Specialist in Energy Policy from the Congressional Research Service.

IT SUPPLY CHAIN SECURITY: REVIEW OF GOVERNMENT AND INDUSTRY EFFORTS

On March 27, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled “IT Supply Chain Security: Review of Government and Industry Efforts.” The hearing provided an overview of the supply chain risks to Federal Information Technology (IT) and the Federal Government’s efforts to recognize these risks and mitigate the impacts they pose. The Subcommittee received testimony from IT-related officials at the Department of Defense, the Department of Energy, and the Government Accountability Office, as well as from private sector experts.

THE LIGHTSQUARED NETWORK: AN INVESTIGATION OF THE FCC’S ROLE

On September 21, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled “The LightSquared Network: An Investigation of the FCC’s Role.” The purpose of the hearing was to examine whether the process and decision-making leading up to the FCC’s grant of a conditional waiver to LightSquared on January 26, 2011, which allowed LightSquared and its wholesale customers to offer a 4G LTE wireless broadband service to users equipped with terrestrial-only devices, was consistent with prevailing FCC policies, procedures, and precedents. The Subcommittee received testimony from the International Bureau and Office of Engineering and Technology of the Federal Communications Commission.

HEARINGS AND INVESTIGATIVE ACTIVITIES PERTAINING TO REGULATORY REFORM

THE VIEWS OF THE ADMINISTRATION ON REGULATORY REFORM

On January 26, 2011, the Subcommittee on Oversight and Investigations held a hearing on the Views of the Administration on Regulatory Reform. The hearing examined an Executive Order that President Barack Obama issued on January 18, 2011, entitled “Improving Regulation and Regulatory Review,” how the order will affect the Federal regulatory landscape, and the costs of regulations to American businesses. The Subcommittee received testimony from Cass Sunstein, the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget.

THE VIEWS OF THE ADMINISTRATION ON REGULATORY REFORM: AN
UPDATE

On June, 3, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “The Views of the Administration on Regulatory Reform: An Update.” The hearing examined the manner in which the Office of Information and Regulatory Affairs (OIRA) is implementing Executive Order 13563, entitled “Improving Regulation and Regulatory Review,” which President Barack Obama issued on January 18, 2011. The hearing followed up on a January 26, 2011, Subcommittee on Oversight and Investigations hearing which involved a preliminary investigation of Executive Order 13563, its potential effect on the Federal regulatory landscape, and the costs of regulations to American businesses. Witnesses heard were the Honorable Cass R. Sunstein, OIRA Administrator, and regulatory experts from the Heritage Foundation, National Resources Defense Council, and U.S. Chamber of Commerce.

THE VIEWS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
ON REGULATORY REFORM: AN UPDATE

On June 13, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “The Views of the Department of Health and Human Services on Regulatory Reform: An Update.” The hearing examined how the Department of Health and Human Services (HHS) is implementing Executive Order 13563, “Improving Regulation and Regulatory Review,” issued by President Obama on January 18, 2011. The Subcommittee received testimony from the Honorable Sherry Glied, the Assistant Secretary for Policy and Evaluation at the Department of Health and Human Services.

THE VIEWS OF THE INDEPENDENT AGENCIES ON REGULATORY
REFORM

On July 7, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “The Views of the Independent Agencies on Regulatory Reform.” The hearing examined how the independent agencies within the Committee’s jurisdiction have responded to Executive Order 13563, “Improving Regulation and Regulatory Review,” which was issued by President Obama on January 18, 2011. The Subcommittee received testimony from representatives of the Consumer Product Safety Commission, the Federal Communications Commission, the Federal Energy Regulatory Commission, and the Federal Trade Commission.

REGULATORY REFORM SERIES #5—FDA MEDICAL DEVICE REGULATION:
IMPACT ON AMERICAN PATIENTS, INNOVATION AND JOBS

On July 20, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Regulatory Reform Series #5—FDA Medical Device Regulation: Impact on American Patients, Innovation and Jobs.” The purpose of the hearing was to examine the state of the medical device industry and the impact regulations and policies at the Center for Devices and Radiological Health have on patient access, innovation, and job creation. The Subcommittee received testimony from the Food and Drug Administration, Fischell

Biomedical, Transcend Medical, Progressive Policy Institute, a patient advocate, and patients.

REGULATORY REFORM SERIES #7—THE EPA’S REGULATORY
PLANNING, ANALYSIS, AND MAJOR ACTIONS

On September 22, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Regulatory Reform Series #7—The EPA’s Regulatory Planning, Analysis, and Major Actions.” The purpose of the hearing was to focus on how the Environmental Protection Agency’s decision-making process and regulatory activity comport with the President’s regulatory review and planning principles. The Subcommittee received testimony from the Honorable Lisa P. Jackson, Administrator of the Environmental Protection Agency.

ADMINISTRATION EFFORTS ON LINE-BY-LINE BUDGET REVIEW

On October 5, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled, “Administration Efforts on Line-by-Line Budget Review.” The hearing examined the Administration’s efforts to review the Federal budget to eliminate unnecessary, duplicative, or wasteful government programs and to cut costs and create new efficiencies in retained programs. The Subcommittee received testimony from a representative from the Congressional Research Service and other policy experts.

REGULATORY REFORM SERIES #8—PRIVATE-SECTOR VIEWS OF THE
REGULATORY CLIMATE ONE YEAR AFTER EXECUTIVE ORDER 13563

On Thursday, February 16, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled “Regulatory Reform Series #8—Private-Sector Views of the Regulatory Climate One Year After Executive Order 13563.” The purpose of the hearing was to access the regulatory climate facing American businesses one year after President Obama issued Executive Order 13563, including impacts on job creation. The Subcommittee received testimony from private-sector witnesses including CKE Restaurants, Inc., Tri-State Generation and Transmission Association, Inc., Oklahoma Gas and Electric Company, Cross and Crown, Inc., the Environmental Health Task Force, and Construction Specialties, Inc.

CUTTING EPA SPENDING

On October 12, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Cutting EPA Spending.” The purpose of the hearing was to review the Administration’s efforts to identify reductions in the spending by agencies within the jurisdiction of the Committee on Energy and Commerce. The hearing sought to discern the results of the Environmental Protection Agency’s (EPA) spending-reduction initiatives, as well as to assist EPA in identifying and prioritizing further targets for potential elimination or cuts for Congressional consideration. The Subcommittee received testimony from the Environmental Protection Agency and the Government Accountability Office.

HEARINGS AND INVESTIGATIVE ACTIVITIES PERTAINING TO HEALTH AND HEALTH CARE

HEALTH CARE ISSUES INVOLVING THE CENTER FOR CONSUMER INFORMATION AND INSURANCE OVERSIGHT

On February 16, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Health Care Issues Involving the Center for Consumer Information and Insurance Oversight” (CCIIO). The hearing examined the operations of CCIIO and its role in the changes made to the health care system after the passage of the Patient Protection and Affordable Care Act. Witnesses included representatives from CCIIO and the Department of Health and Human Services.

HEPARIN CONTAMINATION

On February 23, 2011, Chairman Upton, Chairman Stearns, and Mr. Burgess launched an investigation into the unsolved case of who contaminated the U.S. supply of heparin (a blood-thinner drug) and the adequacy of the Food and Drug Administration’s (FDA) handling of the matter. The inquiry was started with a document request to the FDA.

WASTE, FRAUD, AND ABUSE: A CONTINUING THREAT TO MEDICARE AND MEDICAID

On March 2, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Waste, Fraud, and Abuse: A Continuing Threat to Medicare and Medicaid.” The hearing examined waste, fraud, and abuse in Medicare and Medicaid and measures to combat this problem. The Subcommittee received testimony from representatives of Centers for Medicare and Medicaid Services, the Government Accountability Office, the Department of Health and Human Services (HHS), the HHS Office of the Inspector General, the Florida International University College of Law, Florida’s Agency for Health Care Administration, and George Washington University’s School of Public Health and Health Services.

THE PPACA’S HIGH RISK POOL REGIME: HIGH COST, LOW PARTICIPATION

On April 1, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “The PPACA’s High Risk Pool Regime: High Cost, Low Participation.” The hearing examined the operations of the Center for Consumer Information and Insurance Oversight (CCIIO) and its role in the changes made to the health care system after the passage of the Patient Protection and Affordable Care Act (PPACA). The Subcommittee received testimony from Mr. Steve Larsen, the Deputy Administrator and Director for CCIIO.

IMPORT SAFETY: STATUS OF FDA’S SCREENING EFFORTS AT THE BORDER

On April 13, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Import Safety: Status of FDA’s

Screening Efforts at the Border.” The purpose of the hearing was to examine the current state of the Food and Drug Administration’s (FDA) import screening processes and the pace of FDA’s nationwide rollout of the promising risk-based automated entry review system, known as PREDICT. The Subcommittee received testimony from the Honorable Margaret A. Hamburg, M.D., Commissioner of the Food and Drug Administration.

DEALS BETWEEN THE WHITE HOUSE AND TRADE ASSOCIATION IN THE DEVELOPMENT OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT (PPACA)

On February 18, 2011, leaders of the Committee on Energy and Commerce sent a letter to the White House Deputy Chief of Staff, Nancy DeParle, requesting documents and information regarding negotiations between the Obama Administration and various industries and special interests as the health care law was being developed.

On April 19, 2011, Committee leaders sent letters to the top interest groups, lobbying associations, and companies involved in the closed door negotiations during the writing of PPACA.

On May 3, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “White House Transparency, Visitor Logs and Lobbyists.” The hearing examined the Administration’s policies on transparency and lobbyist access to the Executive Branch. The Center for Public Integrity testified regarding a study that noted omissions in the visitors logs released by the White House, especially regarding lobbyist visits and visits related to health reform. The Subcommittee also received testimony from representatives of government watchdog groups.

PROTECTING MEDICARE WITH IMPROVEMENTS TO THE SECONDARY PAYER REGIME

On June 22, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “Protecting Medicare with Improvements to the Secondary Payer Regime.” The hearing examined the state of the Medicare Secondary Payer (MSP) system and how it is working for Medicare beneficiaries, businesses, health plans, taxpayers, and the Medicare Trust Fund. Witnesses included representatives from the Center for Medicare and Medicaid Services, Government Accountability Office, Publix Super Markets, Cincinnati Insurance Company, the Medicare Rights Center, and a lawyer with experience with MSP cases.

CLASS ACT

The Committee published an investigatory report addressing problems with the CLASS Act, a part of the Patient Protection and Affordable Care Act (PPACA), and revealing details about who was aware of these problems before passage of PPACA. This report was drafted with Senator Thune, Congressman Rehberg, the Committee on Ways and Means, the Committee on Oversight and Government Reform, and Senator Sessions, Senator Shelby, Senator Graham, and Senator Coburn.

On October 26, 2011, the Subcommittee on Oversight and Investigations and the Subcommittee on Health held a joint hearing entitled “CLASS Cancelled: An Unsustainable Program and Its Consequences for the Nation’s Deficit.” The Subcommittees examined the intent of the CLASS program and the ongoing concerns with the program. The Subcommittees received testimony from Representative Dennis R. Rehberg (MT-AL), Representative Charles W. Boustany, Jr. (LA-07), Representative Theodore E. Deutch (FL-19), former-Representative Patrick J. Kennedy (RI), and representatives from the Department of Health and Human Services.

THE CENTER FOR CONSUMER INFORMATION AND INSURANCE OVERSIGHT AND THE ANNIVERSARY OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT

On March 21, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled “The Center for Consumer Information and Insurance Oversight and the Anniversary of the Patient Protection and Affordable Care Act.” The hearing examined the operations of the Center and its role in changing the health care system two years after the passage of the Patient Protection and Affordable Care Act. The Subcommittee received testimony from Steve Larsen, the Director of the Center for Consumer Information and Insurance Oversight at the Centers for Medicare and Medicaid Services.

BUDGET AND SPENDING CONCERNS AT HHS

On May 9, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled “Budget and Spending Concerns at HHS.” The hearing was the fourth in a series of hearings on the Administration’s efforts to identify wasteful, duplicative, or excessive spending by agencies within the jurisdiction of the Committee on Energy and Commerce. The hearing aimed to evaluate the results of Department of Health and Human Services (HHS) spending-reduction initiatives, as well as to assist HHS in identifying and prioritizing further targets for potential elimination or cuts for Congressional consideration. The Subcommittee received testimony from HHS and Government Accountability Office (GAO).

HEALTH CARE REFORM

The Subcommittee conducted continued oversight of the Patient Protection and Affordable Care Act (PPACA) and the negotiations that took place as the law was being drafted, including a review of the effect of PPACA on the members of the President’s Council on Jobs and Competitiveness; of discussions between health care industry stakeholders and White House Office of Health Reform and between the Department of Health and Human Services and the National Association of Insurance Commissioners. Reports on the discussions held between the White House and health care industry stakeholders were released on May 16, 2012, May 31, 2012, and June 8, 2012. The Committee’s findings on the effects of PPACA on the members of the President’s Council on Jobs and Competitiveness were reported on April 26, 2012.

HEPARIN CONTAMINATION

Since May 1, 2011, Chairman Upton, Subcommittee Chairman Stearns, Subcommittee Chairman Pitts, Chairman Emeritus Barton, and Subcommittee Vice-Chairman Michael Burgess, sent document request letters to Immigration and Customs Enforcement (ICE), ten companies involved in the heparin industry, and the Food and Drug Administration (FDA). These letters followed up on the launch of the investigation on February 23, 2011.

LISTERIA OUTBREAK IN CANTALOUPE

On October 21, 2011, the Subcommittee launched a bipartisan investigation into the causes of the recent listeria outbreak in cantaloupes, including document requests and staff briefings with FDA, CDC, Jensen Farms (the grower of the cantaloupes), Frontera Produce (the distributor), and Primus Labs (a third-party auditor that inspected the facilities at Jensen Farms before the outbreak).

PLANNED PARENTHOOD

On September 15, 2011, the Subcommittee sent a document request letter to Planned Parenthood Federation of America (PPFA) and initiated an inquiry examining the institutional practices and policies of the PPFA and its affiliates handling of federal funding. The Subcommittee sought information to evaluate PPFA and its affiliates' compliance with current statutory and legal obligations and to determine if PPFA and its affiliates have policies in place to comply with the current federal restrictions on the funding of abortions.

THE FUNGAL MENINGITIS OUTBREAK: COULD IT HAVE BEEN PREVENTED?

On November 14, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled, "The Fungal Meningitis Outbreak: Could It Have Been Prevented?" This hearing examined the facts surrounding the outbreak of fungal meningitis and other infections linked to contaminated injectable products made and distributed by the New England Compounding Center (NECC) in Framingham, Massachusetts. It also examined the history of complaints associated with NECC and its affiliated entities as well as related inspections and actions taken by the U.S. Food and Drug Administration (FDA) and the Massachusetts Department of Public Health (MDPH). The Subcommittee received testimony from a stakeholder, the President and Co-Owner of the New England Compounding Center, the Commissioner of the U.S. Food and Drug Administration, and the Interim Commissioner for the Massachusetts Department of Public Health.

HEARINGS AND INVESTIGATIVE ACTIVITIES PERTAINING TO ENERGY AND THE ENVIRONMENT

DEEP WATER HORIZON

The Subcommittee continued its oversight of the investigation into the root causes of the April 2010 explosion on the Deepwater

Horizon and resulting oil spill in the Gulf of Mexico, collecting information from the U.S. Coast Guard (USCG) and the Department of Interior's Bureau of Ocean Energy Management, Regulation, and Enforcement (BOEMRE). The Subcommittee received several briefings from BOEMRE, USCG, and the U.S. Chemical Safety and Hazardous Investigation Board.

The Subcommittee continued to examine the status of the Gulf Coast Claims Facility (GCCF), established to pay economic damage claims, on behalf of BP, to individuals and businesses harmed as a result of the Deepwater Horizon explosion and oil spill. Staff also received documents and briefings from the GCCF administrator and from the U.S. Government Accountability Office.

EPA OVERSIGHT

The Subcommittee initiated an inquiry into the Environmental Protection Agency's (EPA) interpretation of health benefits information provided to Congress and to the public. The Subcommittee also initiated an examination of EPA's process for negotiating settlements of litigation, including cases in which EPA commits as part of the settlement to undertake new rulemakings.

OVERSIGHT OF DOE RECOVERY ACT SPENDING

On February 17, 2011, Chairman Upton and Chairman Stearns sent a letter to the Department of Energy (DOE) requesting documents and information about a \$535 million loan guarantee that the DOE Loan Guarantee Program awarded to Solyndra, Inc. of Fremont, California.

On March 14, 2011, the investigation was expanded with a letter sent to the Office of Management and Budget requesting documents and information about the review of DOE loan guarantees, especially the loan guarantee to Solyndra.

On March 17, 2011, the Subcommittee on Oversight and Investigation held a hearing entitled "Oversight of DOE Recovery Act Spending." The hearing provided an update of the Government Accountability Office's (GAO) and the Department of Energy Office of Inspector General's (DOE OIG) oversight of DOE spending under the American Reinvestment and Recovery Act (Recovery Act). In particular, the Subcommittee examined the current status of DOE Recovery Act projects and lessons learned through their implementation. The Recovery Act appropriated \$41.7 billion to DOE. However, GAO and the DOE OIG raised concerns about the effectiveness of DOE's spending. The Subcommittee received testimony from DOE, DOE OIG, and GAO.

THE U.S. GOVERNMENT RESPONSE TO THE NUCLEAR POWER PLANT INCIDENT IN JAPAN

On April 6, 2011, the Subcommittee on Oversight and Investigations held a hearing on the recent developments at the Fukushima Daiichi nuclear power plant in Japan. The hearing focused on the U.S. Nuclear Regulatory Commission's response to the incident, both in Japan and in connection with the safety of U.S. commercial nuclear power plants. On March 11, 2011, an earthquake and tsunami struck the northeast coast of Japan, killing thousands and

causing a number of accidents at the Fukushima Nuclear Power Plant, including the cooling system failure. The Subcommittee heard from representatives of the U.S. Nuclear Regulatory Commission, the Nuclear Energy Institute, the Union of Concerned Scientists, and the American Nuclear Society.

EPA'S TAKEOVER OF FLORIDA'S NUTRIENT WATER QUALITY
STANDARD SETTING: IMPACT ON COMMUNITIES AND JOB CREATION

On August 9, 2011, the Subcommittee on Oversight and Investigations held a field hearing entitled "EPA's Takeover of Florida's Nutrient Water Quality Standard Setting: Impact on Communities and Job Creation." The hearing focused on the impacts of the Environmental Protection Agency's recent rulemaking for the State of Florida, which set Federal numeric nutrient water quality criteria for lakes and flowing water for Florida and overruled Florida's own process for setting relevant standards. The Subcommittee received testimony from the Environmental Protection Agency's Regional Administrator for the Southeast Region, the Director of the Office of Agricultural Water Policy at the Florida Department of Agriculture and Consumer Services, and various stakeholders.

BUDGET AND SPENDING CONCERNS AT DOE

On April 19, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled "Budget and Spending Concerns at DOE." The hearing was the third in a series of hearings on the Administration's efforts to identify wasteful, duplicative, or excessive spending by agencies within the jurisdiction of the Committee on Energy and Commerce. The hearing aimed to evaluate the results of Department of Energy (DOE) spending-reduction initiatives, as well as to assist DOE in identifying and prioritizing further targets for potential elimination or cuts for Congressional consideration. The Subcommittee heard from representatives of DOE and the Government Accountability Office.

FEDERAL GREEN JOBS AGENDA

On June 19, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled "The Federal Green Jobs Agenda." The purpose of the hearing was to examine the employment and economic returns generated by the Federal investment in green energy programs. The Subcommittee received testimony from a Public Finance Specialist at Congressional Research Service, Resident Scholar at the American Enterprise Institute, a Research Fellow from the Heritage Foundation, NERA Economic Consulting, and the Vice President of Truman National Security Project.

RIN FRAUD: EPA'S EFFORTS TO ENSURE MARKET INTEGRITY IN THE
RENEWABLE FUELS PROGRAM

On July 11, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled "RIN Fraud: EPA's Efforts to Ensure Market Integrity in the Renewable Fuels Program." The hearing examined the impacts on the biodiesel marketplace from the fraudulent production and trade in renewable fuel credits, or Renewable

Identification Numbers (RINs), and the impacts from EPA's efforts to address fraud in its program to implement the Renewable Fuel Standard. The Subcommittee received testimony from the Environmental Protection Agency and industry stakeholders.

DOE'S NUCLEAR WEAPON'S COMPLEX: CHALLENGES TO SAFETY,
SECURITY, AND TAXPAYER STEWARDSHIP

On September 12, 2012, the Subcommittee on Oversight and Investigations held a hearing entitled "DOE's Nuclear Weapon's Complex: Challenges to Safety, Security, and Taxpayer Stewardship." The hearing examined challenges confronting the Department of Energy and the National Nuclear Security Administration, including the July 28, 2012 security breakdown at the Y-12 National Security Complex, in managing the nation's nuclear weapon's complex. The Subcommittee received testimony from the Department of Energy, the National Nuclear Security Administration, the Department of Energy Inspector General, and the Government Accountability Office.

HEARINGS AND INVESTIGATIVE ACTIVITIES PERTAINING
TO THE DEPARTMENT OF ENERGY LOAN GUARANTEE
PROGRAM

The Subcommittee on Oversight and Investigations conducted an extensive investigation into the Department of Energy Loan Guarantee Program and the failure of a loan guarantee made to Solyndra, Inc.

The Subcommittee requested documents from DOE, the Office of Management and Budget (OMB), the Department of the Treasury, the White House, the Department of Defense, and the General Services Administration (GSA), as well as private entities, during the investigation.

The Subcommittee held a number of hearings on the Solyndra loan guarantee. On June 24, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled "OMB's Role in the DOE Loan Guarantee Process." The purpose of the hearing was to provide an overview of the Office of Management and Budget's involvement in the review of Department of Energy loan guarantees, in particular, a loan guarantee awarded to Solyndra, Inc., a California Company. The Subcommittee received no testimony at the hearing. A representative from the Office of Management and Budget was invited, but did not testify.

On September 14, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled "Solyndra and the DOE Loan Guarantee Program." The hearing provided an overview of the Department of Energy's (DOE) and the office of Management and Budget's (OMB) involvement in the review of a loan guarantee to Solyndra, Inc., in September 2009, and the restructuring of that deal in February 2011. The hearing also examined Solyndra's financial position, representations it made to the government about the financial condition of the company, and Solyndra's recent bankruptcy filings. The Subcommittee received testimony from DOE and OMB.

On September 23, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “From DOE Loan Guarantee to Bankruptcy to FBI Raid: What Solyndra’s Executives Knew.” The purpose of the hearing was to examine Solyndra’s representations about its financial status to the Department of Energy and to the Committee on Energy and Commerce. The Committee invited senior executives of Solyndra, Inc. to testify, and they invoked their Fifth Amendment privilege.

The following month, on October 14, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled, “Continuing Developments regarding the Solyndra Loan Guarantee.” The hearing focused on the Department of the Treasury’s role in reviewing the Solyndra loan guarantee, particularly with regard to the Department of Energy’s decision to restructure the Solyndra loan guarantee in February 2011 and subordinate the first \$75 million recovered in the event of liquidation to two Solyndra investors. The Subcommittee received testimony from representatives of the Department of the Treasury and the Department of the Treasury Federal Financing Bank.

On November 17, 2011, the Subcommittee on Oversight and Investigations held a hearing entitled “The Solyndra Failure: Views from DOE Secretary Chu.” The hearing focused on the decisions made with respect to the review and approval of the Solyndra loan application, including the Department of Energy’s (DOE) decision to restructure the Solyndra loan guarantee in February 2011 and what DOE knew about Solyndra’s financial condition. The Subcommittee received testimony from the Honorable Steven Chu, Secretary of the Department of Energy.

The Subcommittee held two business meetings on July 14, 2011, and November 3, 2011, to authorize the Chairman of the Committee on Energy and Commerce to issue subpoenas to the Office of Management and Budget and the White House respectively in order to obtain documents in the Solyndra investigation.

On August 2, 2012, the Committee issued a Majority Staff Report entitled “The Solyndra Failure.” The report set forth the facts of the Solyndra loan guarantee and the findings from the investigation.

INVESTIGATIVE ACTIVITIES PERTAINING TO ADMINISTRATION TRANSPARENCY

On July 31, 2012, the Committee issued a report prepared by Majority staff entitled “Promises Made, Promises Broken: The Obama Administration’s Disappointing Transparency Track Record.” The report focused on the administration’s level of transparency related to two Committee investigations: the government’s actions surrounding the integrated-services rule waiver and interference dispute between LightSquared and GPS, and the White House’s negotiations with health care lobbying interests during formulation of the Patient Protection and Affordable Care Act law. The report found that the Administration had failed to fulfill its pledge of transparency

HEARINGS HELD

Hearing entitled “The Views of the Administration on Regulatory Reform.” (January 26, 2011) Serial Number 112–1.

Hearing entitled “Health Care Issues Involving the Center for Consumer Information and Insurance Oversight.” (February 16, 2011) Serial Number 112–7.

Hearing entitled “Waste, Fraud, and Abuse: A Continuing Threat to Medicare and Medicaid.” (March 2, 2011) Serial Number 112–13.

Hearing entitled “Oversight of DOE Recovery Act Spending.” (March 17, 2011) Serial Number 112–24.

Hearing entitled “The PPACA’s High Risk Pool Regime: High Cost, Low Participation.” (April 1, 2011) Serial Number 112–29.

Hearing entitled “The U.S. Government Response to the Nuclear Power Plant Incident in Japan.” (April 6, 2011) Serial Number 112–32.

Hearing entitled “Import Safety: Status of FDA’s Screening Efforts at the Border.” (April 13, 2011) Serial Number 112–38.

Hearing entitled “White House Transparency, Visitor Logs, and Lobbyists.” (May 3, 2011) Serial Number 112–42.

Hearing entitled “The Views of the Administration on Regulatory Reform: An Update.” (June 3, 2011) Serial Number 112–58.

Hearing entitled “The Views of the Department of Health and Human Services on Regulatory Reform: An Update.” (June 13, 2011) Serial Number 112–60.

Hearing entitled “Protecting Medicare with Improvements to the Secondary Payer Regime.” (June 22, 2011) Serial Number 112–65.

Hearing entitled “OMB’s Role in the DOE Loan Guarantee Process.” (June 24, 2011) Serial Number 112–68.

Hearing entitled “The Views of the Independent Agencies on Regulatory Reform.” (July 7, 2011) Serial Number 112–71.

Hearing entitled “Regulatory Reform Series #5—FDA Medical Device Regulation: Impact on American Patients, Innovation and Jobs.” (July 20, 2011) Serial Number 112–78.

Hearing entitled “Cybersecurity: An Overview of Risks to Critical Infrastructure.” (July 26, 2011) Serial Number 112–80.

Hearing entitled “EPA’s Takeover of Florida’s Nutrient Water Quality Standard Setting: Impact on Communities and Job Creation.” (August 9, 2011) Serial Number 112–81.

Hearing entitled “Solyndra and The DOE Loan Guarantee Program.” (September 14, 2011) Serial Number 112–84.

Hearing entitled “Regulatory Reform Series #7—The EPA’s Regulatory Planning, Analysis, and Major Actions.” (September 22, 2011) Serial Number 112–87.

Hearing entitled “From DOE Loan Guarantee to Bankruptcy to FBI Raid: What Solyndra’s Executives Knew.” (September 23, 2011) Serial Number 112–89.

Hearing entitled “Administration Efforts on Line-by-Line Budget Review.” (October 5, 2011) Serial Number 112–92.

Hearing entitled “Cutting EPA Spending.” (October 12, 2011) Serial Number 112–95.

Hearing entitled “Continuing Developments Regarding the Solyndra Loan Guarantee.” (October 14, 2011) Serial Number 112–98.

Hearing entitled “CLASS Cancelled: An Unsustainable Program and Its Consequences for the Nation’s Deficit.” (October 26, 2011) Serial Number 112–101.

Hearing entitled “The Solyndra Failure: Views from DOE Secretary Chu.” (November 17, 2011) Serial Number 112–104.

Hearing entitled “Regulatory Reform Series #8—Private-Sector Views of the Regulatory Climate One Year After Executive Order 13563.” (February 16, 2012) Serial Number 112–118.

Hearing entitled “Critical Infrastructure Cyber-Security: Assessments of Smart Grid Security.” (February 28, 2012) Serial Number 112–120.

Hearing entitled “The Center for Consumer Information and Insurance Oversight and the Anniversary of the Patient Protection and Affordable Care Act.” (March 21, 2012) Serial Number 112–129.

Hearing entitled “IT Supply Chain Security: Review of Government and Industry Efforts.” (March 27, 2012) Serial Number 112–131.

Hearing entitled “Budget and Spending Concerns at DOE.” (April 18, 2012) Serial Number 112–137.

Hearing entitled “Budget and Spending Concerns at HHS.” (May 9, 2012) Serial Number 112–142.

Hearing entitled “Medicare Contractors’ Efforts to Fight Fraud—Moving Beyond ‘Pay and Chase.’” (June 8, 2012) Serial Number 112–149.

Hearing entitled “The Federal Green Jobs Agenda.” (June 19, 2012) Serial Number 112–

Hearing Entitled “RIN Fraud: EPA’s Efforts to Ensure market Integrity in the Renewable Fuels Program.” (July 11, 2012) Serial Number 112–161.

Hearing entitled “The American Energy Initiative (Day 24): Discussion Draft of H.R. _____, the ‘No More Solyndras Act,’ and, Discussion Draft of H.R. _____, the ‘Smart Energy Act.’” (July 12, 2012) Serial Number 112–163.

Hearing entitled “DOE’s Nuclear Weapons Complex: Challenges to Safety, Security, and Taxpayer Stewardship.” (September 12, 2012) Serial Number 112–175.

Hearing entitled “The LightSquared Network—An Investigation of the FCC’s Role.” (September 21, 2012) Serial Number 112–180.

Hearing entitled “The Fungal Meningitis outbreak: Could It Have Been Prevented?” (November 14, 2012) Serial Number 112–181.

OVERSIGHT PLAN FOR THE COMMITTEE ON ENERGY AND COMMERCE,
U.S. HOUSE OF REPRESENTATIVES, 112TH CONGRESS

During the 112th Congress the Committee on Energy and Commerce will hold hearings and conduct robust oversight over matters within its jurisdiction. The Committee will conduct thorough oversight, reach conclusions based on an objective review of the facts, and treat witnesses fairly. The Committee will request information in a responsible manner that is calculated to be helpful to the Committee in its oversight responsibilities. The Committee’s oversight functions will focus on: 1) cutting government spending through the elimination of waste, fraud, and abuse; 2) ensuring laws are being

implemented in a manner that protects the public interest without stifling economic growth.

HEALTH AND HEALTHCARE ISSUES

PATIENT PROTECTION AND AFFORDABLE CARE ACT

In the 112th Congress, the Committee will examine issues related to the Department of Health and Human Services implementation of Public Law 111–148, The Patient Protection and Affordable Care Act (PPACA) and the related Reconciliation Bill, Public Law 111–151. This will include the numerous provisions contained within the law that affect the private insurance market in the United States, the creation of health insurance exchanges, the regulations and requirements imposed on both small and large businesses, and the law's effects on individuals.

The Committee will also evaluate what controls are in place to prevent bias, waste, fraud, and abuse in the management of PPACA and its programs. The Committee will monitor deadlines imposed on HHS by the Patient Protection and Affordable Care Act and examine what procedures HHS has in place for meeting those deadlines and/or complying with missed deadlines. The Committee will examine what programs HHS has in place to improve the availability of reliable, consumer-oriented information on the cost and quality of health care goods, services, and providers. The Committee will investigate the process by which the Executive Branch evaluated claims that PPACA would curb rising health care costs and federal spending. The Committee will also examine the status and future of employer-sponsored health care plans as well as the effects of PPACA's enactment on the states. The Committee will examine the impact of PPACA and its implementing regulations on the economy, consumers, and the health care industry as well as the process by which those regulations are drafted.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

The Committee will review the management, operations, and activity of the Centers for Medicare and Medicaid Services (CMS) and the programs it administers. The Committee will examine and review Medicare and Medicaid management and activity as it relates to ongoing Committee efforts to prevent bias, waste, fraud, and abuse in federal health care programs, particularly in the implementation of PPACA. The Committee will investigate the process by which CMS implements statutory formulas to set prices for Medicare payment, as well as the effectiveness of those formulas. The Committee will evaluate the competitive bidding process for durable medical equipment and examine ways to use similar programs in Medicare and Medicare Advantage plans. The Committee will examine the effects that the Medicaid expansion included in PPACA will have on state budgets, the budgets of individuals and families, the budgets of providers currently providing uncompensated care, and the impact it may have on access to care. The Committee will investigate the processes by which CMS prevents bias, waste, fraud, and abuse in the award of government contracts.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

The Committee will examine issues related to the work done by the Agency for Healthcare Research and Quality. This will include, but not be limited to, oversight of the Agency's work in all areas, review of the procedures and processes used by the Agency, and how the Agency's role is expanded by Public Law 111-148, The Patient Protection and Affordable Care Act.

LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

The Committee will review and oversee action taken by the Department of Health and Human Services (HHS) in response to June 2010 Government Accountability Office (GAO) findings concerning the need for greater fraud prevention controls in the Low-Income Home Energy Assistance Program (LIHEAP). Of particular concern to the Committee is the status of efforts by HHS to strengthen LIHEAP's and state recipients' internal control frameworks, and determining whether HHS is satisfying the GAO recommendation that it provide specific guidance to the states in establishing appropriate systems and procedures to prevent fraud and improper payments.

FOOD AND DRUG ADMINISTRATION AND DRUG SAFETY

The Committee will review whether the Food and Drug Administration (FDA) is ensuring that regulated drugs are safe, effective, and available to American patients in an expeditious fashion. The Committee will also explore the interplay between these policies and drug innovation, both in the United States and abroad. Further, the Committee will examine FDA's enforcement of current drug safety laws and the issues involved in protecting the nation's supply chains against economically motivated and other forms of adulteration.

FDA REGULATION OF MEDICAL DEVICES

The Committee will examine whether the FDA's evolving regulatory approach has sufficient predictability and transparency, whether FDA's approval processes ensure safety and effectiveness, and the interplay between these policies and innovation, patient care, and employment, both in the United States and abroad.

ENERGY AND ENVIRONMENT ISSUES

NATIONAL ENERGY POLICY

During the 112th Congress, the Committee will examine issues relating to national energy policy, including U.S. policies that relate to production, supply, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will examine the impact of government policies and programs on the exploration, production, and development of domestic energy resources, including issues relating to the nation's current energy infrastructure. The Committee will also continue to examine safety and security issues relating to energy exploration, production and distribution.

ELECTRICITY MARKETS

The Committee will review electricity transmission policies of the Federal government to ensure that those policies promote competitive wholesale power markets, transmission, and generation infrastructure upgrades, and compliance with relevant statutes. It will examine the activities of the Federal Energy Regulatory Commission (FERC) relating to electric industry restructuring, protection of consumers, and the development of efficient and vigorous wholesale markets for electricity.

MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES

The Committee will oversee management and operations issues at the Department of Energy (DOE), including management and operations of the National Nuclear Security Administration (NNSA) and the national laboratories. The Committee's oversight work will include a review of the implementation of new nuclear security requirements at NNSA and DOE facilities, ongoing safety and security matters, the Office of Environmental Management's cleanup program, high-level waste management efforts, and DOE's implementation of the Nuclear Waste Policy Act.

YUCCA MOUNTAIN

The Committee will examine DOE's decisions to abandon Yucca Mountain as a nuclear waste repository, related financial implications of the decisions, and the potential impact of those decisions on the future of nuclear energy in the United States. The Committee will also examine the actions of the Nuclear Regulatory Commission (NRC) in connection with the shutdown of the Yucca Mountain facility.

THE NUCLEAR REGULATORY COMMISSION

The Committee will review the activities of the Nuclear Regulatory Commission. The Committee will examine NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including the safety and security of nuclear facilities. In addition, the Committee will closely monitor the process of the licensing and development of new nuclear power facilities.

CLEAN AIR ACT

The Committee will review significant rulemakings under the Clean Air Act and the potential economic and job impacts of those rulemakings on the energy, manufacturing and construction industries and other critical sectors of the U.S. economy, as well as any public health and environmental benefits of the regulations. The Committee's review will include oversight of the Environmental Protection Agency's (EPA) decisions, strategies and actions to meet Clean Air Act standards, and the current role of cost, employment and feasibility considerations in Clean Air Act rulemakings.

CLIMATE CHANGE

The Committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global climate change. In addition, the Committee will examine the EPA's efforts to regulate domestic greenhouse gas emissions under the Clean Air Act based on its endangerment finding. The Committee will also review the activities undertaken in this area by agencies within the Committee's jurisdiction, including the Department of Energy (DOE) and the Department of Health and Human Services (HHS).

EPA MANAGEMENT AND OPERATIONS

The Committee intends to conduct general oversight of the EPA, including review of the agency's funding decisions, resource allocation, grants, research activities, enforcement actions, relations with State and local governments, respect for economic, procedural, public health, and environmental standards in regulatory actions, and program management and implementation.

INVESTMENT IN THE GREEN ENERGY SECTOR

The American Recovery and Reinvestment Act (ARRA, or the stimulus) provided \$84.6 billion in new spending for the green energy sector, as well as \$21.6 billion in tax credits for energy, transport, and climate science. The Committee will review how this money was spent and what types of jobs have been created; the development of new technologies, products, and businesses focused on green energy; and how this spending has impacted the domestic suppliers or manufacturers of alternative energy products.

COMMUNICATIONS AND TECHNOLOGY ISSUES

FEDERAL COMMUNICATIONS COMMISSION

During the 112th Congress, the Committee will conduct oversight of the Federal Communications Commission (FCC), including the effect of the FCC's decisions on innovation, access to information, and the U.S. economy. Among other things, the Committee will evaluate the impact of FCC actions on voice, video, audio, and data services, and on public safety. The Committee will pay particular attention to whether the FCC conducts cost-benefit and market analyses before imposing regulations. The Committee will also conduct oversight to improve FCC procedures and transparency.

BROADBAND PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

The Committee will conduct oversight of the \$7 billion dollars allocated by the ARRA to the National Telecommunications and Information Administration (NTIA) and the Rural Utility Service (RUS) for broadband grants and loans. In particular, the Committee will examine what procedures are in place to control waste, fraud, and abuse of broadband stimulus funds, whether the funds

were appropriately targeted, and the impact of the funding on jobs and the economy.

NATIONAL BROADBAND PLAN

The Committee will examine the National Broadband Plan developed by the FCC. The committee will evaluate the existing availability of broadband technologies and the deployment of broadband services and facilities. The Committee will also evaluate the impact of the National Broadband Plan on competition, access, prices, and incentives for entities to make investments in broadband networks and new technologies. As the FCC drafts regulations to implement the National Broadband Plan, the Committee will examine whether those regulations reflect the goals of maximizing consumer welfare, innovation, and investment.

UNIVERSAL SERVICE REFORM AND INTERCARRIER COMPENSATION

The Committee will examine the FCC's efforts to reform the universal service fund and inter-carrier compensation regimes to reduce unnecessary consumer fees and carrier subsidies. The Committee will pay particular attention to whether the FCC is stemming growth in the fund, reducing duplicative subsidies, and targeting remaining subsidies to areas that are otherwise not economically feasible for the private sector to serve. The Committee will also examine whether the FCC's internal processes are appropriate to control waste, fraud, and abuse of universal service funds.

SPECTRUM MANAGEMENT

The Committee will conduct oversight of the FCC's and the NTIA's management and allocation of the nation's spectrum for commercial and government use. Spectrum is increasingly being used to provide voice, video, and data services to consumers. The Committee will evaluate spectrum-management policies to ensure that such policies are maximizing the efficient use of the public airwaves for innovative communications services. The Committee will also examine whether plans for allocating spectrum maximizes capacity for broadband deployment and encourages investment.

CORPORATION FOR PUBLIC BROADCASTING

The Committee will investigate the financing of the Corporation for Public Broadcasting (CPB), including National Public Radio (NPR), one of its grantees, to determine whether it is appropriate to continue federal funding. Given NPR's receipt of federal funding in support of its activities, and recent controversies involving NPR, the Committee will also examine certain editorial and employment standards and practices at NPR.

COMMUNICATIONS PRIVACY, INTERNET GOVERNANCE, CYBER SECURITY, AND PUBLIC SAFETY

The Committee will exercise its jurisdiction over the FCC and the NTIA to provide oversight of communications privacy. The Committee will also conduct oversight of NTIA in relation to Inter-

net governance in general and the Internet Corporation for Assigned Names and Numbers in particular. The Committee will also exercise its jurisdiction over the FCC, the NTIA, and the Office of Emergency Communications to conduct oversight of cybersecurity and public safety.

COMMERCE, MANUFACTURING, AND TRADE ISSUES

PRIVACY AND THE INTERNET

In the 112th Congress, the Committee will examine issues relating to the privacy of information and data collected by Internet websites and service providers.

CYBER SECURITY

On May 29, 2009, President Obama issued the 60-Day Cyberspace Policy Review. The goal of this review was to assess U.S. policies after the issuance of the Bush Administration's Comprehensive National Cybersecurity Initiative. In the 112th Congress, the Committee will review efforts by federal agencies to coordinate cyber strategy and policy, and whether these policies have resulted in a secure communications and information infrastructure. The Committee will also review issues related to private-sector cyber security, including the manner in which fraud and other criminal issues affect e-commerce.

TRADE AND GLOBALIZED SUPPLY CHAINS

The Committee will review the issues presented by the globalization of production and manufacturing networks, including the integrity of products and components assembled overseas and the impact on national security, the competitiveness of U.S. companies, and trade relationships.

CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 2008

The Committee will examine the intended and unintended consequences of this law and how the Consumer Product Safety Commission is implementing it.

NHTSA MANAGEMENT AND OPERATIONS

The Committee intends to conduct oversight of the National Highway Traffic Safety Administration, including the costs and benefits of its regulations, research activities, investigations, and enforcement actions pertaining to motor vehicle safety.

FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS

The Committee will conduct oversight of the Federal Trade Commission's management and operations, including the impact of its decisions and actions on the general public and the business community.

MISCELLANEOUS

EFFECTIVENESS OF STIMULUS SPENDING

In the 112th Congress, the Committee will conduct oversight of agency programs in the Committee's jurisdiction, and review the implementation and spending of the American Recovery and Reinvestment Act to evaluate the law's effectiveness and efficiency in speeding both job creation and the growth of the American economy.

ORGANIZED CRIME-TERRORISM NEXUS

The Committee will examine the nexus between organized crime and the financing of international terrorism. Recognition, as well as a better understanding of the link between traditional criminal activity and international terrorism is crucial in crafting both effective legislative tools as well as law enforcement methods capable of responding to the emerging threat. The Committee, with its expansive jurisdiction, is well-positioned to confront a range of domestic criminal enterprises and trade diversion schemes directed by US-based members and sympathizers of Designated Foreign Terrorist Organizations for fundraising purposes, including the manufacture and distribution of counterfeit goods and currencies, identity theft, trafficking in contraband cigarettes, and the electronic transmittal of funds.

CRITICAL INFRASTRUCTURE

In June 2006, the Bush Administration issued a National Infrastructure Protection Plan. This plan created a process by which the Department of Homeland Security (DHS) is to identify critical assets and assess their vulnerabilities and risks due to loss or natural disaster. During the 112th Congress, the Committee will review the Department's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction.

NUCLEAR SMUGGLING

The Committee will continue to monitor Federal government and private sector efforts at border crossings, seaports, and mail facilities. The Committee's review will analyze and assess Customs' and DOE's efforts and the utility of equipment aimed at detecting and preventing the smuggling of dangerous commerce, particularly nuclear and radiological weapons of mass destruction.

BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will review the implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS, and examine the extent of the coordination between HHS and the Department of Homeland Security with respect to setting priorities and goals for bioterrorism-related research and preparedness activities.

PUBLIC SAFETY COMMUNICATIONS

The Committee will examine whether the communications needs of first responders are being met. The Committee will examine the progress being made to ensure that first responders have interoperable communications capabilities with local, state, and federal public safety officials. The Committee will also consider whether first responders have an adequate amount of spectrum for voice, video, and data transmissions. In addition, the Committee will conduct oversight regarding the implementation of Phase II E911 services, which enable Public Safety Answering Points (PSAPs) to pinpoint the location of wireless subscribers who dial 911.

IMPLEMENTATION OF GOVERNMENT-WIDE CYBER SECURITY PROGRAM

The Homeland Security Act of 2002 included a separate legislative provision entitled the Federal Information Security Management Act, which reauthorized and enhanced a government-wide cyber security program under the direction of the Office of Management and Budget (OMB). During the 112th Congress, the Committee will review efforts to ensure that Federal agencies are complying with the cyber security provisions of the new Homeland Security Act.

PUBLIC LAWS

This list includes: (1) legislation on which the Committee on Energy and Commerce acted directly, (2) legislation developed through Committee participation in House-Senate conferences, and (3) legislation which included provisions within the Committee's jurisdiction, including legislation enacted by reference as part of other legislation.

Public Law	Date Approved	Bill	Title
112-28	8/12/2011	H.R. 2715	An Act to Provide the Consumer Product Safety Commission With Great Authority and Discretion in Enforcing the Consumer Product Safety Laws, and For Other Purposes
112-32	9/30/2011	H.R. 2005	Combating Autism Reauthorization Act of 2011
112-78	12/23/2011	H.R. 3765	Temporary Payroll Tax Cut Continuation Act of 2011
112-90	1/3/2012	H.R. 2937, H.R. 2845.	Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011
112-96	2/22/2012	H.R. 3630	Middle Class Tax Relief and Job Creation Act of 2012
112-140	6/29/2012	H.R. 6064	Temporary Surface Transportation Extension Act of 2012
112-144	7/9/2012	S. 3187, H.R. 5651.	Food and Drug Administration Safety and Innovation Act
112-193	110/5/2012	H.R. 6433	FDA User Fee Corrections Act of 2012
112-195	10/5/2012	S. 710	Hazardous Waste Electronic Manifest Establishment Act
112-202	12/4/2012	H.R. 6118	Taking Essential Steps for Testing Act of 2012
112-203	12/4/2012	H.R. 6131	An Act to Extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and For Other Purposes
112-210	12/18/2012	H.R. 6582, H.R. 4850.	American Energy Manufacturing Technical Corrections Act
	Cleared for White House	Bill	Title
	12/31/2012	H.R. 1845, H.R. 1063	Medicare IVIG Access Act; Strengthening Medicare And Repaying Taxpayers Act of 2011

Cleared for White House	Bill	Title
	H.R. 4212	Drywall Safety Act of 2012
12/31/2012	H.R. 5859	To repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting.

HEARINGS HELD PURSUANT TO CLAUSES 2(n), (o), OR (p) OF RULE XI

Serial No.	Hearing Title	Hearing Date(s)
112-5	ARRA Broadband Spending (Subcommittee on Communications and Technology).	February 10, 2011
112-7	Health Care Issues Involving the Center for Consumer Information and Insurance Oversight (Subcommittee on Oversight and Investigations).	February 16, 2011
112-10	A Review of CPSIA and CPSC Resources (Subcommittee on Commerce, Manufacturing, and Trade).	February 17, 2011
112-11	The Consequences of Obamacare: Impact on Medicaid and State Health Care Reform (Subcommittee on Health).	March 1, 2011
112-13	Waste, Fraud, and Abuse: A Continuing Threat to Medicare and Medicaid (Subcommittee on Oversight and Investigations).	March 2, 2011
112-14	FY 2012 HHS Budget and the Implementation of Public Laws 111-148 and 111-152 (Subcommittee on Health).	March 3, 2011
112-19	The FY2012 EPA Budget (Subcommittee on Energy and Environment and Subcommittee on Energy and Power).	March 11, 2011
112-20	The FY2012 Department of Energy and Nuclear Regulatory Commission Budgets (Subcommittee on Energy and Environment and Subcommittee on Energy and Power).	March 16, 2011
112-24	Oversight of DOE Recovery Act Spending (Subcommittee on Oversight and Investigations).	March 17, 2011
112-29	The PPACA's High Risk Pool Regime: High Cost, Low Participation (Subcommittee on Oversight and Investigations).	April 1, 2011
112-36	Using Spectrum to Advance Public Safety, Promote Broadband, Create Jobs, and Reduce the Deficit (Subcommittee on Communications and Technology).	April 12, 2011
112-48	FCC Process Reform (Subcommittee on Communications and Technology) ...	May 13, 2011
112-53	Promoting Broadband, Jobs and Economic Growth Through Commercial Spectrum Auctions (Subcommittee on Communications and Technology).	June 1, 2011
112-54	The Department of Energy's Role in Managing Civilian Radioactive Waste (Subcommittee on Energy and the Economy).	June 1, 2011
112-65	Protecting Medicare with Improvements to the Secondary Payer Regime (Subcommittee on Oversight and Investigations).	June 22, 2011
112-93	Chemical Risk Assessment: What Works for Jobs and the Economy? (Subcommittee on Energy and the Economy).	October 6, 2011
112-95	Cutting EPA Spending (Subcommittee on Oversight and Investigations)	October 12, 2011
112-101	CLASS Cancelled: An Unsustainable Program and Its Consequences for the Nation's Deficit.	October 26, 2011
112-104	The Solyndra Failure: Views from DOE Secretary Chu (Subcommittee on Oversight and Investigations).	November 17, 2011
112-117	The Budget and Spending of the Federal Communications Commission (Subcommittee on Communications and Technology).	February 16, 2012
112-119	The FY 2013 EPA Budget (Subcommittee on Energy and Power and Subcommittee on Environment and Economy).	February 28, 2012
112-121	The FY 2013 HHS Budget (Subcommittee on Health)	March 1, 2012
112-125	The FY 2013 DOE Budget (Subcommittee on Energy and Power)	March 8, 2012
112-142	Budget and Spending Concerns at HHS (Subcommittee on Oversight and Investigations).	May 9, 2012
112-143	Broadband Loans and Grants (Subcommittee on Communications and Technology).	May 16, 2012
112-149	Medicare Contractors' Efforts to Fight Fraud—Moving Beyond “Pay and Chase” (Subcommittee on Oversight and Investigations).	June 8, 2012
112-160	Oversight of the Federal Communications Commission (Subcommittee on Communications and Technology).	July 10, 2012
112-161	RIN Fraud: EPA's Efforts to Ensure Market Integrity in the Renewable Fuels Program (Subcommittee on Oversight and Investigations).	July 11, 2012
112-167	Using Innovation to Reform Medicare Physician Payment (Subcommittee on Health).	July 18, 2012
112-178	Title 42—A Review of Special Hiring Authorities (Subcommittee on Health)	September 14, 2012

HEARINGS HELD PURSUANT TO CLAUSES 2(n), (o), OR (p) OF RULE XI—Continued

Serial No.	Hearing Title	Hearing Date(s)
112-180	The LightSquared Network—An Investigation of the FCC's Role (Subcommittee on Oversight and Investigations).	September 21, 2012
112-181	The Fungal Meningitis Outbreak: Could It Have Been Prevented? (Subcommittee on Oversight and Investigations).	November 14, 2012
112-182	Examining Options to Combat Health Care Waste, Fraud, and Abuse (Subcommittee on Health).	November 28, 2012
112-185	State of Uncertainty: Implementation of PPACA's Exchanges and Medicaid Expansion.	December 13, 2012

PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
112-1	The Views of the Administration on Regulatory Reform. (Subcommittee on Oversight and Investigations).	January 26, 2011
112-2	H.R. _____, the Energy Tax Prevention Act of 2011. (Subcommittee on Energy and Power).	February 9, 2011
112-3	H.R. _____, a bill to amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of abortion services under such Act. (Subcommittee on Health).	February 9, 2011
112-4	The Effects of Middle East Events on U.S. Energy Markets. (Subcommittee on Energy and Power).	February 10, 2011
112-5	ARRA Broadband Spending (Subcommittee on Communications and Technology).	February 10, 2011
112-6	Environmental Regulations, the Economy, and Jobs. (Subcommittee on Energy and the Economy).	February 15, 2011
112-7	Health Care Issues Involving the Center for Consumer Information and Insurance Oversight. (Subcommittee on Oversight and Investigations).	February 16, 2011
112-8	Network Neutrality and Internet Regulation: Warranted or More Economic Harm than Good? (Subcommittee on Communications and Technology).	February 16, 2011
112-9	Impact of Medical Device Regulation on Jobs and Patients. (Subcommittee on Health).	February 17, 2011
112-10	A Review of CPSIA and CPSC Resources. (Subcommittee on Commerce, Manufacturing, and Trade).	February 17, 2011
112-11	The Consequences of Obamacare: Impact on Medicaid and State Health Care Reform. (Subcommittee on Health).	March 1, 2011
112-12	EPA's Greenhouse Gas Regulations and Their Effect on American Jobs. (Subcommittee on Energy and Power).	March 1, 2011
112-13	Waste, Fraud, and Abuse: A Continuing Threat to Medicare and Medicaid (Subcommittee on Oversight and Investigations).	March 2, 2011
112-14	FY 2012 HHS Budget and the Implementation of Public Laws 111-148 and 111-152. (Subcommittee on Health).	March 3, 2011
112-15	Made in America: Innovations in Job Creation and Economic Growth. (Subcommittee on Commerce, Manufacturing, and Trade).	March 3, 2011
112-16	Climate Science and EPA's Greenhouse Gas Regulations. (Subcommittee on Energy and Power).	March 8, 2011
112-17	Setting Fiscal Priorities in Health Care Funding. (Subcommittee on Health)	March 9, 2011
112-18	H.J. Res 37, Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry. (Subcommittee on Communications and Technology).	March 9, 2011
112-19	The FY2012 EPA Budget. (Subcommittee on Energy and Environment and Subcommittee on Energy and Power).	March 11, 2011
112-20	The FY2012 Department of Energy and Nuclear Regulatory Commission Budgets. (Subcommittee on Energy and Environment and Subcommittee on Energy and Power).	March 16, 2011
112-21	Made in America: Increasing Jobs through Exports and Trade. (Subcommittee on Commerce, Manufacturing, and Trade).	March 16, 2011
112-22	The American Energy Initiative: Oil Supplies, Gasoline Prices, and Jobs in the Gulf of Mexico. (Subcommittee on Energy and Power).	March 17, 2011
112-23	The Implementation and Sustainability of the New, Government-Administered Community Living Assistance Services and Supports (CLASS) Program. (Subcommittee on Health).	March 17, 2011

PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
112-24	Oversight of DOE Recovery Act Spending (Subcommittee on Oversight and Investigations).	March 17, 2011
112-25	PPACA and Pennsylvania: One Year of Broken Promises. (Subcommittee on Health).	March 23, 2011
112-26	EPA's Greenhouse Gas and Clean Air Act Regulations: A Focus on Texas' Economy, Energy Prices and Jobs. (Subcommittee on Energy and Power).	March 24, 2011
112-27	True Cost of PPACA: Effects on the Budget and Jobs. (Subcommittee on Health).	March 30, 2011
112-28	H.R. 908, a bill to extend the authority of the Secretary of Homeland Security to maintain the Chemical Facility Anti-Terrorism Standards Program (Subcommittee on Environment and Economy).	March 31, 2011
112-29	The PPACA's High Risk Pool Regime: High Cost, Low Participation. (Subcommittee on Oversight and Investigations).	April 1, 2011
112-30	H.R. _____, a Bill to Clarify NTIA and RUS Authority to Return Reclaimed Stimulus Funds to the U.S. Treasury (Subcommittee on Communications and Technology).	April 1, 2011
112-31	The American Energy Initiative: China's energy portfolio and the implications for jobs and energy prices in the United States. (Subcommittee on Energy and Power).	April 4, 2011
112-32	The U.S. Government Response to the Nuclear Power Plant Incident in Japan. (Subcommittee on Oversight and Investigations).	April 6, 2011
112-33	The Cost of the Medical Liability System Proposals for Reform, including H.R. 5, the Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2011. (Subcommittee on Health).	April 6, 2011
112-34	Discussion Draft of H.R. _____, a bill that would revise the Consumer Product Safety Improvement Act. (Subcommittee on Commerce, Manufacturing, and Trade).	April 7, 2011
112-35	The American Energy Initiative: H.R. _____, a Discussion Draft of the "Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011." (Subcommittee on Energy and Power).	April 7, 2011
112-36	Using Spectrum to Advance Public Safety, Promote Broadband, Create Jobs, and Reduce the Deficit. (Subcommittee on Communications and Technology).	April 12, 2011
112-37	Discussion Draft of H.R. _____, the "Jobs and Energy Permitting Act of 2011." (Subcommittee on Energy and Power).	April 13, 2011
112-38	Import Safety: Status of FDA's Screening Efforts at the Border (Subcommittee on Oversight and Investigations).	April 13, 2011
112-39	Warning: The Growing Danger of Prescription Drug Diversion (Subcommittee on Commerce, Manufacturing, and Trade).	April 14, 2011
112-40	H.R. 1391, a bill to prohibit the Environmental Protection Agency from regulating fossil fuel combustion waste under subtitle C of the Solid Waste Disposal Act (42 USC 6921) (Subcommittee on Energy and the Economy).	April 14, 2011
112-41	The American Energy Initiative: Recent EPA Rulemakings Relating to Boilers, Cement Manufacturing Plants, and Utilities (Subcommittee on Energy and Power).	April 15, 2011
112-42	White House Transparency, Visitor Logs and Lobbyists. (Subcommittee on Oversight and Investigations).	May 3, 2011
112-43	The Role of the Nuclear Regulatory Commission in America's Energy Future. (Subcommittee on Energy and Power and the Subcommittee on Environment and Economy).	May 4, 2011
112-44	The Threat of Data Theft to American Consumers (Subcommittee on Commerce, Manufacturing, and Trade).	May 4, 2011
112-45	The American Energy Initiative: An overview of the challenges and opportunities for alternative transportation fuels and vehicles. (Subcommittee on Energy and Power).	May 5, 2011
112-46	The Need to Move Beyond the SGR (Subcommittee on Health)	May 5, 2011
112-47	The American Energy Initiative: Discussion Draft of H.R. _____, the Jobs and Energy Permitting Act of 2011. (Subcommittee on Energy and Power).	May 13, 2011
112-48	FCC Process Reform (Subcommittee on Communications and Technology) ...	May 13, 2011
112-49	The American Energy Initiative: Discussion Draft of H.R. _____, the North American Made Energy Security Act of 2011 (Subcommittee on Energy and Power).	May 23, 2011

PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
112-50	Expanding Health Care Options: Allowing Americans to Purchase Affordable Coverage Across State Lines. (Subcommittee on Health).	May 25, 2011
112-51	Creating an Interoperable Public Safety Network (Subcommittee on Communications and Technology).	May 25, 2011
112-52	Protecting the Electric Grid: H.R. _____, the Grid Reliability and Infrastructure Defense Act. (Subcommittee on Energy and Power).	May 31, 2011
112-53	Promoting Broadband, Jobs and Economic Growth Through Commercial Spectrum Auctions. (Subcommittee on Communications and Technology).	June 1, 2011
112-54	The Department of Energy's Role in Managing Civilian Radioactive Waste (Subcommittee on Energy and the Economy).	June 1, 2011
112-55	Sony and Epsilon: Lessons for Data Security Legislation. (Subcommittee on Commerce, Manufacturing, and Trade).	June 2, 2011
112-56	PPACA's Effects on Maintaining Health Coverage and Jobs: A Review of the Health Care Law's Regulatory Burden. (Subcommittee on Health).	June 2, 2011, June 15, 2011
112-57	H.R. 909, Roadmap for America's Energy Future (Subcommittee on Energy and Power).	June 3, 2011
112-58	The Views of the Administration on Regulatory Reform: An Update. (Subcommittee on Oversight and Investigations).	June 3, 2011
112-59	H.R. 2054, the "Energy and Revenue Enrichment Act of 2011." (Subcommittee on Energy and Power).	June 13, 2011
112-60	The Views of the Department of Health and Human Services on Regulatory Reform: An Update. (Subcommittee on Oversight and Investigations).	June 13, 2011
112-61	The NRC Inspector General Report on the "NRC Chairman's Unilateral Decision to Terminate NRC's Review of the DOE Yucca Mountain Repository License Application." (Subcommittee on Energy and the Economy).	June 14, 2011
112-62	Discussion Draft of H.R. _____, a bill to require greater protection for sensitive consumer data and timely notification in case of breach. (Subcommittee on Commerce, Manufacturing, and Trade).	June 15, 2011
112-63	The American Energy Initiative: Pipeline Safety Oversight. (Day 10) (Subcommittee on Energy and Power).	June 16, 2011
112-64	Dual-Eligibles: Understanding This Vulnerable Population and How to Improve Their Care. (Subcommittee on Health).	June 21, 2011
112-65	Protecting Medicare with Improvements to the Secondary Payer Regime. (Subcommittee on Oversight and Investigations).	June 22, 2011
112-66	Reforming FCC Process (Subcommittee on Communications and Technology)	June 22, 2011
112-67	NRC Repository Safety Division—Staff Perspective on Yucca License Review (Subcommittee on Energy and the Economy).	June 24, 2011
112-68	OMB's Role in the DOE Loan Guarantee Process. (Subcommittee on Oversight and Investigations).	June 24, 2011
112-69	Federal Government Spectrum Use (Subcommittee on Communications and Technology).	July 6, 2011
112-70	PDUFA V: Medical Innovation, Jobs, and Patients. (Subcommittee on Health)	July 7, 2011
112-71	The Views of the Independent Agencies on Regulatory Reform. (Subcommittee on Oversight and Investigations).	July 7, 2011
112-72	Legislative Hearing on Miscellaneous Public Health and Biosecurity Legislation (Subcommittee on Health).	July 11, 2011
112-73	IPAB: The Controversial Consequences for Medicare and Seniors (Subcommittee on Health).	July 13, 2011
112-74	Regulatory Chaos: Finding Legislative Solutions to Benefit Jobs and the Economy (Subcommittee on Energy and the Economy).	July 14, 2011
112-75	Internet Privacy: The Views of the FTC, the FCC, and NTIA (Subcommittee on Communications and Technology).	July 14, 2011
112-76	Legislative Hearing to Address Spectrum and Public Safety Issues (Subcommittee on Communications and Technology).	July 15, 2011
112-77A	The American Energy Initiative: a Discussion Draft of H.R. _____, the "Pipeline Infrastructure and Community Protection Act of 2011" (Subcommittee on Energy and Power).	July 15, 2011
112-77B	The American Energy Initiative: a Discussion Draft of H.R. _____, the "Pipeline Infrastructure and Community Protection Act of 2011" (Subcommittee on Energy and Power).	July 21, 2011
112-78	Regulatory Reform Series #5—FDA Medical Device Regulation: Impact on American Patients, Innovation and Jobs. (Subcommittee on Oversight and Investigations).	July 20, 2011

PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
112-79	Legislative Hearing to Address Bioterrorism, Controlled Substances and Public Health Issues. (Subcommittee on Health).	July 21, 2011
112-80	Cybersecurity: An Overview of Risks to Critical Infrastructure. (Subcommittee on Oversight and Investigations).	July 26, 2011
112-81	EPA's Takeover of Florida's Nutrient Water Quality Standard Setting: Impact on Communities and Job Creation. (Subcommittee on Oversight and Investigations).	August 9, 2011
112-82	H.R. 2250, the "EPA Regulatory Relief Act of 2011," and H.R. 2681, the "Cement Sector Regulatory Relief Act of 2011".	September 8, 2011
112-83	The American Energy Initiative: the impacts of the Environmental Protection Agency's new and proposed power sector regulations on electric reliability. (Subcommittee on Energy and Power).	September 14, 2011
112-84	Solyndra and The DOE Loan Guarantee Program. (Subcommittee on Oversight and Investigations).	September 14, 2011
112-85	Cutting the Red Tape: Saving Jobs from PPACA's Harmful Regulations. (Subcommittee on Health).	September 15, 2011
112-86	Internet Privacy: The Impact and Burden of EU Regulation (Subcommittee on Commerce, Manufacturing, and Trade).	September 15, 2011
112-87	Regulatory Reform Series #7—The EPA's Regulatory Planning, Analysis, and Major Actions. (Subcommittee on Oversight and Investigations).	September 22, 2011
112-88	Examining the Increase in Drug Shortages. (Subcommittee on Health)	September 23, 2011
112-89	From DOE Loan Guarantee to Bankruptcy to FBI Raid: What Solyndra's Executives Knew. (Subcommittee on Oversight and Investigations).	September 23, 2011
112-90	Impact of Medical Device and Drug Regulation on Innovation, Jobs and Patients: A Local Perspective. (Subcommittee on Health).	September 26, 2011
112-91	Protecting Children's Privacy in an Electronic World (Subcommittee on Commerce, Manufacturing, and Trade).	October 5, 2011
112-92	Administration Efforts on Line-by-Line Budget Review (Subcommittee on Oversight and Investigations).	October 5, 2011
112-93	Chemical Risk Assessment: What Works for Jobs and the Economy? (Subcommittee on Energy and the Economy).	October 6, 2011
112-94	Food Marketing: Can 'Voluntary' Government Restrictions Improve Children's Health? (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Health).	October 12, 2011
112-95	Cutting EPA Spending (Subcommittee on Oversight and Investigations)	October 12, 2011
112-96	Understanding Consumer Attitudes About Privacy (Subcommittee on Commerce, Manufacturing, and Trade).	October 13, 2011
112-97	The American Energy Initiative: Focusing on Electric Transmission Issues, Including Topics Related to the Siting, Planning, and Allocation of Costs for Electricity Transmission Infrastructure (Subcommittee on Energy and Power).	October 13, 2011
112-98	Continuing Developments regarding the Solyndra Loan Guarantee (Subcommittee on Oversight and Investigations).	October 14, 2011
112-99	H.R. 1633, the "Farm Dust Regulation Prevention Act of 2011." (Subcommittee on Energy and Power).	October 25, 2011
112-100	Internet Gaming: Is There a Safe Bet? (Subcommittee on Commerce, Manufacturing, and Trade).	October 25, 2011
112-101	CLASS Cancelled: An Unsustainable Program and Its Consequences for the Nation's Deficit.	October 26, 2011
112-102	Do New Health Law Mandates Threaten Conscience Rights and Access to Care? (Subcommittee on Health).	November 2, 2011
112-103	H.R. 3035, The Mobile Informational Call Act of 2011 (Subcommittee on Communications and Technology).	November 4, 2011
112-104	The Solyndra Failure: Views from DOE Secretary Chu (Subcommittee on Oversight and Investigations).	November 17, 2011
112-105	Internet Gaming: Regulating in an Online World (Subcommittee on Commerce, Manufacturing, and Trade).	November 18, 2011
112-106	The American Energy Initiative: Expediting the Keystone XL Pipeline; Energy Security and Jobs. (Subcommittee on Energy and Power).	December 2, 2011
112-107	ICANN's Top-Level Domain Name Program (Subcommittee on Communications and Technology).	December 14, 2011
112-108A	American Jobs Now: A Legislative Hearing on H.R. 3548, the North American Energy Access Act (Day 1). (Subcommittee on Energy and Power).	January 25, 2012

PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
112-108B	American Jobs Now: A Legislative Hearing on H.R. 3548, the North American Energy Access Act (Day 2). (Subcommittee on Energy and Power).	February 3, 2012
112-109	Recommendations of the Blue Ribbon Commission on America's Nuclear Future. (Subcommittee on Energy and the Economy).	February 1, 2012
112-110	Reauthorization of PDUFA: What It Means for Jobs, Innovation, and Patients. (Subcommittee on Health).	February 1, 2012
112-111	Evaluating Internal Operation and Implementation of the Chemical Facility Anti-Terrorism Standards program (CFATS) by the Department of Homeland Security. (Subcommittee on Energy and the Economy).	February 3, 2012
112-112	Cybersecurity: Threats to Communications Networks and Private-Sector Responses. (Subcommittee on Communications and Technology).	February 8, 2012
112-113	The American Energy Initiative: What EPA's Utility MACT Rule Will Cost U.S. Consumers. (Subcommittee on Energy and Power).	February 8, 2012
112-114	Review of the Proposed Generic Drug and Biosimilars, User Fees and Further Examination of Drug Shortages.	February 9, 2012
112-115	Where the Jobs Are: Employment Trends and Analysis. (Subcommittee on Commerce, Manufacturing, and Trade).	February 15, 2012
112-116	Reauthorization of MDUFA: What It Means for Jobs, Innovation and Patients. (Subcommittee on Health).	February 15, 2012
112-117	The Budget and Spending of the Federal Communications Commission (Subcommittee on Communications and Technology).	February 16, 2012
112-118	Regulatory Reform Series #8—Private-Sector Views of the Regulatory Climate One Year After Executive Order 13563. (Subcommittee on Oversight and Investigations).	February 16, 2012
112-119	The FY 2013 EPA Budget. (Subcommittee on Energy and Power and Subcommittee on Environment and Economy).	February 28, 2012
112-120	Critical Infrastructure Cyber-Security: Assessments of Smart Grid Security. (Subcommittee on Oversight and Investigations).	February 28, 2012
112-121	The FY 2013 HHS Budget. (Subcommittee on Health)	March 1, 2012
112-122	Prescription Drug Diversion: Combating the Scourge (Subcommittee on Commerce, Manufacturing, and Trade).	March 1, 2012
112-123	Cybersecurity: The Pivotal Role of Communications Networks.	March 7, 2012
112-124	The American Energy Initiative: Rising Gasoline Prices. (Subcommittee on Energy and Power).	March 7, 2012
112-125	The FY 2013 DOE Budget. (Subcommittee on Energy and Power)	March 8, 2012
112-126	FDA User Fees 2012: Hearing on Issues Related to Accelerated Approval, Medical Gas, Antibiotic Development and Downstream Pharmaceutical Supply Chain. (Subcommittee on Health).	March 8, 2012
112-127	A Review of Efforts to Prevent and Treat Traumatic Brain Injury. (Subcommittee on Health).	March 19, 2012
112-128	The American Energy Initiative: the Future of Energy Technology with an Emphasis on Canadian Oil Sands. (Subcommittee on Energy and Power).	March 20, 2012
112-129	The Center for Consumer Information and Insurance Oversight and the Anniversary of the Patient Protection and Affordable Care Act. (Subcommittee on Oversight and Investigations).	March 21, 2012
112-130	Motor Vehicle Safety Provisions in House and Senate Highway Bills. (Subcommittee on Commerce, Manufacturing, and Trade).	March 22, 2012
112-131	IT Supply Chain Security: Review of Government and Industry Efforts. (Subcommittee on Oversight and Investigations).	March 27, 2012
112-132	Examining the Current State of Cosmetics. (Subcommittee on Health)	March 27, 2012
112-133	The American Energy Initiative: a discussion draft of H.R. _____, the Gasoline Regulations Act of 2012; and of H.R. _____, the Strategic Energy Production Act of 2012. (Subcommittee on Energy and Power).	March 28, 2012
112-134	Cybersecurity: Threats to Communications Networks and Public-Sector Responses. (Subcommittee on Communications and Technology).	March 28, 2012
112-135	Balancing Privacy and Innovation: Does the President's Proposal Tip the Scale? (Subcommittee on Commerce, Manufacturing, and Trade).	March 29, 2012
112-136	FDA User Fees 2012: How Innovation Helps Patients and Jobs. (Subcommittee on Health).	April 18, 2012
112-137	Budget and Spending Concerns at DOE (Subcommittee on Oversight and Investigations).	April 18, 2012
112-138	H.R. 4345, The Domestic Fuels Protection Act of 2012. (Subcommittee on Energy and the Economy).	April 19, 2012

PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
112-139	Where the Jobs Are: Can American Manufacturing Thrive Again? (Subcommittee on Commerce, Manufacturing, and Trade).	April 19, 2012
112-140	A Review of Efforts to Protect the Health of Jockeys and Horses in Horse-racing. (Subcommittee on Health).	April 30, 2012
112-141	The American Energy Initiative: H.R. 4273, the "Resolving Environmental and Grid Reliability Conflicts Act of 2012;" and H.R. _____, the "Hydropower Regulatory Efficiency Act of 2012." (Subcommittee on Energy and Power).	May 9, 2012
112-142	Budget and Spending Concerns at HHS (Subcommittee on Oversight and Investigations).	May 9, 2012
112-143	Broadband Loans and Grants (Subcommittee on Communications and Technology).	May 16, 2012
112-144	Where the Jobs Are: Promoting Tourism to America. (Subcommittee on Commerce, Manufacturing, and Trade).	May 16, 2012
112-145	International Proposals to Regulate the Internet. (Subcommittee on Communications and Technology).	May 31, 2012
112-146	H.R. _____, the "American Manufacturing Competitiveness Act of 2012;" and, H.R. _____, to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting. (Subcommittee on Commerce, Manufacturing, and Trade).	June 1, 2012
112-147	EPA Enforcement Priorities and Practices. (Subcommittee on Energy and Power).	June 6, 2012
112-148	The Future of Audio. (Subcommittee on Communications and Technology) ...	June 6, 2012
112-149	Medicare Contractors' Efforts to Fight Fraud—Moving Beyond "Pay and Chase." (Subcommittee on Oversight and Investigations).	June 8, 2012
112-150	Examining the Appropriateness of Standards for Medical Imaging and Radiation Therapy Technologists.	June 8, 2012
112-151	The American Energy Initiative: EPA Greenhouse Gas Regulations. (Subcommittee on Energy and Power).	June 19, 2012
112-152	The Federal Green Jobs Agenda. (Subcommittee on Oversight and Investigations).	June 19, 2012
112-153	The National Institutes of Health—a Review of its Reform, Priorities, and Progress. (Subcommittee on Health).	June 21, 2012
112-154	Electronic Submission of Hazardous Waste Manifests—Modernizing for the 21st Century. (Subcommittee on Energy and the Economy).	June 21, 2012
112-155	The Future of Video. (Subcommittee on Communications and Technology) ...	June 27, 2012
112-156	Committee Print entitled "The Increasing Manufacturing Competitiveness Through Improved Recycling Act of 2012;" and, H.R. 2997, "The Superfund Common Sense Act." (Subcommittee on Energy and the Economy).	June 27, 2012
112-157	The American Energy Initiative: Proposal to Tighten National Standards for Fine Particulate Matter. (Subcommittee on Energy and Power).	June 28, 2012
112-158	The American Energy Initiative: EPA Greenhouse Gas Regulations. (Subcommittee on Energy and Power).	June 29, 2012
112-159	The American Energy Initiative: alternative fuels and vehicles, both the challenges and the opportunities. (Subcommittee on Energy and Power).	July 10, 2012
112-160	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 10, 2012
112-161	RIN Fraud: EPA's Efforts to Ensure Market Integrity in the Renewable Fuels Program. (Subcommittee on Oversight and Investigations).	July 11, 2012
112-162	Helping Veterans with Emergency Medical Training Transition to Civilian Service. (Subcommittee on Health).	July 11, 2012
112-163	The American Energy Initiative—Discussion Draft of H.R. _____, the "No More Solyndras Act"; and, Discussion Draft of H.R. _____, the "Smart Energy Act." (Subcommittee on Energy and Power and Oversight and Investigations).	July 12, 2012
112-164	H.R. _____, a bill to renew the Federal Trade Commission's authority to combat cross-border spam, spyware and fraud through reauthorization of the U.S. SAFE WEB Act of 2006." (Subcommittee on Commerce, Manufacturing, and Trade).	July 12, 2012
112-165	The American Energy Initiative—the Greenhouse Gas New Source Performance Standard (NSPS) for utilities and the impact this regulation will have on jobs. (Subcommittee on Energy and Power).	July 16, 2012
112-166	The American Energy Initiative—Federal government perspectives regarding alternative fuels and vehicles. (Subcommittee on Energy and Power).	July 17, 2012

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Serial No.	Hearing Title	Hearing Date(s)
112-167	Using Innovation to Reform Medicare Physician Payment. (Subcommittee on Health).	July 18, 2012
112-168	Discussion Draft of the U.S. Agricultural Sector Relief Act of 2012 and the Asthma Inhalers Relief Act of 2012.	July 18, 2012
112-169	NRC Policy and Governance Oversight. (Subcommittee on Energy and Power and Subcommittee on Environment and Economy).	July 24, 2012
112-170	The American Energy Initiative: examining the growing differences for energy development on Federal vs. non-Federal lands. (Subcommittee on Energy and Power).	August 2, 2012
112-171	Oversight of the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	August 2, 2012
112-172	The Chemical Facility Antiterrorism Standards Program—A Progress Report. (Subcommittee on Energy and the Economy).	September 11, 2012
112-173	H.R. 4255, the "Accountability in Grants Act of 2012". (Subcommittee on Energy and Power).	September 11, 2012
112-174	Where the Jobs Are: There's an App for That. (Subcommittee on Commerce, Manufacturing, and Trade).	September 12, 2012
112-175	DOE's Nuclear Weapons Complex: Challenges to Safety, Security, and Taxpayer Stewardship. (Subcommittee on Oversight and Investigations).	September 12, 2012
112-176	The American Energy Initiative: the outlook for achieving North American energy independence within the decade. (Subcommittee on Energy and Power).	September 13, 2012
112-177	Creating Opportunities through Improved Government Spectrum Efficiency (Subcommittee on Communications and Technology).	September 13, 2012
112-178	Title 42—A Review of Special Hiring Authorities. (Subcommittee on Health)	September 14, 2012
112-179	The American Energy Initiative: H.R. 6172, a bill that prohibits the Environmental Protection Agency from finalizing any standards of performance for carbon dioxide emissions from existing or new fossil fuel-fired power plants until carbon capture and storage is found to be technologically and economically feasible. (Subcommittee on Energy and Power).	September 20, 2012
112-180	The LightSquared Network—An Investigation of the FCC's Role. (Subcommittee on Oversight and Investigations).	September 21, 2012
112-181	The Fungal Meningitis Outbreak: Could It Have Been Prevented? (Subcommittee on Oversight and Investigations).	November 14, 2012
112-182	Examining Options to Combat Health Care Waste, Fraud and Abuse. (Subcommittee on Health).	November 28, 2012
112-183	The Role of Receivers in a Spectrum Scarce World. (Subcommittee on Communications and Technology).	November 29, 2012
112-184	Keeping the New Broadband Spectrum Law on Track. (Subcommittee on Communications and Technology).	December 12, 2012
112-185	State of Uncertainty: Implementation of PPACA's Exchanges and Medicaid Expansion.	December 13, 2012

MINORITY VIEWS

The activities of the Energy and Commerce Committee tells a tale of two committees. When Republican members worked with Democrats, the Committee was able to produce laws that benefit the health, safety, and welfare of our nation. But when the Republicans passed partisan bills in pursuit of an extreme agenda, the Committee was divided and accomplished nothing. Unfortunately, the Republican majority chose the partisan path during most of the 112th Congress.

This Congress, House Republicans voted over 30 times to repeal the Affordable Care Act. They voted to turn Medicare into a voucher program and Medicaid into a block grant. And they voted to roll back advances in women's health. In Committee and on the floor, Democratic members of the Energy and Commerce Committee led the opposition to these partisan efforts, while Committee staff prepared hundreds of reports that documented the impacts of these ill-advised policies on constituents.

The Republican assault on the environment was also unrelenting. The House of Representatives in the 112th Congress compiled the most anti-environment record in the history of Congress. By the the close of this Congress, House Republicans voted 317 times to block action to address climate change, to halt efforts to reduce air and water pollution, and to undermine protections for public lands.

Committee oversight efforts were also politicized, particularly the Solyndra investigation. The bankruptcy of Solyndra was unquestionably a proper subject for oversight, but Committee Republicans repeatedly alleged that political favoritism influenced the decision-making. The exhaustive record before the Committee—both documentary and testimonial—demonstrated that campaign contributions played zero role in the decisionmaking.

These partisan efforts accomplished little. The legislative assaults on health care and the environment died in the Senate. The efforts to turn Solyndra into a campaign issue gained little traction. The partisanship in the Committee—like the partisanship in the House as a whole—contributed to the public's growing disdain for Congress.

In a few areas, however, Committee Republicans did work with Committee Democrats and the results were bills that were able to pass the Senate and be signed into law.

In the Committee's health jurisdiction, the Committee passed the FDA Safety and Innovation Act of 2012, which reauthorized existing user fee programs, created new user fee programs for generic and biological drugs, provided incentives for the development of antibiotics to treat life-threatening infections, and modernized FDA's authorities for ensuring the safety of the drug supply chain.

In the Committee's environmental jurisdiction, the Committee passed both pipeline safety legislation to protect against natural gas explosions and oil pipeline spills and E-manifest legislation to replace out-dated paper manifest system for hazardous waste shipping with a modern electronic system, paid for through user fees, to improve hazardous waste tracking.

In the Committee's communications and technology jurisdiction, the Committee enacted landmark legislation to ease the nation's growing spectrum shortage, create a nationwide interoperable broadband network for first responders, promote innovation through spectrum set aside for super WiFi, and raise \$15 billion for deficit reduction.

And in the Committee's consumer protection jurisdiction, the Committee crafted bipartisan reforms that protected the health and safety advances of the 2008 toy safety law while making compliance less costly for industry.

During the next Congress, the United States will face immense challenges. We must address the so-called "fiscal cliff," ensure that Medicare physician reimbursement rates remain stable, implement health reform, deploy new spectrum to keep up with the demand for broadband, and develop an energy policy that promotes economic growth, reduces our dependence on foreign oil, and addresses the enormous threats posed by climate change. In addition, Congress must conduct vigorous oversight over government activity to ensure that federal programs are being implemented and managed appropriately, at the same time as protecting taxpayer dollars from waste, fraud, and abuse.

The Energy and Commerce Committee can play a critical role in all of these matters if the Committee is able to forge bipartisan compromises. If there is one lesson this Congress should teach all Committee members, it is that the Committee is dramatically more effective when the Republican majority works with—instead of against—the Democratic minority.

SUBCOMMITTEE RESPONSES

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

In the Subcommittee on Oversight and Investigations, partisan inquiries dominated the agenda. The Subcommittee held nine hearings on regulatory reform that became forums for airing member complaints about individual regulations and assaulting the concept of government regulation with little regard for key facts regarding the pace of regulation (which was slower under President Obama than under President Bush) or the many benefits of important regulations.

The Subcommittee's oversight of the Affordable Care Act was also dominated by unfounded partisan rhetoric. During an investigation into temporary waivers granted from the Affordable Care Act's restrictions on annual limits in insurance policies, agency documents and data produced to the Committee indicated that, contrary to allegations made by Republican members of the Committee, the waiver process was simple, fair, and transparent.

In the Subcommittee's investigation into the negotiations between the White House and trade associations in the development

of the Affordable Care Act, Democratic members showed that President Obama's efforts to enlist the support of private industry in support of one of his top domestic priorities were exactly what Presidents have always done to enact major legislation. Presidents have routinely sought the support and lobbying clout of private industry in passing major legislation.

The Subcommittee's partisan investigation of Solyndra, a solar panel manufacturer that received a loan guarantee for \$535 million from a Department of Energy program initiated under the Energy Policy Act of 2005, lasted 18 months. The Subcommittee received 300,000 pages of documents, conducted 14 interviews with officials, held five hearings, and issued three subpoenas. In the end, the record before the Committee did not substantiate the primary allegation that motivated the Committee's Solyndra investigation, which is that the loan guarantee decision was a form of political payoff to a campaign contributor. To the contrary, the record showed that Solyndra decisions were made on the merits after extensive consideration of the company's prospects.

The Subcommittee's most successful work was conducted on bipartisan basis. For example, a bipartisan investigation into an outbreak of Listeria in cantaloupe yielded a bipartisan report containing important insights into protecting the nation's food supply. And bipartisan oversight efforts regarding the Medicare Secondary Payer Program led to bipartisan legislation that passed the Committee and the House.

SUBCOMMITTEE ON ENERGY AND POWER

The majority's approach to energy and environmental issues was extreme. The focus was to curtail environmental protections by overturning numerous regulations required by law and amending the Clean Air Act and other laws to eliminate or severely curtails EPA's authority to protect public health and the environment. Often, the majority's approach was to advance a provision that was described as a minor policy adjustment. However, in reality, these provisions, if enacted, would have resulted in major changes to federal law which would have resulted in substantially more pollution and increased harm to public health.

The gravest energy and environment threat our nation faces is climate change. The majority's reckless response was to vote to deny that climate change is occurring and to repeal any authority to control or reduce carbon pollution. Their efforts were unsuccessful but precious time to address this issue has been wasted.

For additional detail on each of the legislative attacks on the nation's laws that protect the environment and public health please see the dissenting views for each piece of legislation.

HENRY A. WAXMAN.