



COMMITTEE ON DEMOCRATS  
**ENERGY & COMMERCE**  
RANKING MEMBER FRANK PALLONE, JR.

**FOR IMMEDIATE RELEASE**

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**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery  
Committee on Energy and Commerce  
Full Committee Markup**

Mr. Chairman, thank you for convening this markup today. We will be covering a variety of issues including health, energy and the environment. Many of these bill before us today are important, bipartisan policy advances that the committee should be proud to move forward. However, I am disappointed with several bills that appear to exist only as transparent partisan attempts to block critical environmental and energy proposals put forward by President Obama.

I'd like to begin by discussing several of the bipartisan bills that will improve our nation's health. Two of the bills that were noticed for today's markup are products of the Committee's numerous discussions on our nation's substance abuse crisis. As we have learned through our deliberations, synthetic drug use has been on the rise, creating a tremendous danger for our nation's youth. H.R. 3537, the Synthetic Drug Control Act of 2015 would allow the DEA to take a proactive approach to this emerging trend and would place a number of synthetic substances under Schedule I of the Controlled Substances Act. The Committee is not taking up this legislation today in order to address concerns we have heard about access to substances that may have legitimate research uses. I look forward to continuing ongoing work with the Majority to address these concerns before further consideration by the Full Committee.

H.R. 3014, the Medical Controlled Substances Transportation Act of 2015, also addresses the regulations surrounding controlled substances. This legislation would allow registered physicians increased flexibility to transport certain controlled substances away from their registered practice locations, and intends to facilitate the ability for doctors to travel across state lines for disaster response efforts or care for players while working as a team doctor in games out of state.

Beyond public health, we will also consider two Medicaid bills today. H.R. 3821, the Medicaid DOC Act, is a bipartisan initiative to improve transparency in the Medicaid program. Specifically, it would require states that participate in fee-for-service Medicaid to publish up to date provider directories, information that is critically important to patients. Throughout the legislative process, we've refined the language to ensure Medicaid beneficiaries will receive the

information they demand in an easily understandable format, and I look forward to continuing this effort as we move forward.

In addition to transparency, the next piece of legislation is a bipartisan bill that addresses Medicaid program integrity. H.R. 3716, the Ensuring Terminated Providers are Removed from Medicaid and CHIP Act ensures that disqualified providers in one state are unable to receive ineligible payments by simply crossing state lines. This bill provides CMS with critical tools to keep patients safe and protect taxpayer dollars. Of note, an amendment before the Committee makes additional technical changes. This is by nature a complex bill, but an important one to get right, and I look forward to continuing work on this initiative.

While I have been proud to work in a bipartisan manner on the bills I just discussed, unfortunately I cannot support the next piece of legislation. H.R. 2017, the Common Sense Nutrition Disclosure Act of 2015, would amend the Food, Drug and Cosmetic Act to revise how calorie and other nutritional information is displayed in restaurants and other retail food establishments. I strongly believe that consumers deserve access to accurate and consistent calorie and nutrition information. While I appreciate the work that's been done on this bill I remain concerned that we are not doing enough to help consumers make informed food choices, and do not believe this is the appropriate approach.

In addition to America's health, we will also be addressing issues of the environment today. I'm proud to say Chairman Upton and I have worked together to develop and introduce the next bill, HR 1321. "The Microbead Free Waters Act of 2015" requires the FDA to prohibit the manufacturing of personal care products containing plastic microbeads beginning in 2017. Synthetic plastic microbeads have polluted our nation's waters for years and action is long overdue. I'm very pleased that the Committee is finally taking steps to address this problem and I urge my colleagues to join me in supporting this crucial legislation.

Today's two energy related bills unfortunately are our most controversial. As many of you already know, this week marks the 25th anniversary of the Clean Air Act Amendments of 1990, which ushered in a new era of comprehensive and bipartisan public health protections. Our history has shown time and again that pollution reduction and economic growth go hand in hand, and there is no evidence to suggest the Clean Power Plan will be any less successful in enhancing both public health and the economy.

Yet Republicans are using the same scare tactics that clean air opponents have used for decades. For 45 years, industry has made doomsday claims that clean air regulations would destroy businesses and jobs, drive prices skyward, and cripple economic growth. Of course, they have been wrong every single time. I expect the House Republicans will use the identical, stale rhetoric today when discussing EPA's power plant rules, but the fact remains: The Clean Air Act has yielded more than \$57 trillion in benefits since 1970.

The disapproval resolutions before us would block EPA's critical power plant rules and would prevent coal-fired power plants from the responsibility to clean up their carbon pollution. The path outlined in the Clean Power Plan and EPA's rule for new power plants, is the path to cleaner air, better health, a safer climate, and a stronger economy. I urge my

colleagues to reject these resolutions and instead focus our efforts on moving more toward a modern clean energy economy of the future.

Lastly the final bill before us today, S. 611, is a small, but productive step forward in ensuring safe and reliable drinking water for all Americans. Although this is not the text I would have preferred, I appreciate the Chairman keeping his promise to work with us on report language that addresses some of our concerns. All Americans have a right to safe, clean drinking water and we, as a committee, have an obligation to address the poor state of our drinking water system. I look forward to working across the aisle on other issues related to safe drinking water— including reauthorization of the State Revolving Fund— to address our failing infrastructure and ensure every community's access to safe drinking water.

Thank you.

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