

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Subcommittee on Health Ranking Member Diana DeGette**

***Hearing on “Examining the FDA's Regulation of Over-the-Counter Monograph Drugs”***

**April 1, 2025**

Thank you for holding this hearing on the Over the Counter Monograph Drug User Fee Act, or OMuFA.

OMuFA is an example of Congress identifying something that wasn't working well and fixing it.

Congress fixed it — not Elon Musk and his band of children at DOGE.

Now, we have some outstanding issues but as you'll hear from our witnesses the new system works much better than the old one and we are still refining it through the user fee negotiation process.

But it is unconscionable that the majority on this committee is holding routine hearings like nothing is wrong.

Do you think that the American people are blind?

The very things that make our country great are under attack, Mr. Chairman.

We need to hold hearings on the HHS reorganization and consider legislation if a reorganization is necessary.

We need to hold hearings on the damage being done to America's biomedical research infrastructure and our ability to lead the world in science.

We need to hold hearings on bird flu, measles, and our diminishing ability to tackle public health issues from the simple to the next global pandemic.

Are my Republican colleagues on the great Energy & Commerce Committee so eager to cede our constitutional authority to a rogue administration and passively observe while the President, Elon Musk, and RFK Jr. shred their accomplishments?

It was Congress that acted—on a bipartisan basis—to increase our investment in biomedical research at NIH by nearly \$20 billion per year from fiscal year 2015 to now.

It was Congress that put the FDA user fee acts into place to help ensure that the agency would have the resources it needs to timely review drugs and medical devices.

And it was Congress that passed the 21<sup>st</sup> Century Cures Act to modernize NIH and FDA.

This administration threatens to upend all that work and set us back decades.

The administration cancelled a grant for Florida Agricultural and Mechanical University, in Dr. Dunn's district, that supported innovative research in breast cancer and pain at the university.

That grant supported FAMU's recruitment of two investigators, one specializing in cancer biology and the other in artificial intelligence.

And the University of Colorado had a grant cancelled that focused on a platform technology to rapidly develop vaccines for dangerous emerging threats, including for viruses like Ebola.

I am shocked that the same Republicans I worked with to improve our biomedical research infrastructure would stand for this.

It's not only NIH-funded work that is being attacked.

Last Friday, longtime Center for Biologics Evaluation and Research Director Peter Marks, who worked through the last Trump administration and helped design Operation Warp Speed which was that administration's greatest achievement, was forced out.

We all worked with Dr. Marks and I think everyone in this room has been impressed with his fairness, his rigor, and his drive to use his position to improve public health.

It is worth quoting from Dr. Marks' resignation letter at length.

He wrote: "Over the past 13 years I have done my best to ensure that we efficiently and effectively applied the best available science to benefit public health....I was willing to work to address the Secretary's concerns regarding vaccine safety and transparency....However, it has become clear that truth and transparency are not desired by the Secretary, but rather he wishes subservient confirmation of his misinformation and lies."

Subservient confirmation of his misinformation and lies.

That's not how we make America healthy.

That's how we end up with more dead kids.

Mr. Chairman, I ask unanimous consent to enter Dr. Marks' resignation letter into the record.

OMUFA was my bill.

I'm proud to have worked on it and am proud to continue to work on it as the first user fee negotiation cycle concludes, including to get better sunscreens to market.

But it is simply unbelievable that this is the focus of this committee in this moment.

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My colleagues on the other side of the aisle should be ashamed that they are allowing Trump and Elon Musk to plunder cancer research, drug safety, and pandemic preparedness.

Rome is burning, and we are talking about sunscreen.

The American people deserve more.