

**Statement before the Committee on House Administration  
Funding for the Committee on Energy and Commerce, 113<sup>th</sup> Congress  
Henry A. Waxman, Ranking Member  
March 5, 2013**

Chairman Miller, Ranking Member Brady, and other members of this Committee, thank you for the opportunity to testify on the proposed budget for the Committee on Energy and Commerce in the 113<sup>th</sup> Congress. I am pleased to be here with Committee Chairman Fred Upton. We come with a united message.

At the outset, I want to commend Chairman Upton for the fair way in which he treated the minority last Congress. On the Energy and Commerce Committee, the tradition is that the minority gets one-third of the resources after accounting for shared employees. Chairman Upton has followed that tradition. And he has allowed the minority to control how we spent our budget to meet the needs of our members. I greatly appreciate the comity he shows us in handling the Committee budget.

Chairman Upton and I are committed to working together to reduce costs sensibly and to operate as efficiently as possible. Like the majority, we have also reduced subscriptions, cut back on office supplies, and remain focused on making sure that every penny in our budget counts. I support Chairman Upton's proposal for paperless hearings, and I hope we can find additional ways to use technology to reduce our operating expenses.

Despite our joint commitment to operating efficiently, the big problem we are facing now is how to meet our growing legislative responsibilities with a shrinking budget

We may disagree on the benefits of the Affordable Care Act, but the ACA is now the law of the land. The Energy and Commerce Committee is responsible for overseeing both the new health exchanges and the expansion of Medicaid. These two programs will dramatically expand our oversight responsibilities, yet we are being asked to do so with a shrinking budget and a smaller staff.

We face the same problems in our other areas of jurisdiction. We have enormous energy challenges in the United States. Yet at the same time we are being asked to respond to these growing challenges, our budget and staffing continue to be cut. Over the last two years, our budget has been cut by over 15% in real dollars. That may be pennywise, but it is pound foolish.

On the minority side of the Committee, we have 39 staff slots. But if we have to operate with an 11% cut -- as contemplated in one of the budget scenarios you asked us to complete -- we will be able to fill only 80% of these positions.

There is no way we can do our job ensuring that the taxpayers are protected with one out of every five slots unfilled.

Let me give you a concrete example. The Committee recently received an enormous set of documents from FDA in response to our bipartisan investigation of the circumstances

surrounding a deadly meningitis outbreak caused by contaminated drugs from a compounding pharmacy. These injections have so far killed 48 people and sickened over 700 people in 20 states. We need to understand how this tragedy occurred and what role the FDA plays in ensuring the safety of compounded drugs. Ultimately, our investigation will be critical to the consideration of possible changes to FDA law to prevent a repeat of this tragedy.

At the same time, in the wake of the Newtown tragedy, the Committee is examining mental illness, violent behavior, mental health treatment and research, and federal programs to provide care for the mentally ill. The goal of this effort is to provide recommendations to reduce violence and improve and enhance the capacity of the nation's mental health system.

Yet on the minority side, we are soon going to be operating with only three professional investigators. That's not enough staff to meet these pressing responsibilities.

I recognize that we are now living under the sequester and our Committee must do its part. But I hope you realize that further cuts to our Committee would be counter-productive. The taxpayers need us to make sure our health, energy, communications, and consumer protection agencies are doing their jobs.

Thank you for the opportunity to testify today. I would be happy to answer any questions.