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BUSINESS MEETING TO ADOPT THE OVERSIGHT PLAN
OF THE COMMITTEE ON ENERGY AND COMMERCE
FOR THE 113TH CONGRESS
TUESDAY, FEBRUARY 5, 2013
House of Representatives,
Committee on Energy and Commerce,
Washington, D.C.

The committee met, pursuant to call, at 4:04 p.m., in Room 2123, Rayburn House Office Building, Hon. Fred Upton [chairman of the committee] presiding.

Present: Representatives Upton, Pitts, Burgess, Gingrey, Olson, Bilirakis, Ellmers, Waxman, Green, DeGette, Schakowsky, and Christensen.

Staff Present: Carl Anderson, Counsel, Oversight; Gary Andres, Staff Director; Mike Bloomquist, General Counsel; Sean Bonyun,

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Communications Director; Matt Bravo, Professional Staff Member; Allison Busbee, Policy Coordinator, Energy & Power; Patrick Currier, Counsel, Energy & Power; Tom Hassenboehler, Chief Counsel, Energy & Power; Peter Kielty, Deputy General Counsel; Heidi King, Chief Economist; Ben Lieberman Counsel, Energy & Power; Mary Neumayr, Senior Energy Counsel; Katie Novaria, Legislative Clerk; Andrew Powaleny, Deputy Press Secretary; Alan Slobodin, Deputy Chief Counsel, Oversight; Heidi Stirrup, Health Policy Coordinator; Jen Berenholz, Minority Chief Clerk; Stacia Cardille, Minority Deputy Chief Counsel; Brian Cohen, Minority Staff Director, Oversight & Investigations, Senior Policy Advisor; Greg Dotson, Minority Staff Director, Energy and Environment; Elizabeth Letter, Minority Assistant Press Secretary; Karen Light Foot, Minority Communications Director and Senior Policy Advisor; and Roger Sherman, Minority Chief Counsel.

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The Chairman. The committee will come to order. We will be conducting only opening statements today on the oversight plan for the 113th Congress, which we will continue tomorrow at 9:30 a.m. So the chair will recognize myself for 5 minutes.

The rules of the U.S. House require each committee to adopt an oversight plan and submit it to the Committee on Oversight and Government Reform and the Committee on House Administration by February 15. Under both Republican and Democratic chairs, this committee has a long tradition of conducting strong oversight of the agencies and the programs in our jurisdiction. And as a former chairman of that Subcommittee on Oversight and Investigations, I have seen the importance of a rigorous oversight agenda.

When we examine programs, ask tough questions, gather the facts, we build a strong record that allows us to craft the right legislative fixes for the problems that we find. The oversight plan proposed today sets forth some markers on what this committee intends to do on oversight during the 113th Congress. The plan does not limit, in any way, the matters that we may decide to look into. Our jurisdiction is broad, and touches on some of the most important policy issues and debates facing our Nation.

Accordingly, our oversight agenda is ambitious, focuses on examining health care, environmental, communications, energy programs, and making sure that they are running efficiently and responsibly. The majority committee staff has worked with minority

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committee staff on the oversight plan that we will consider tomorrow. I appreciate the exchange of ideas between our staffs. And the plan that I am representing reflects almost all of the changes suggested by the minority. I believe the oversight plan for the 113th Congress is comprehensive, well-balanced, will keep our committee at the forefront of Congress's work on key policy debates and legislation. I would urge a "yes" vote on the oversight plan, and look forward to its adoption. The chair now recognizes the ranking minority member from California, Mr. Waxman, for an opening statement.

Mr. Waxman. Mr. Chairman, today we are starting consideration of the committee's oversight plan. I agree with most of what is in the plan. But I have concerns about the lack of attention on one key energy issue, and that is climate change. Earlier today, the Subcommittee on Energy and Power held a hearing on North America's fossil and renewable energy resources. It highlighted the significant shift in oil and gas production in the United States. The availability of oil and gas is a piece of the Nation's energy puzzle. But there is another aspect that is critically important to the future of our country. In his inaugural address, President Obama said that we must transition to a sustainable energy future. He said we must respond to climate change, because to do otherwise would "betray our children and future generations."

I was pleased to hear Chairman Whitfield acknowledge the importance of cutting greenhouse gas emissions at this morning's

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hearings. We now need to take the next step, and hold hearings on why greenhouse gas emissions are such a threat. Educating ourselves about climate change is not alarmist, as Chairman Whitfield suggested in comments to the press, it is just common sense. It is what our committee ought to be doing. The world's premiere scientific institutions tell us that climate change is caused by humans, is occurring more rapidly than expected, and is already having severe consequences.

Perhaps most importantly for policymakers, the window to prevent far worse impacts is rapidly closing. Satellite data tells us that sea levels have risen by 60 percent, more than scientists projected would occur by now. Greenland and the Antarctic ice sheets are losing more than three times as much ice each year as they were in the 1990s. Arctic Sea ice shrank to the lowest level in observed history in 2012. These aren't projections, these are directly measurable effects of climate change in action.

And these effects aren't just happening somewhere far away. Last month, the top climate experts in the country released the draft National Climate Assessment. Describing the climate change impacts, we are experiencing already more frequent and intense heat waves, droughts, extreme storms like Superstorm Sandy, and rising sea levels. And there are far worse impacts to come if we don't take action. We are the committee charged under the House rules with crafting the Nation's energy policy. I believe that as we make these policy

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decisions, we should understand whether there is a connection between climate change and the extreme weather events that are already harming our Nation. Unfortunately, ignorance has a steep price. In 2011, we experienced a record 14 weather and climate disasters that each caused a billion dollars or more in damages. These disasters cost the U.S. over \$60 billion.

The total damages we suffered in 2012 from weather and climate disasters will be even higher. In November, the International Energy Agency published its World Energy Outlook. IEA concluded that our current global energy system is unsustainable. The International Energy Agency also concluded that if the world does not take action to reduce carbon pollution before 2017, then all the allowable carbon dioxide emissions would be locked in by energy infrastructure existing at that time. In short, there is every reason to believe that if we fail to lead on climate change, we will betray our children and future generations, and leave them with a damaged world.

Last Congress, Mr. Chairman, Congressman Rush and I wrote 21 letters requesting hearings on important developments related to climate change. We requested these hearings because it is essential that each member of this committee understand the seriousness of what the latest climate science tells us. We asked to hear from groups like the National Academy of Sciences, the World Bank, and the International Energy Agency. Unfortunately, we never received a single response from Chairman Upton or Chairman Whitfield.

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The draft oversight plan that we consider today and tomorrow will chart the committee's course over the next 2 years. Given the chairman's refusal to respond to our requests, we will be taking the usual step of offering amendments so that we can make educating ourselves about the climate change part of the plan. I think that is a reasonable thing for us to do. I wish this step was not necessary. I hope that Chairman Upton and Chairman Whitfield will reconsider. We want to work together with them and all the members of this committee on this vitally important issue. Thank you.

The Chairman. If the gentleman will yield the remaining seconds.

Mr. Waxman. I will be happy to. Certainly.

The Chairman. As I said in my opening statement, we have agreed on much. And again, I appreciate the work of our staffs. I will make this commitment. In the 113th, we will invite administration witnesses to discuss their second term climate record, agenda, planned regulatory actions, and to discuss the effects on energy policy and consumers. We anticipate calling a hearing with EPA to examine the administration's second term climate actions after the State of the Union, which is next week.

Mr. Waxman. Mr. Chairman --

The Chairman. I just want to say we will continue the dialogue. And as we noted this morning at the hearing in Mr. Whitfield's subcommittee, we did have witnesses who talked specifically about climate. And I think in the last Congress we had nearly 30 witnesses

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over the 2 years.

Mr. Waxman. Mr. Chairman, if I might, the strongest argument that was made over and over again in this committee on the Republican side of the aisle to frustrate any efforts on climate change is that there was a disagreement with the science. And the best way to deal with the science issue is to hear from the scientific experts. Why deny the science and then deny the scientists a chance to inform us about the science?

So I would ask you to have further discussions with me between today and tomorrow so that perhaps we can avoid any amendments on our part. It seems to me that there shouldn't be any disagreement about this committee hearing from people that can inform our decisions. You pointed out that we are going to be considering the most important policy issues facing our country. I don't think we can deny that climate change is not right up there with all the others. So I hope we will continue talking.

The Chairman. The gentleman's time has expired. And I would yield for an opening statement to Mr. Pitts 3 minutes.

Mr. Pitts. Thank you, Mr. Chairman. As the oversight plan states, the committee's oversight functions will focus on, one, cutting government spending through the elimination of waste, fraud, and abuse; and two, ensuring laws are adequate to protect the public interest or are being implemented in a manner that protects the public interest without stifling economic growth. As chairman of the Health

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Subcommittee, I will limit my remarks to that jurisdiction. Our subcommittee oversight functions will focus on several issues: The implementation and effects of the Affordable Care Act, ACA; waste, fraud, and abuse in the Medicare and Medicaid programs; review of FDA's drug approval process and its handling of recent outbreaks such as the fungal meningitis outbreak in 2012; public health and preparedness; and FDA's regulation of tobacco. Specifically, many elements of the ACA are set to go into effect in 2014, including the health insurance exchanges and State Medicaid expansions. This subcommittee will be first monitoring the drafting of the rules, regulations, and guidance States need to have in order to operate in compliance with the law. And secondly, ensuring HHS releases this information by the statutory deadlines.

Additionally, the subcommittee will evaluate the effects of ACA implementation, including rules and regulations, on the States and their budgets, the private insurance market, the economy and jobs, employers, the health care industry, and individual consumers, including access and cost issues. With regard to Medicare, as I said, we will continue to investigate the scope of waste and fraud in the program, and how to best combat these abuses. We will evaluate Medicare reimbursement rates and the process by which those rates are established, and the effectiveness of the current competitive bidding process.

As for FDA, the subcommittee will continue discussions from last

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Congress about its drug approval process, and how the agency balances safety, speed, and innovation. And we will carry on our oversight of FDA's actions regarding NECC, the compounding pharmacy at the center of last year's fungal meningitis outbreak.

Finally, the subcommittee will be reviewing the Nation's public health programs, including those for mental health, and assessing our pandemic preparedness. I look forward to a vigorous oversight agenda in the 113th Congress. And with that, I yield back. Thank you, Mr. Chairman.

Mrs. Ellmers. [Presiding.] Okay. We will have Mr. Green for 3 minutes, please.

Mr. Green. Thank you, Madam Chairman. I want to thank the chair for holding this business meeting to mark up the oversight plan for the committee for the 113th Congress. I am looking forward to working with members on both sides of the aisle on pressing issues before the committee and pass legislation that will help job creation, support our Nation's businesses and working families. This year will be important for the implementation of the Affordable Care Act. I hope that members of this committee who disagree on the law can come together and provide rigorous oversight to ensure that the law is implemented in the best interests of the American people.

The law, like all laws, is not perfect, but we can work together to strengthen it legislatively and to engage the administration as they roll out major provisions. I represent the Houston ship channel area,

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which is the largest petrochemical complex in the country. I cannot stress how important the success of the CFATS programs is to my constituents who are employees and live in the communities that surround these facilities. I am committed to passing legislation in this Congress that will permanently authorize CFATS, and provide the certainty and safety measures that are necessary.

One of the keys to rebuilding America's middle class is the supporting of domestic manufacturing and trade. I am very interested in seeing this committee use its authorities to identify what the Federal Government can do to help strengthen and accelerate the reshoring of manufacturing back to the United States. I also look forward to working with members of the committees that provide oversight of the FCC as they implement the auction of broadcast spectrum. It is critical that when broadcasters relinquish spectrum, it is voluntary, and that repacking preserves our ubiquitous free over-the-air broadcast system.

I also have a bill that would address the growth in the disposal of electronic waste, which currently creates environmental, health, and national security risks around the world. This bipartisan legislation provides a regulatory framework needed to address this growing problem, while also creating a research program for improving the technology and capacity for recovering and recycling rare earth materials. I hope the Environment and the Economy Subcommittee will take this bill up this Congress.

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Finally, Chairman, I would like to state my support for the ranking member in his efforts to have the committee hold hearings on climate change. While he and I may disagree on how to address the issue, we do agree with the scientific community that climate change is real. It is an important reality that should be contemplated by the House and inform our domestic energy policy. Also, it is my hope that the Energy and Power Subcommittee will look more substantially at the air regulations coming out of the EPA instead of passing bills that simply strike or delay these rules indefinitely. These bills do not see the light of day in the Senate, and the victim of this political strategy is the business community and employers in my district who need regulatory certainty so they can plan for the future and expand their operations. We can legislate on these issues and work together, and it is my hope that we will get back to doing that in our committee. And again thank you for having this hearing, and I yield back my time.

Mrs. Ellmers. I now yield 3 minutes to Mr. Burgess, vice chair of Oversight and Investigation, and Health Subcommittees.

Dr. Burgess. I thank the chair for the recognition. This is an important business meeting. We are here to note the proactive efforts the committee is taking and demonstrating that we are going to remain serious about one of our most fundamental, one of our strictly constitutional obligations, and that is oversight. It is an essential role of the Congress to do it in a fair manner, but to oversee the implementation of laws, and ensure that the executive branch and its

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agencies under our committee's jurisdiction are, in fact, serving the American people and spending every dollar of taxpayer money well.

As the role and functions of the Federal Government have grown and continue to grow, so too has this responsibility. A fundamental objective of congressional oversight is to hold the executive branch accountable for the delegated authority to implement the laws that Congress dutifully passes. This function is, or should be inherently bipartisan. Every dollar that is wasted is a dollar that does not provide an essential service or provide for our constituents in some way, but yet is taken from our constituents by force and then squandered.

With the broad and distinguished jurisdiction of the Energy and Commerce Committee, this responsibility will fall heavily on the shoulders of those on this committee. It is a responsibility that we should embrace to do our due diligence, to ask tough questions, review how funding is used, and when necessary, investigate improper or illegal activity to maintain confidence in the areas under our purview.

Certainly we seek the cooperation of the administration and the various Federal agencies. But if that cooperation is not forthcoming, we should not hesitate to do our job. And that was certainly shown in the last Congress, when subpoenas were required in order to get the critical information to investigate the Solyndra loan scandal.

From our ongoing work in the last Congress to the challenges we see coming down the road, we have got the implementation of the

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Affordable Care Act, that is going to be an enormous undertaking, and to date, I am unconvinced by the Department of Health and Human Services that they are, in fact, on track to do everything they have said they were going to do. And it is our committee's responsibility to ensure that that work indeed gets done, or if it cannot be done and delivered on time, that our committee is front and center in having that disclosure made to the American people.

We talked a lot in the last Congress about how it was hard to get anything done and how both sides wouldn't work together, and yet, we passed a sweeping FDA safety bill that now it is our obligation to ensure that that is implemented properly. So certainly the future of the loan guarantee programs, we are going to have to have continued vigilance there. And the issues of every aspect of the agencies under our control are going to require our constant vigilance.

We have a very busy Congress ahead of us. Our oversight plan speaks to that. And as a consequence, I look forward to us approving this plan during our business meeting tomorrow. And I yield back.

Mrs. Ellmers. Okay. I now yield 3 minutes to Ms. DeGette from Colorado, who is ranking member of the Oversight and Investigations Subcommittee.

Ms. DeGette. Thank you, Madam Chair. As the ranking member of the Subcommittee on Oversight and Investigations, I am pleased to talk about our oversight plan for the new Congress. As everyone on this committee knows, the Oversight and Investigations Subcommittee has a

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long record of conducting fair, even-handed, and bipartisan oversight of these issues of significant importance. It both helps us in the legislative process, and it also improves the implementation of the laws passed by Congress.

I am really pleased that we have a new chairman of the Oversight and Investigations Subcommittee this session of Congress, Representative Murphy. Representative Murphy and I have been working very closely and talking about the grand tradition of this subcommittee and some of the possible areas for investigation. And I know we will be able to act in a bipartisan way.

Unfortunately, the last session of Congress was overly partisan in my view. And when we are overly partisan, I don't believe the committee lives up to the standards set by our predecessors on both side of the aisle. So I am looking forward to having constructive, meaningful conversations. And I always realized that the main -- of course, there is two enemies much of the time, the first one is, as Mr. Dingell calls it, the cave of the winds over on the other side of the Capitol. And then, of course, there is the administration, who needs to work with us to get a full and fair airing of every single issue that we investigate.

We have a new opportunity in this Congress, and we have a lot to do. And Mr. Murphy and I have already been talking about a number of the investigations that we are going to be looking at. As Mr. Pitts mentioned, the implementation of the Affordable Care Act is one issue.

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The meningitis outbreak caused by compounded drugs is another issue. And also, I know the first hearing that we will have next week is on flu pandemics and what the United States is doing to prepare for what could be a terrifying outcome. Also, our second hearing later on in the month is going to try to respond to some of the gun tragedies that we have had lately, with meaningful oversight into the mental health needs and concerns as they relate to gun violence. These will be very important hearings.

I also want to continue our work on the safety of our Nation's nuclear laboratories. This has been a conversation started by Mr. Barton some years ago that we need to continue to make sure these things are safe. I just want to add one thing to Mr. Waxman and Mr. Green's statements. I was pleased to hear Mr. Upton say that this is not an exclusive list, because we really do need to focus on climate change as we look at the oversight plan for this committee. Our committee has primary jurisdiction over the Nation's energy policy. And the energy policy must reflect scientific realities. So I am looking forward to working in a bipartisan way on this important subcommittee, and I know I can promise that our side will be engaged and ready for action. Thank you.

Mrs. Ellmers. Thank you. I now yield 3 minutes to Mr. Bilirakis from Florida.

Mr. Bilirakis. Thank you, Madam Chair. I appreciate it very much. I will be brief. Aside from setting policy, one of this body's

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core functions is making sure that these policies are being appropriately implemented. We are obliged to conduct robust oversight in order to ensure that the government is streamlined and working for our constituents, not making life more difficult for them.

As a member of the Energy and Commerce Committee, I look forward to helping this committee work to ensure that taxpayer dollars are spent effectively and efficiently. We have our work cut out for us. Through monitoring the health reform law and health care issues, environment and economic matters, and by supporting commerce, manufacturing, and trade, of course, I look forward to supporting the committee's efforts. Thank you very much, and I yield back the balance of my time.

Mrs. Elmers. Thank you. I now yield 3 minutes to Ms. Schakowsky from Illinois, ranking member of the Commerce, Manufacturing, and Trade Subcommittee.

Ms. Schakowsky. Thank you. I want to endorse what our ranking member of the full committee, Mr. Waxman, has said. I am really frightened by the changes in the climate right now. We are seeing things happening faster than we had expected. And this committee, this great committee has an opportunity for this Congress and this country to be a leader in addressing a problem that will have global and devastating outcomes. And I would hate to think that we are going to pass up the chance to do that. 2012 was the hottest year ever in the United States. More than 60 percent of the country, including my State, Illinois, experienced severe drought. The average temperature

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was a full degree Fahrenheit higher than the previous record that was set in 1998. The 10 warmest years on record, going back to 1980, have all occurred in the last 15 years. And the last time a month of global temperature fell below the 20th century average was February of 1985, meaning that has never happened in your lifetime if you are younger than 28 years old.

My hometown of Chicago went a record 335 days without measurable snowfall, shattering previous records. I would get these beautiful holiday cards with these wonderful snowy scenes, and I am thinking I am going to have to explain to my grandchildren what this landscape was really like. You can't even buy a sled for sure in Chicago anymore, although thankfully we do have snow right now.

Estimates suggest that if climate change is left unaddressed, sea levels could rise an average of 12 feet by 2300, engulfing many coastal areas in the United States and around the world. Temperatures that could spike to 120 degrees that will kill our trees, create drought, maybe ruin our crops, and we will live in a barren landscape. This committee's approach to climate change will have lasting impact on this country and on this planet. And we should and we can take this responsibility seriously.

In the last Congress, with a virtually identical oversight plan, the committee failed to hold meaningful hearings on climate change and hold markups on legislation. I don't want to point fingers, though. I want to sit down, I want us to work together to try for our children,

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for our grandchildren, for our great grandchildren to resolve this problem. I really hope that this committee will take the lead in this Congress. Thank you, and I yield back.

Mrs. Ellmers. I now yield 3 minutes to Dr. Gingrey from Georgia, who is the vice chair of Energy and Environment Subcommittee.

Dr. Gingrey. Madam Chairman, thank you. And thank you for calling this business meeting on the committee's oversight plan for the 113th Congress. Before I comment on the plan for the current Congress, I would like to commend you and this hardworking professional staff of our committee for being a true example of how the oversight process should be run, particularly when it came to lengthy investigations into the failed Department of Energy loan guarantee programs for Solyndra and other grantees, and the meningitis outbreak as a result of the lax oversight of the New England compounding pharmacy. Under rule 10 of the standing House rules, we must approve an oversight plan by February 15. Given the very broad jurisdiction of our committee, I am pleased to see that we plan on providing the necessary oversight over a wide array of issues important to the American people.

At the same time, I believe that this plan provides our professional staff with the proper amount of flexibility when it comes to other matters that may arise throughout this 113th Congress.

In particular, Madam Chairman, as a practicing physician and member of the Health Subcommittee, I am looking forward to continuing

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the oversight work done by this committee on the Affordable Care Act, commonly known as ObamaCare.

It is no secret that I have long been a staunch critic of the implementation of this law and the negative impact that I believe it will have on individuals, small businesses, and most importantly, our health care delivery system. I believe that we owe it to the American people to continue to shed light on ObamaCare.

Furthermore, as I am now the vice chair of Environment and Economy Subcommittee, I am looking forward to the specific portion of the oversight plan that addresses Yucca Mountain. Unfortunately, the Department of Energy has chosen to abandon its plans to utilize Yucca as a long-term repository for spent nuclear fuel. Over the years, we have now invested \$15 billion in hardworking taxpayer money on developing this critical facility, now with the potential for it to go to waste, unfortunately not nuclear waste. Oversight in this regard is necessary to explain to the American people where their money went, \$15 billion.

Madam Chairman, I look forward to working with you and the chairman of my subcommittees, Chairman Pitts of Health, Chairman Shimkus, Environment and Economy, and Chairman Murphy of Oversight and Investigations, in maintaining an active role throughout the entire jurisdiction of our committee. And I support this oversight plan. I urge my colleagues to do the same, and I yield back.

Mrs. Elmers. Thank you. I now yield 3 minutes to

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Dr. Christensen, who represents the Virgin Islands.

Dr. Christensen. Thank you, Madam Chair. And I am honored to be back on this committee. And I look forward to working on my three subcommittees and with the larger committee. I especially hope, though, that our chairman, ranking members and colleagues, will work with me to address the crises that my district is facing in energy and in health. These crises are of such breadth and severity that I am gravely concerned about the health and safety of my constituents, as well as the strong potential for civil unrest, especially in response to increasing and unsustainable energy costs, which are more than five times the national average at 50.8 cents per kilowatt compared to 99.83 cents per kilowatt average in the United States. The stress that this is putting on families and our economy calls for an immediate response and remedy.

While committee's jurisdiction in energy and power more lends itself to longer-term solutions, it would be very helpful to have an early hearing on the energy challenges that all of the territories are facing.

I also look forward to working with the committee to provide support for transitioning to renewables, as all of the smaller Territories are dependent almost exclusively on fossil fuel as an energy source, and are also at risk for being highly impacted by climate change. But on the other issue, we can do something almost immediately to alleviate a health care crisis that is especially threatening the

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safe and sustainable operation of our hospitals. We only have one on each island. And although not so designated, they are critical access for our residents.

My constituents and I greatly appreciate the increase in Medicaid funding that we are receiving under the Affordable Care Act. But unfortunately, the provision that allowed the Secretary to set a match the way the state FMAPs are set, according to per capita incomes that we passed in this committee and in the House, was lost in the Senate version. The high 55-45 match in an already cash-strapped jurisdiction severely hampers our ability to utilize those funds which are desperately needed to provide access to care for lower income individuals, and to enable our hospitals to provide quality critical acute care services.

I am asking for an early hearing on my bill, H.R. 79, and the help of the chairs and ranking members to get it to the floor for passage as soon as possible. There is no budget impact, which is why we could not get it done in the reconciliation bill. While my immediate focus is on these two areas, every area of this committee's jurisdiction is important to my district and to our entire Nation. And I am looking forward to a more bipartisan approach to critical issues like climate change, and to shaping policies that will create jobs and stimulate our economy, while still protecting the health and well-being of our communities in this 113th Congress. Our country needs that from us. And I yield back the balance of my time.

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Mrs. Ellmers. Thank you. I now yield 3 minutes to Mr. Olson from Texas.

Mr. Olson. I thank the chair for convening this business meeting. I appreciate the opportunity to review the oversight plan. It looks like we are going to have a very busy 2 years. It is our duty as Members of Congress to oversee government programs, to ensure that the government is a good steward of taxpayer dollars, and that the government is working for the people, not against them.

This plan covers a broad spectrum of issues. But I would like to say thank you to Chairman Upton for focusing on grid reliability. The infrastructure security and reliability is a major issue in my home State of Texas because we are facing a power crunch brought on by overregulation. I also look forward to reviewing the EPA's regulatory efforts, and will push for increased transparency in science at the agency. I agree with the oversight plan's focus on the Affordable Care Act, whose major provisions should be implemented sometime next year. But there are still many uncertainties, and that causes problems for families and businesses as they try to plan their health care needs, but also for doctors, hospitals, and health care providers across the Nation, as they must comply with the ever-changing law.

We also must address the waste, fraud, and abuse that is already in the Medicare and Medicaid programs, and ensure we identify it and eliminate it. I appreciate the time the committee took in the last Congress to examine privacy and data security issues, and look forward

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to working with my colleagues on this issue this Congress.

Again, it will be a busy 2 years. We must uphold our constitutional duty to provide oversight of the executive branch, and I believe this plan is an effective outline to guide our committee in those efforts. Again, I thank the chair for holding this meeting. I look forward to working together to get the job done. I yield back.

Mrs. Ellmers. Thank you. Seeing that there are no more members here with opening statements, the chair calls up the oversight plan for the 113th Congress and asks the clerk to report.

The Clerk. Oversight plan for the Committee on Energy and Commerce, U.S. House of Representatives, 113th Congress.

[The oversight plan follows:]

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Mrs. Ellmers. Without objection, the text of the plan will be considered as read. For the information of members, we are now on the oversight plan for the 113th Congress. The committee will reconvene at 9:30 a.m. tomorrow. I look forward to seeing all of you there tomorrow. The committee stands in recess.

[Whereupon, at 4:40 p.m., the committee was adjourned.]