

**Opening Statement of the Honorable Fred Upton**  
**Committee on Energy and Commerce**  
**Markup of H.R. 3522, H.R. 4701, H.R. 4067, H.R. \_\_\_\_\_, H.R. 3670, H.R. 5161, H.R. 1575**  
**July 29, 2014**

*(As Prepared for Delivery)*

This committee has worked to advance three primary goals of promoting job creation and economic growth, transforming Washington to create a smaller, modernized government for the innovation era, and protecting families, communities, and civic initiatives. We have enjoyed great bipartisan success, with over sixty bills through the House, and over 15 public laws. Just this week, three more bills passed the House, and two of our bills are currently awaiting the president's signature. But our work is not done, and with this markup, we build upon our record of results as we consider seven bills.

We will first take up three bipartisan telecommunications bills. The Anti-Spoofing Act, authored by Reps. Meng, Barton, and Lance, extends existing Truth in Caller ID laws to apply to text messages in addition to voice calls. This act protects consumers by preventing bad actors from masking their identity as a means to gather sensitive personal information.

The E-LABEL Act, authored by Reps. Latta and Welch, is a bipartisan, bicameral effort to streamline government regulations by embracing modern technology. The bill allows manufacturers to use digital labels for smartphones and other devices with screens instead of the traditional etched labeling that is currently mandated. Consumers still are able to access important FCC certification information, but manufacturers are able to take advantage of the technology inherent to their equipment, saving money, and creating a more visually pleasing device.

Finally, the Kelsey Smith Act, authored by Reps. Yoder and Pompeo, will enable law enforcement to use cell phone location data as a lifesaving tool in times of serious emergencies. This bill allows service providers to hand over this data when requested by an officer without fear of liability – a measure that could help prevent tragic outcomes by helping locate users in danger.

We will next consider a slate of health bills. For years, President Obama repeatedly promised that, "If you like your health care plan, you can keep it." As millions of Americans lost their coverage last year, the administration insisted it was "only 5 percent" – those who purchased health care on the individual market – who could lose their coverage. The Employee Health Care Protection Act, authored by Dr. Cassidy, would help American workers trying to keep their health coverage and would offer better choices to small businesses struggling to find affordable choices under the law.

The Tick-Borne Disease Research Accountability and Transparency Act of 2014, authored by Mr. Gibson, is a critically important bill to address the growing threat of Lyme Disease. This bill would establish a working group at the Department of Health and Human Services that would prepare a report summarizing federal activities related to Lyme disease, identifying the latest scientific advances, and making recommendations to the Secretary and to Congress. The report would also inform HHS on the development of a strategic plan that would improve prevention, diagnosis, and treatment of Lyme disease.

We will next consider a bill introduced by Rep. Jenkins that would provide more certainty to patients and providers in rural communities. This bill has already been approved by Unanimous Consent in the Senate. It would help ensure that patients – including Medicare patients – across the country, particularly in rural communities, have access to the health care they need.

Finally, we will consider H.R. 5214, championed by Reps. Olson and Sessions, requiring the Secretary of HHS to publish specific recommendations for the development of clinical data registries, a tool that we have learned through the committee's efforts to replace the broken SGR formula holds great promise. However, we believe that HHS needs to work more collaboratively with interested parties on how to

facilitate successful registries. Therefore, this legislation would encourage the development and dissemination of best practices designed to support registry development that works for patients, provider groups, and other stakeholders.

I thank all of our members and staff on both sides of the aisle for their work. Together, we are making a difference.

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