

Written Testimony of Congresswoman Marcy Kaptur (OH-9)
Before the Energy and Commerce Committee Member Day
Subcommittee on Energy
Thursday, July 25, 2019 at 10 AM
John D. Dingell Room, 2123 Rayburn HOB

Colleagues, thank you for the opportunity to address you this afternoon. As chair of the Energy and Water Appropriations Subcommittee, I deeply value the collaborative relationship between our two subcommittees. We can accomplish so much together. In addition, I will highlight several priorities that relate to the Health Subcommittee.

The Energy and Commerce Committee was extremely active last week in several areas of overlapping jurisdiction.

A. Workforce Development

I applaud Chairman Rush and the committee for your attention to the workforce development and pipeline issues at DOE. Last week, you approved H.R. 1315, the Blue Collar to Green Collar Jobs Development Act of 2019. In March, my committee also held a workforce development hearing.

As you know, we have a pipeline and workforce development crisis in the energy and nuclear security industries, both at the Department of Energy and in the private sector. According to the Energy and Employment Report for 2018, roughly 12 percent of today's energy workforce is eligible to retire and 70 percent of energy industry employers reported hiring difficulty. DOE must be more proactive about recruiting and training a new generation of innovators because our country needs to compete in a new world economic order.

B. Weatherization

This committee recently approved H.R. 2041, Rep. Tonko's Weatherization Enhancement and Local Energy Efficiency Investment and Accountability Act.

DOE's Weatherization program has a direct, positive impact on the lives of every day Americans, particularly low-income Americans, spanning all 50 states, U.S. territories, and Native American Tribes.

H.R. 2041 expands flexibility for the program and creates new opportunities to innovate. I hope to work with you to ensure we can get a floor vote on the weatherization reauthorization. In addition, I hope that we can work together to add a tweak to add what I call "neighborhood scale" weatherization. The innovation fund encourages innovative roofing, energy efficiency, and new outreach and assistance programs and I would like to provide slightly more clarity to DOE on this front.

Specifically, the legislation should include within innovative outreach, "neighborhood scale" weatherization. At the ground, the community action agencies work seamlessly between federal

programs. I am on a mission to ensure that other federal agencies, including HUD, HHS, and the VA collaborate to ensure that these programs work together.

But, DOE can also be a focal point for innovation. We must think about weatherization eligible individuals as part of a larger pool of people, and take a neighborhood scale approach to ensure mobile homes, multi-family units, or neighborhoods participate in the weatherization program. These communities are yearning to participate in the weatherization program but just need a small lift from DOE and the community partners.

The needs of our nation are evolving, and with neighborhood scale weatherization, we can connect multiple units with integrated solar, geothermal, community scale wind, and achieve efficiency of scale by ensuring groups of individuals are enrolled in the weatherization program together.

C. Energy Efficiency at Drinking and Wastewater Treatment Facilities

We also have important work to do in making our waste and drinking water facilities more energy efficient. Drinking and Wastewater facilities are one of the largest industrial users of electricity. On behalf of ratepayers, consumers, and the general public, we have an opportunity to help our country by reducing energy usage at these facilities. Both EPA and DOE have role to play.

The State Revolving Loan Fund can and must do better. The Green Project Reserve (GPR) sets aside 10% of the SRF to energy efficiency and green infrastructure. But the states have not been given adequate direction about how to utilize the set aside. The Green Project Reserve is misunderstood, undersubscribed and does not serve its purpose. I am working on a legislative solution and hope to work together with the environment subcommittee with jurisdiction over the Safe Drinking Water Act.

DOE provides technical assistance to drinking and wastewater facility operators to help them determine what types of energy efficiency measures would work best in specific plants and provides them a path to realize those savings. DOE's research and development programs, such as those within the Office of Energy Efficiency and Renewable Energy, help develop the next generation of efficiency technologies.

Congress must examine the SRF and chart out a path to ensure that federal dollars put aside for green projects are being used for their intended purpose.

D. Drug Pricing

I've discussed some of my energy priorities, and it is also important to recognize the value of energy and its role in keeping the American public healthy – especially after the blazing summer heat last weekend. I would like to address a couple of my priorities within the Health Subcommittee's jurisdiction as well.

The current state of play in drug pricing involves the corporate consolidation of Big Pharma and company monopolies which have created a closed market – where not even capitalism can breathe. Fundamental to capitalism is competition in the marketplace. From patent thicketing to the stalling and prevention of generics from entering the market for consumers, the unfair business practices of Big Pharma have allowed greed to overtake innovation.

I appreciate the Energy and Commerce Committee’s work on pay for delay, which takes an important first step—but there’s more work to be done. The legislative framework Big Pharma has enjoyed for too long must be reformed. Finding cures for diseases should not involve various entities being rewarded by inflated prices at the expense of patients inability to afford lifesaving medicine.

I come before you today as an advocate for thousands of my constituents in Ohio’s 9th congressional district who are struggling to afford their prescription medicine. In recent months I have been hearing alarming concerns from seniors, patients and families in my district who are rationing their prescription drugs and making life-altering decisions because the cost of their medicine continues to rise. I am glad the committee has held public hearings on the matter and is taking steps to address this crisis.

Recent data has shown that the price of pharmaceuticals continues to rise. Politico reported in the first six months of 2019, prescription drug prices for over 3,400 drugs rose by an average of 10.5 percent – outpacing the rate of inflation four times. Congressional rhetoric alone will not force companies to engage in moral business standards, which is why we must enact stronger backstops into law to protect patients from industry’s predatory practices. The American public is relying on us to bring down the costs of pharmaceuticals, and the time to act is now. I appreciate many of the ideas Reps. Doggett and Schakowsky have proposed, and encourage action on H.R.1046 the Medicare Negotiation and Competitive Licensing Act of 2019. We must continue to urge fair market competition to lower healthcare costs, and allow Medicare to negotiate prescription drug prices in a similar manner as the Veterans Administration.

E. Opioids

Not only are we witnessing pharmaceutical companies price gouge consumers, Big Pharma has fueled and exacerbated our nation’s deadly opioid epidemic. According to the Ohio Health Department, from 2000 to 2017, Ohio’s death rate due to unintentional drug poisonings increased by over 1,000 percent. This is absolutely devastating, and just last week, federal prosecutors in our state filed criminal charges against an opioid distributor and two of their former executives. These bad actors must be held accountable.

Additional data released by the Washington Post last week has shed more light into the destruction unleashed on our communities. Between 2006 and 2012, the nation's top pharmaceutical companies distributed 76 billion oxycodone and hydrocodone pills, according to evidence from the largest civil action in U.S. history – and with six distributors dispersed 75 percent of the opioids, we know pharmacies also share some blame in worsening the crisis.

The opioid epidemic has ravaged too many families and neighborhoods, and the Energy and Commerce Committee has crucial jurisdiction in reigning this in. In addition to the Health Subcommittee, the Oversight and Investigations Subcommittee also has a key role in ensuring drug companies are held accountable.

May our federal courts too, in Cleveland, bring justice for the victims and cities who have been devastated by opioids, and may we work to find ways to break up corporate consolidation in healthcare.

I can see the Energy and Commerce Committee is continuing its tradition as a legislative powerhouse. I do not pretend to have all the answers but I hope to work with you to help find solutions together. I want to again thank the Committee for the opportunity to testify and I hope my colleagues will consider the issues I have discussed with you today before both the Energy and Health Subcommittees. Thank you for your time.