

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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Opening Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
Markup of “H.R. 452, Medicare Decisions Accountability Act of 2011;
H.R. 3309, The Federal Communications Commission Process Reform Act of 2011;
and H.R. 3310, The Consolidated Reporting Act of 2011”
Full Committee
March 5, 2012

Today the Committee begins its markup of three bills. Two of these are terrible bills that are destined to die in the Senate. We should be considering legislation that will create jobs and strengthen our economy, not wasting our time with these one-house bills.

The first bill is H.R. 452. It is part of the Republican political attack on Medicare and the Affordable Care Act.

The Affordable Care Act is working. This historic law is driving down health care costs and increasing health care benefits for all Americans.

As a result of health reform, four million seniors now have significantly lower prescription drug costs.

More than 80 million Americans are now receiving expanded preventive coverage.

More than two million young adults now have health insurance coverage on their parents' policies, and children who previously were denied insurance due to pre-existing conditions are enrolled in coverage.

And health care costs are coming down. Medicare will cost \$100 billion less in 2020 than previously estimated due in part to the reforms Congress enacted. Health insurance premiums are being held in check by new rate review and medical loss ratio requirements.

Yet despite this record of success, House Republicans want to repeal health reform, end Medicare's guarantee of coverage for seniors, and eliminate consumer protections for people who are uninsured or ill-served by our insurance market.

For the last year, House Republicans have been claiming – erroneously – that we cannot afford to maintain Medicare’s promise to seniors. Yet today, they will take a vote that will cost Medicare over \$2 billion. And they have identified no way to pay for the costs they are adding to Medicare.

This is the height of hypocrisy. House Republicans say we can’t afford Medicare, yet they want to eliminate one of the innovations in the Affordable Care Act that keeps Medicare costs under control.

The Republican master plan for Medicare is to end the guarantee of coverage and shift more costs on to seniors and people with disabilities. H.R. 452 is part of this Republican assault on Medicare. It would repeal the Medicare Independent Payment Advisory Board, which serves as a backstop to help keep Medicare affordable for seniors.

The second bill, H.R. 3309, is called the Federal Communications Process Reform Act, but it would disable the FCC, not reform it.

Independent experts have told us this legislation would tie the agency in knots and subject it to endless legal challenges. One expert said industry lawyers would have a [quote] “field day” if this bill became law; others said it could take 15 years of litigation for the courts to clarify the meaning of the new requirements in the bill.

There are a few provisions in H.R. 3309 that make sense. One is a bipartisan proposal by Reps. Shimkus and Eshoo that would allow Commissioners to talk privately with each other about FCC policies. I suggested to Chairman Upton and Chairman Walden that we should divide H.R. 3309 into two bills: one that could get bipartisan support and be enacted into law and one with partisan provisions that would die in the Senate.

They rejected this suggestion, which dooms the entire package and raises serious questions about why we are doing this bill at all.

The American people are getting frustrated with Congress. They want us to stop posturing and start addressing their needs. But this markup is yet another squandered opportunity.