

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**  
**“The Views of the Department of Health and Human Services on**  
**Regulatory Reform: An Update”**  
**Subcommittee on Oversight and Investigations**  
**June 13, 2011**

Mr. Chairman, the subject of regulatory reform merits review, and Congress has a legitimate interest in making sure that the Administration is living up to its promises with regard to making the regulatory process simple and more transparent. But as we investigate regulatory reform, we need to make sure we consider both the costs and the benefits of regulations.

This is the third hearing in this Committee on regulatory reform this year. In these hearings, the Administration’s opponents have relentlessly focused on the negative – with no regard for why we need regulations or for the good that they do. Regulations aren’t pulled out of thin air for no reason. They exist to implement laws Congress enacted to help protect taxpayer funds; improve public health and safety; keep our air and water clean; and keep consumers safe.

Today’s hearing is a good illustration. Some of the Administration’s recent health regulations will do enormous good for American families.

New food safety regulations promulgated by FDA will reduce salmonella contamination and prevent as many as 79,000 illnesses each year.

New tobacco control regulations promulgated by FDA will protect children and adolescents from the dangers of addiction to cigarettes and smokeless tobacco.

New regulations issued by CMS under the Affordable Care Act will end the insurance industry’s worst abuses. They will prevent health insurers from rescinding policies when beneficiaries get sick, end discrimination against children with pre-existing conditions, prohibit the imposition of lifetime caps on coverage, and require all health plans to put more of consumers’ premium dollars into actual care and less into insurance company profits.

Another new set of CMS regulations – also authorized by the Affordable Care Act – will cut Medicare and Medicaid fraud and save taxpayers millions of dollars.

No one wants unnecessary or duplicative regulations. But at the same time, no one should want to eliminate regulations that save taxpayers money and protect the health and welfare of

American families. That is why we must look at both the costs and benefits of regulations. When we focus solely on costs, as often seems to happen in this Committee, we lose sight of the critical benefits that regulations provide.

Before I yield back my time, I want to note that the Ranking Member Diana DeGette regrets being unable to attend this hearing because of previous commitments. Today is a “return day” when the House is reconvening after recess and does not have votes until 6:30 pm. Unfortunately, the Chairman did not consult with the Ranking Member when scheduling today’s hearing. In the last Congress, we engaged in such consultation for return day hearings because we believed it was a matter of basic courtesy and comity to work to ensure inclusion of the ranking member in hearings. I am disappointed that the Republican majority did not follow this approach.

I hope that today’s hearing will be an aberration and that in the future, there will be more consultation before hearings are scheduled on return days.

In closing, let me thank the witnesses for being here today. I look forward to your testimony.