

COMMITTEE ON ENERGY AND COMMERCE OVERSIGHT PLAN

U.S. HOUSE OF REPRESENTATIVES

108TH CONGRESS

CONGRESSMAN W. J. “BILLY” TAUZIN, CHAIRMAN

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Government Reform and House Administration not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on Energy and Commerce for the 108th Congress. It includes the areas in which the Committee expects to conduct oversight during the 108th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

**COMMERCE, TRADE, AND CONSUMER PROTECTION
ISSUES**

VEHICLE AND TIRE SAFETY

During the 106th Congress, the Committee’s oversight of the Firestone tire recall matter led to the passage of legislation – the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act – mandating that the National Highway Traffic Safety Administration (NHTSA) institute rulemakings to require the submission of data on safety-related problems, claims, and lawsuits (whether foreign or domestic) from manufacturers of products within NHTSA’s purview, including tires and vehicles. In the 107th Congress, the Committee conducted oversight of NHTSA’s implementation of the TREAD Act, as well as industry’s continuing response to the safety issues that led to its enactment. In the 108th Congress, the Committee intends to continue its review of the implementation of the TREAD Act, including creation of an early warning database system, rollover standard setting, and general vehicle safety issues.

DECEPTIVE ADVERTISING OF HEALTH-RELATED PRODUCTS

During the past two years, the Federal Trade Commission (FTC) has increased its enforcement efforts in the area of deceptive advertising of health-related products, particularly weight-loss supplements. Despite these increased efforts by the FTC to crack down on deceptive advertising in this area, advertising of weight-loss products continues to saturate all advertising mediums. In the 108th Congress, the Committee will examine the enforcement efforts to date of the FTC with respect to deceptive advertising of weight-loss products, and investigate issues related to recidivism in this industry, as well as emerging products that

In the 108th Congress, the Committee will examine why image-guided biopsy, a minimally invasive procedure used to determine if a patient has breast cancer, is used significantly less than surgical biopsy. Image-guided biopsy involves less cost to the patient and does not involve general anesthesia, unlike surgical biopsy. Yet surgical biopsy continues to be the method of biopsy most doctors use, despite the lack of data indicating that it is more effective or accurate than image-guided biopsy. Evidence also suggests that many patients are not made aware that they have an option for a less-invasive procedure. The Committee will review whether patients are receiving adequate information about this option, and whether the use of surgical biopsy over image-guided biopsy may result from the larger reimbursement rates under Medicare for the surgical biopsy procedure.

THE CENTERS FOR DISEASE CONTROL AND PREVENTION

Building on the Committee's prior oversight work to ensure the adequacy of Federal, state, and local efforts to respond to bioterrorism and other public health emergencies, the Committee will investigate ways to improve the grant making process at the Centers for Disease Control and Prevention to strengthen the capacity of the public health infrastructure at the state and local level. In particular, the Committee plans to review the effectiveness of current chronic disease prevention programs with respect to reducing the incidence of these diseases. The Committee also will review ways to improve infectious disease surveillance and control.

NATIONAL INSTITUTES OF HEALTH

Over the past five years, Congress has invested considerable additional resources into the National Institutes of Health (NIH), roughly doubling its budget. With approximately \$27 billion per fiscal year, NIH is the largest source of funding for health research in the world. In Spring 2003, the Institute of Medicine is expected to release a report on the organizational structure of NIH, specifically focusing on whether the current structure is meeting the scientific research needs of the United States.

In the 108th Congress, the Committee will conduct an examination of NIH's organizational structure, priority setting, and research activities. In particular, the Committee will examine how NIH exercises oversight over grant-receiving institutions. During one of the Committee's investigations last year, the Committee learned that NIH was providing grants to the Coulston Foundation, a registered animal research facility in Alamogordo, New Mexico, which had recently declared bankruptcy and had been cited by two other Federal agencies for violations of various Federal regulations. This incident raises the question whether NIH oversight ensures that its grant funds are properly managed, and that grantee institutions are not in violation of Federal regulations.

HHS PROGRAMS AFFECTING CHILDREN AND FAMILIES