

**Opening Statement**  
**Chairman Fred Upton**  
**Committee on Energy and Commerce Markup**  
**May 9, 2012**

*(As Prepared for Delivery)*

First, I want to thank Chairman Pitts, Dr. Burgess, Mr. Barton, Mr. Waxman, Mr. Pallone, Mr. Dingell and members on both sides of the committee for their bipartisanship through this process. The bill before us today is a reflection of their hard work and the willingness on both sides to look at the issues together and find common ground. Because of that hard work, we have a bill today that will help American patients and American innovators.

As I've said since the beginning of the Congress, we need to enact this user fee bill by the end of June. We are on track to accomplish this goal.

Under the direction of Mr. Pitts, the Subcommittee on Health held four hearings last year and six hearings this year to examine the different FDA user fee programs and related FDA policies. We have had an open and deliberative process, and I would like to thank Chairman Pitts and Ranking Member Pallone for the manner in which the subcommittee has conducted this important work. The subcommittee marked up this bill yesterday and reported it by voice vote. My hope is that the full committee will favorably report this bill tomorrow and then we can have the bill on the House floor later this month. That will give us time to work with our good friends in the Senate to have this bill to the president before the 4<sup>th</sup> of July.

As we put this package together, I wanted to ensure that it fostered American innovation, which is essential in getting new treatments to patients and creating American jobs. Because of the hard work of the committee members on both side of the aisle, I think we have done that.

Finally, I would like to pay special recognition to Rachel Sher of the minority staff and Clay Alspach on the majority staff who each have two young children at home yet have spent countless hours over the past five months organizing hearings and poring over legislation.

Without their work we would not have the quality product before us today, and I would like to extend my appreciation and gratitude.