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RPTR HUMISTON

EDTR SECKMAN

MARKUP OF:

H.R. 2576, TSCA MODERNIZATION ACT OF 2015; AND

H.R. 2583, FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF 2015

TUESDAY, JUNE 2, 2015

House of Representatives,

Committee on Energy and Commerce,

Washington, D.C.

The committee met, pursuant to call, at 5:29 p.m., in Room 2123, Rayburn House Office Building, Hon. Marsha Blackburn presiding.

Present: Representatives Shimkus, Walden, Blackburn, Latta, Bilirakis, Pallone, Green, Schakowsky, and Tonko.

Staff Present: Gary Andres, Staff Director; Will Batson, Legislative Clerk; Ray Baum, Senior Policy Advisor for Communications and Technology; Karen Christian, General Counsel; Jerry, Couri, Senior Environmental Policy Advisor; Kelsey Guyselman, Counsel, Telecom;

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Kirby Howard, Legislative Clerk; Peter Kielty, Deputy General Counsel; David McCarthy, Chief Counsel, Environmental/Economy; David Redl, Counsel, Telecom; Chris Sarley, Policy Coordinator, Environment & Economy; Charlotte Savercool, Legislative Clerk; Dan Schneider, Press Secretary; Jessica Wilkerson, Oversight Associate, O&I; Jen Berenholz, Minority Chief Clerk; Christine Brennan, Minority Press Secretary; Jeff Carroll, Minority Staff Director; Jacqueline Cohen, Minority Senior Counsel; David Goldman, Minority Chief Counsel, Communications and Technology; Tiffany Guarascio, Minority Deputy Staff Director and Chief Health Advisor; Ashley Jones, Minority Director of Communications, Member Services, and Outreach; Rick Kessler, Minority Senior Advisor and Staff Director, Energy and Environment; Margaret McCarthy, Minority Senior Professional Staff Member; Tim Robinson, Minority Chief Counsel; Ryan Schmit, Minority EPA Detailee; and Ryan Skukowski, Minority Policy Analyst.

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Mrs. Blackburn. The committee will come to order. And the chair recognizes herself for an opening statement.

Modernizing our government for the 21st century and restoring transparency and accountability have long been priorities for this committee, and today's markup is a long time in the making. We will consider two proposals that have each earned broad bipartisan support in the past and will make meaningful reforms for the American people.

The first bill we will consider, H.R. 2576, the TSCA Modernization Act of 2015, which is the product of a multiyear, multi-Congress effort, this bill represents the most significant change to chemical regulation since TSCA was first enacted in 1976. It contains an innovative approach to evaluating and, if necessary, managing risk of injury from chemical exposure.

Chemicals may be selected for scientific risk evaluation either by EPA or by a chemical manufacturer. If a chemical turns out to pose an unreasonable risk, the EPA has a variety of options for managing the risk, ranging from notice requirements to an outright ban, but before regulating, the EPA must answer some important questions: What is the magnitude of exposure to the chemical? What are the benefits for various uses? What are the economic consequences of regulating it? Is the regulation cost effective? Are alternatives available that benefit health or the environment? Will they be available when the restriction takes effect? If a restriction on a chemical is applied to an article containing the chemical, will the restriction

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actually mitigate the risk? And if EPA wants to restrict or ban the chemical, it must allow a reasonable transition period.

The results of the new approach are that consumers and people worldwide can have greater confidence -- more confidence than ever -- that chemicals on the market in the U.S. are safe for their intended uses, and products can flow freely in interstate and global commerce. The bill is good for consumers, for trade, and the environment.

I congratulate my colleagues, Chairman Upton, Chairman Shimkus, and their partners, Mr. Tonko and Mr. Pallone, in crafting a bill this committee can be proud to call its own.

The second bill we will consider is H.R. 2583, the FCC Process Reform Act, authored by subcommittee Chair Walden and Mr. Kinzinger. Last Congress, this committee and the House both passed this bill unanimously to institute real commonsense reform at the FCC. We voted to improve process and create meaningful transparency at an agency that touches many aspects of our daily lives. I am pleased to see the subcommittee working on such an important bill again this Congress.

Due process and transparency are fundamental principals of good government, and I commend all members for their strong commitment to making meaningful improvements. Who can argue against greater transparency and accountability? Sensible reforms have been offered by both members of both parties that will significantly improve the function of the FCC. Our committee operates openly with debate,

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amendments, and votes occurring under the watchful eye of the public. The FCC's decisionmaking process should be held to a similar standard of transparency. I support these bills and urge my colleagues to do the same.

I now recognize my friend from New Jersey, Mr. Pallone, for 5 minutes for an opening statement.

Mr. Pallone. Thank you so much.

I want to thank Mr. Shimkus and Mr. Upton also for working with Democrats on this committee on what I think is a strong compromise TSCA bill that will empower EPA and significantly improve the status quo. The bill that was introduced last week includes important clarifications and strengthening changes, and I am happy to support it. This bill represents progress. It will remove many of the major obstacles EPA has faced in implementing TSCA, including the least burdensome test, the cost-benefit standard for risk management, and limitations on testing authority. It will remove outdated caps on user fees, providing more resources to the agency to implement this important program. It will ensure expedited action on the worst of the worst chemicals, those that are persistent, bioaccumulative, and toxic. And it will preserve the role of States to regulate chemicals in uses EPA has not examined and to coenforce EPA rules. It is also written clearly and without some of the internal contradictions plaguing other proposals, meaning EPA will be able to spend more time regulating and less time litigating.

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Of course, the bill is a compromise. I started working on the issue of TSCA reform 6 years ago with a goal of ensuring that all chemicals in commerce in the U.S. would be subject to minimum testing and systematically reviewed for safety. I still hope to reach that goal one day, but we must face practical realities and make progress where we can.

TSCA reform is extremely important to my home State New Jersey. No one knew more than that than my friend, Senator Lautenberg, and I knew he would have been proud of the work that we have done today or tomorrow.

So let me say I have heard from stakeholders and many of my colleagues on the committee who want to strengthen the bill further. Stakeholders in the environmental and public health communities have suggested a limit on the number of risk evaluations manufacturers can request every year. There is a concern that industry requests could overrun the program, even preventing EPA from initiating their own evaluations on top priority chemicals.

The introduced bill includes some language on this issue to acknowledge that EPA will not have unlimited capacity to respond to manufacturers' requests, particularly in the early years of the program, and to stress that the funding streams for EPA-initiated and manufacturer-initiated reviews are distinct. No one on this committee intends to create an unworkable program or expects EPA to be able to respond to a thousand risk evaluation requests at one time. I

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appreciate the chair's willingness to include language on this issue and I expect that we will work together to clarify it further in the report language. It is critical that manufacturer-initiated risk evaluations do not overwhelm the agency, preventing them from evaluating their top priorities or diminishing confidence in the program.

I have also heard concerns about the language in the bill regarding cost-effective regulation. These concerns may have arisen because of ambiguities in previous versions of the draft, and I appreciate the chair's willingness to work with us to clarify that language, which now clearly states that identified risk must be addressed even if cost-effective options are not available.

This bill has come a long way to address these concerns and others. It is a stronger product because of the bipartisan collaboration and it deserves the support of the committee and the Democratic Caucus. Human health and this environment deserve the highest level of protection, but the status quo of almost no protection is simply unacceptable.

Unfortunately, in contrast to the bipartisan compromise we have achieved on TSCA, our efforts on FCC process reform have come up short. Two weeks ago, the Communications and Technology Subcommittee considered legislation aimed at improving FCC transparency. We engaged in a substantive debate on the ideas put forward from both sides of the aisle. Democrats ultimately opposed three bills offered by our

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Republican colleagues, and bills from Ms. Clarke, Ms. Matsui, and Mr. Loeb sack passed with unanimous support.

My views and those of my colleagues today should not be a surprise. While I support H.R. 2853 in its current form, I have been clear that I cannot support the other Republican drafts I anticipate will be added as amendments during markup. Experts have said, quite simply, that it would result in confusion, litigation, and delay, so I will oppose those bills and any final bill that includes its provisions.

But rather than just give up, we offer another option. The Democratic bills that passed in subcommittee, in contrast, keep the FCC fast, efficient, and transparent, but without the risk of litigation. We are grateful that our Republican colleagues saw the benefits of this approach and supported these ideas at the subcommittee markup, but the benefits of passing our bills cannot come at the expense of adding new limitations on the FCC's ability to remain as nimble as the industries it regulates. The cost is just too high.

Finally, the committee's work on transparency is incomplete without consideration of Mr. Yarmuth's bill that would unmask the donors behind political ads on our airways. And as I have said before, transparency should not stop at the doors of the FCC.

So I thank the chairwoman again, and I yield back.

Mrs. Blackburn. The gentleman yields back.

Are there further requests for opening statements?

Mr. Shimkus, you are recognized for 3 minutes.

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Mr. Shimkus. Thank you, Madam Chairman.

First my thanks go to Chairman Upton for scheduling this markup and for all the support that he has given us as we move the TSCA Modernization Act through the legislative process.

H.R. 2576 is a real breakthrough in the regulatory reform. It keeps the best of old TSCA and retools some of the provisions that hindsight tells us were not working very well. Probably the biggest change is in the way we approach chemicals already on the market. EPA will take a two-step approach. First it will decide, based upon science, whether a chemical poses an unreasonable risk under its conditions of use. Next it will decide how to manage such a risk. EPA has many options, but it must consider real world impacts on people when it decides what level of regulation to apply. And once it does make a decision on an individual chemical, that decision will be good in all 50 States, meaning if EPA says a chemical may be used in car bumpers but not in a bicycle helmet, then it will be legal in car bumpers in all 50 States, and if you buy a bicycle helmet anywhere in the U.S., you may rest assured that it is safe from that chemical.

In the preemption section there, we are careful to ensure ordinary tort actions, such as personal injury cases and contract claims, are saved unless they actually conflict with what EPA is trying to do with TSCA. This careful balance means markets can work and claims can be addressed.

The bill also contains a pathway by which a chemical manufacturer

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may obtain regulatory certainty by asking EPA to initiate a risk evaluation. If the manufacturer is willing to pay EPA's administrative costs, EPA must reach a decision on the chemical as soon as possible but in no case later than 3 years. Of course, the manufacturer has the ability to speed the process by supplying such scientific complete analysis of the chemical when the request for the risk evaluation is made. Either way, the strict science requirements in the bill must be met.

Madam Chairman, I thank all our colleagues for the hard work on this bill, and it is truly a bipartisan effort. I thank Ranking Member Pallone and the ranking member of the subcommittee, Mr. Tonko, for joining me as original cosponsors of this bill. I just harken back to our comments that Frank and Paul kept telling me, that if we really wanted a bill that could be signed into law, we would have to work with them. And I think we have achieved that in this product.

And I want to thank them for their persistence and their diligence, and they are not the only ones. Ms. DeGette, Mr. Latta, Mr. Green, and Mr. Johnson have also been major contributors, along with many other members.

Let's all keep working together on H.R. 2576 in the same spirit until the President signs it into law.

And, with that, I yield back the balance of my time. Thank you, Madam Chairman.

Mrs. Blackburn. The gentleman yields back. And we thank him for

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not wearing his bell bottoms, silk shirt, and platform shoes that were popular the last time TSCA in 1976 came before us. He did threaten to do that.

Let's see. Mr. Green --

Mr. Shimkus. I still have those.

Mrs. Blackburn. -- you are recognized for 3 minutes.

He still has them.

Mr. Green. Thank you, Madam Chair.

I want to thank Chairman Upton and Ranking Member Pallone for holding today's full committee markup on TSCA Modernization Act and the FCC Process Reform Act. I congratulate the subcommittee Chairman Shimkus and Ranking Member Tonko for bringing forward a solution that has eluded our subcommittee and our committee for decades, and I am proud to be a cosponsor.

Commercial chemicals impact the daily lives of every American, from furniture and cleaning products, to automobiles and computers. Unfortunately, the Federal law regulating the use and the safety of these chemicals, the Toxic Substance Act of 1976, has universally been panned as a failure by nearly every impacted industry and citizen group.

And, Madam Chair, I never wore platform shoes.

Our committee has looked for reforming TSCA for the past three Congresses, and each time, we have fallen short of coming to a bipartisan agreement that will address the law's biggest flaws. Today our committee will consider a bill, the TSCA Modernization Act, which

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is bipartisan and directly addresses many of TSCA's biggest flaws, including eliminating the least burdensome requirement and exclusively clarifying that the law's safety standard excludes any consideration of cost. This bill would require EPA to consider risks to vulnerable subpopulations, like children, pregnant women, and workers, and set restrictions if necessary to protect them. I know there are stakeholders from industry and environment and consumer advocacy communities who have concerns with the bill. It is not perfect legislation, but the bill before us without a doubt is an improvement over current law.

I voted for the discussion draft in the subcommittee and intend to vote for the introduced bill tomorrow. The TSCA Modernization Act will go a long way in ensuring that all American families, especially families, chemical facility workers, and fence-line communities in my district in Houston, Harris County, are protected from harm -- potentially harmful chemicals, and bring needed regulatory clarity to this important section of our Nation's economy.

Last Congress, going to the FCC Process Reform, I supported the FCC Process Reform Act. The FCC can and should be more transparent to the American people, stakeholders, and Congress in its decisionmaking. I plan on voting in support of the FCC Process Reform Act in its current form but have strong reservations if burdensome amendments are added that would undermine FCC's ability to efficiently administer its duties.

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I will also join my colleague, Representative John Yarmuth, in offering an amendment to the FCC bill that would require on-the-air disclosure of donors of certain campaign ads. Transparency in our democracy is an absolute must, and I hope the committee will adopt this amendment.

I want to thank the chair, and I yield back the balance of my time.

Mrs. Blackburn. The gentleman yields back.

Mr. Latta for 3 minutes.

Mr. Latta. Thank you, Madam Chair. And thank you for holding today's opening statements.

I am pleased that today we are marking up two bills, the TSCA Modernization Act of 2015, which will provide much needed reforms and improvements to the decades-old Toxic Substance Control Act, and the Federal Communications Commission's Process Reform Act of 2015, which will bring greater transparency to the FCC.

Over the past few years, this subcommittee has held several hearings and heard from a wide variety of witnesses on the TSCA issue. As a result, a great deal of work has been done to improve upon current TSCA law and ensure a better process for chemical management and safety. Under legislation before us today, new provisions that require EPA to conduct scientific-based risk evaluation for chemicals already on the market provides a key reform for better determining whether or not a chemical presents or will present an unreasonable risk of injury to human health or the environment. This is an essential scientific tool

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for how to best manage risk and ensure quality safety of our chemicals. I believe the TSCA Modernization Act strikes that proper balance of reforms and will ensure Americans have greater confidence in the products they and their families use, as well as ensure continued private innovation of the products that are the drivers of our economy.

I thank Chairman Upton and Shimkus and Ranking Members Pallone and Tonko for their hard work on this legislation.

In addition, I would like to express my support for Chairman Walden's FCC Process Reform Act, H.R. 2583, which would greatly improve agency procedure by requiring the FCC to engage in reform of its rulemaking process. This legislation seeks to better advance transparency, efficiency, and accountability at the agency.

I will be offering an amendment to the bill to address the delegated authority by the Commission. My amendment would require the FCC to identify and describe on its Web site all items to be adopted by the Commission staff on delegated authority 48 hours prior to an action being taken if those items are given a delegation authority identification number. I believe my amendment would establish reasonable parameters, avoid any abuse of delegated authority, and increase public awareness of the agency's day-to-day decisions.

I urge my colleagues to support both of these bills before us today.

And I thank you, Madam Chair, and I yield back.

Mrs. Blackburn. The gentleman yields back.

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At this time, Mr. Tonko, you are recognized for 3 minutes.

Mr. Tonko. Thank you, Madam Chair.

We are here today to mark up H.R. 2576, a bill to amend the Toxic Substance Control Act. I would again like to thank Chairman Shimkus and Chairman Upton for working with Ranking Member Pallone and myself on this legislation, and all of our colleagues, for that matter.

And, again, let me congratulate and thank David McCarthy and Jerry Couri of subcommittee staff to the majority; and Jackie Cohen as subcommittee staffer to the minority; Chris Sarley from Chair Shimkus' personal office staff; and Jean Fruci of my own personal office staff for their hard work and efforts on this legislation.

We have found common grounds on many difficult issues, and we truly have been partners in this effort. And I appreciate the constructive process that has brought us to this point. The full committee's consideration of the bill today marks another important step in our legislative process. Forty years of a failed policy is enough. H.R. 2576 replaces an ineffective law with one that offers real protections to the public, and a fair, credible regulatory program to industry.

The Environmental Protection Agency has never had sufficient authority to act under TSCA, even in cases where harm is clearly evident. Because of this, the public has no confidence in this program or in the safety of industrial chemicals. The lack of a credible, enforceable Federal program does not serve the interests of either the

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public or the industry. So H.R. 2576 is not a perfect bill, but it is a good bill, and I support it. The bill has a number of important provisions that are an improvement over current law and as compared to the bill under consideration in the Senate.

Under H.R. 2576, EPA will evaluate chemicals. And if a risk is identified, the agency has a clear mandate to reduce that risk for the general public and for specific vulnerable groups. H.R. 2576 creates a fast track for EPA for them to deal with the worst chemicals, those that are not only toxic but that persist in the environment for long periods and that become concentrated in animal and human tissues.

In the development of any law, there are issues that emerge as the bill moves through the process. If our goal is a law, we still have some work to do. There are many stakeholders with strong opinions about TSCA and how the Federal Industrial Chemicals Program should be reformed, so this is not surprising. EPA has identified several issues in H.R. 2576 that deserve our serious consideration. The agency is responsible for managing this program, and we should make use of their knowledge and experience of the past decades to make this program work better for everyone.

Preemption has been a particularly thorny issue for us. We received a letter from a coalition of State attorneys general, including my own, offering comments based on the discussion draft of this bill. States have a responsibility to protect their citizens, and they are vital partners in implementing and enforcing Federal law.

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A system of 50 individual chemical regulatory programs would be inefficient and would create significant burdens on an industry, but States should be able to enforce their own laws as long as they do not conflict with those of our Federal Government, and they should continue their partnership with the Federal Government in ensuring that commerce does not trump public health. We need both.

By my reading of their letter, there are still a few items to work through, but I would point out their letter also compliments our efforts and acknowledges some important features of our bill. We will not be able to satisfy everyone. That is the nature of compromise. The goal is to improve current law, and I believe we are doing that. This is not an easy task, but it is well worth the effort.

I remain confident we can reach agreement on additional issues and continue to move forward, and I encourage our colleagues to stick with us in this effort and to support the bill.

Once again, I thank Chair Upton and Chair Shimkus and Ranking Member Pallone for their partnership in this effort, and I look forward to continuing our work together on this very important legislation.

I remain optimistic that H.R. 2576 can receive a strong endorsement by Members of --

Mrs. Blackburn. The gentleman's time has expired.

Mr. Tonko. -- both sides of the aisle if it is considered by the House.

And, with that, I yield back.

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Mrs. Blackburn. Okay. I thank the gentleman. We were generous in the allowance of that time.

Mr. Bilirakis, at this point, we come to you for 3 minutes.

Mr. Bilirakis. Thank you, Madam Chair. I appreciate it very much.

Good evening. I am excited that we are considering two important bills this week that will modernize FCC processes and chemical safety guidelines, both of which are in vital need of updates and improvements.

Oversight of the FCC processes is an important task of this committee. It is essential that processes are tailored to ensure efficiency, accountability, and transparency. Recently, the FCC has departed from the bipartisanship that guided the agency through years of straightforward rulemaking. Such bipartisanship allowed the telecommunications industry to innovate and grow at an impressive speed. It is time to provide adequate oversight in order to ensure that American consumers have access to the FCC's decisionmaking process. Every day the lives of Americans increasingly involve technology and devices that are connected to the Internet. These reforms will guide the Commission well into the future, ensuring transparency for everyone as technology continues to evolve. I applaud the work that Chairman Walden and Representative Kinzinger have put into the FCC Process Reform bill, and this Congress as well as previous Congresses, and hope that this bill passes with bipartisan support, the support it really deserves.

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Next we have TSCA. Increasingly, Americans have become concerned about their exposure to harmful chemicals. In response to these growing concerns, retailers and manufacturers have become equally sensitive about the need to address an outdated statute and that dictates all phases of chemical manufacturing. The Toxic Substances Control Act has not been updated since 1976. Almost 40 years with no substantial revision is a disservice to consumers and entrepreneurs alike.

This bipartisan bill will modernize the law to ensure companies are able to bring new products to the market and still protect consumers. This legislation will provide measures to ensure chemicals in commerce are safe for consumers, lay out a path for EPA to evaluate and manage risks associated with those chemicals, and make sure evaluations are conducted in a timely manner. I applaud the work of Chairman Shimkus and Ranking Member Tonko, which has brought both sides together to find a solution that addresses public health concerns and protects American industry. Make no mistake, TSCA reform is a huge deal. It is legislation like this that will make me proud -- it makes me proud to serve on this committee.

Thank you, Madam Chair. I appreciate it, and I yield back.

Mrs. Blackburn. The gentleman yields back.

Ms. Schakowsky, you are recognized for 3 minutes.

Ms. Schakowsky. Thank you, Madam Chair.

I am really happy to talk about TSCA Modernization Act and the

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FCC Process Reform Act. I am pleased that the committee could come together on these two bipartisan bills that will benefit the American people.

I support H.R. 2583, as introduced, which is intended to increase public engagement in the FCC rulemaking process. I am hopeful that we will not see the addition of contentious amendments that will create new litigation risks, hinder FCC decisions, and confuse the public. Those efforts should be defeated. This legislation must not be weighed down with provisions that would unnecessarily delay FCC action or add confusion for regulated entities.

In an effort to make a good bill better, I plan to support the Democratic substitute that contains the areas of bipartisan agreement in H.R. 2583 and the Democratic bills that were unanimously approved at the subcommittee.

I also support H.R. 2576. For almost four decades, as has been pointed out, the Toxic Substance Control Act has been the main statute responsible for protecting the public against dangerous substances. That effort has been a failure. The unsuccessful decade-long attempt to ban asbestos, which is shown to cause or intensify lung cancer, mesothelioma, and asbestos shows that TSCA is not meeting its intended purpose.

The effort to amend TSCA to improve public health and safety has been a major focus of this committee for years. After lots of negotiation and work, this committee finally has a fair bill that will

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improve consumer protections and allow the removal of unsafe chemicals and substances from the marketplace. I applaud Chairman Upton, Chairman Shimkus, Ranking Member Pallone and Ranking Member Tonko for getting the bill to this point.

H.R. 2576 is a meaningful improvement over current law. I plan to support it. The bill would allow testing of chemicals in commerce without having to first demonstrate unreasonable risk. It would provide new protections for populations that are especially vulnerable to chemicals. It would make it more difficult for chemical companies to hide behind, quote, "confidential business information," unquote, in order to avoid disclosing the chemicals used in their products. And it would eliminate the consideration of cost as a factor in determining whether or not a chemical is harmful and should be taken off the market. I am very pleased with these enhanced consumer protections.

Despite all this, I still have some concerns, including its failure to provide additional resources to help the EPA, and I hope and expect that those concerns will be addressed in negotiations between the House and Senate committee.

I yield back.

Mrs. Blackburn. The gentlelady yields.

At this point, Mr. Walden for 3 minutes.

Mr. Walden. I thank the gentlelady for her time.

And I just want to address H.R. 2583, which we bring to the full committee from the Subcommittee on Communications and Technology, it

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is based on the premise that the American people are better served by a more transparent and efficient Federal Communications Commission, but certainly a more open and transparent Commission is really important.

2583, the underlying bill, is identical to what we passed unanimously in sub, full, and on the floor last session. Our colleagues have come forward with some improvements to it on both sides of the aisle that we intend to take up and include and pass tomorrow, and I would like to believe it would be on a bipartisan basis, but what I have heard today would indicate that is not going to be the case.

The notice that the three amendments on the Republican side would somehow confuse the public is really the most Orwellian and confusing statement I have heard because let me tell you what they actually do. Within 24 hours of the Federal Communications Commission voting on regulations, they would have to publish for the public to see what they voted on. What a concept. Within 48 hours of taking an action on delegated authority, 48 hours ahead of time, the FCC staff would have to make public what the issue is they are going to take action on. We don't even have to get into the details -- they don't. Just tell the public you are going to take an action.

And the third piece is when they are doing a notice of proposed rulemaking and the chairman circulates his proposed rule, within 3 weeks they would have to print the order that is on circulation. Now, they can go ahead and do their processes behind their closed doors and

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all the things they do; just put the draft rule out there so the public can see.

Now, for the life of me, I can't figure out how giving the public more information confuses them, unless you believe the public doesn't have the smarts to be empowered to take action based on additional information. And I don't subscribe to that.

So, on this side of the aisle, we find ourselves in this perplexing situation where we are for openness, transparency, and improved government process at the Commission. And our colleagues on the other side of the aisle are embracing secrecy and lack of public access to critical decisions from an independent agency. It is bizarre to me that this is where we are at, but we are.

We will move forward with the amendments for the Democrats' bills as well. We think they add to the record of improving the Federal Communications Commission.

This is a process I believe strongly in. Somebody with a degree in journalism, coming from a State such as Oregon, having been in the news business, the media business, I want our Federal Government to be more open, more transparent, and more accessible to the public, and I won't stop until we get this done.

So, with that, Madam Chair, I yield back the balance of my 9 seconds.

Mrs. Blackburn. The gentleman yields back.

The chair calls up H.R. 2576 and asks the clerk to report.

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The Clerk. H.R. 2576, to modernize the Toxic Substances Control Act, and for other purposes.

Mrs. Blackburn. Without objection, the first reading of the bill is dispensed with, and the bill will be opened for amendment at any point. So ordered.

[The bill follows:]

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Mrs. Blackburn. We are now on H.R. 2576, and the committee will reconvene at 10 a.m. tomorrow.

I remind members that the chair will give priority recognition to bipartisan amendments. We look forward to seeing everyone tomorrow morning at 10.

The committee is in recess.

[Whereupon, at 6:03 p.m., the committee was adjourned.]