

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
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**Statement of Rep. Henry A. Waxman**  
**Ranking Member, Committee on Energy and Commerce**  
**Markup of H.R. 4013, the “Low Volume Motor Vehicle Manufacturers Act of 2014;”**  
**H.R. 4450, the “Travel Promotion, Enhancement, and Modernization Act of 2014;” and**  
**H.R. \_\_, the “Targeting Rogue and Opaque Letters (TROL) Act of 2014”**  
**Subcommittee on Commerce, Manufacturing, and Trade**  
**July 9, 2014**

Today, the Subcommittee will be marking up three bills. I will support one of these bills and oppose the other two.

The first problematic bill is H.R. 4013, introduced by Mr. Campbell. This bill would create an exemption for replica cars from federal safety and emissions standards.

This bill would allow unsafe cars onto our streets. At the same time, these cars also could emit harmful air pollutants.

We’ve come a long way on vehicle safety. I would like to show a video of what happens when a car meeting 1959 vehicle safety standards collides with a modern 2009 vehicle. **[Video]**

H.R. 4013 lets manufacturers make up to 1,000 vehicles that could have 1959-level safety standards. That’s a huge step backward for safety. And that’s why I oppose this legislation.

A second problematic bill today is Chairman Terry’s discussion draft on patent assertion communications. The goals of this bill might be well-intentioned, but its drafting is seriously flawed.

The states have been leaders in fighting false and misleading patent demand letters. Yet this bill would preempt the 15 specific laws so far approved by states.

In addition, the bill would place a number of additional burdens on state attorneys general and the Federal Trade Commission, particularly in requiring proof that the sender *knew* that representations in the letter were false or misleading. This is a departure from consumer protection law, and one that could make investigations and enforcement far more difficult. Furthermore, as FTC staff has explained, requiring knowledge makes provisions of this bill “effectively unenforceable.”

I cannot support such a flawed bill.

Lastly, the Subcommittee will also mark up H.R. 4450, a bill that Mr. Bilirakis and Mr. Welch introduced to extend the Brand USA travel promotion program.

Tourism in the United States is one of our most important industries. It represents millions of American jobs, billions of dollars in spending, and has untold benefits in creating goodwill toward the U.S. abroad.

I applaud the sponsors of H.R. 4450 for their ongoing commitment to travel promotion. International travelers are essential for both traditionally popular places – like my home, Southern California – as well as more non-traditional destinations.

As this bill moves through the Committee, I encourage my colleagues to discuss ways to support Brand USA's long-term viability through robust transparency and accountability measures, as well as a path to self-sufficiency, perhaps through greater cash investment from industry. I believe such discussions will help the program grow and continue to benefit communities all over the country.

Thank you.