

**Opening Statement of the Honorable Fred Upton  
Subcommittee on Commerce, Manufacturing, and Trade  
Markup of “Discussion Draft of  
H.R. \_\_, to amend the Federal Trade Commission Act”  
June 8, 2016**

Presidential election years tend to make legislative accomplishments more difficult.

And yet this Committee has seen uncommon success in 2016. Last month, the House overwhelmingly passed our legislation reforming chemical regulation and cleared eleven Energy and Commerce bills that were part of a package combating opioid abuse.

Tomorrow, we look to continue this momentum and move forward several measures protecting consumers and innovation.

These proposals are just as good for jobs as they are for consumers. As disappointing job numbers persist, a commitment to economic growth should be one of Congress’ top priorities, election year or not.

We owe it to those of us who are out of work or whose wages have stagnated for years to create a growth environment.

This is especially true in the American manufacturing sector. Two weeks ago, Lifetime Products testified that being able to use the ‘Made in USA’ label is very important. Being able to use the label may decide for a company whether or not it can locate its operation in the U.S.

Supply chains are complex. Allowing differing versions at the state level of what it means to be made in America multiplies this complexity. Congressman Harper’s legislation establishing a single, national standard on ‘Made in USA’ labeling would ensure that many companies will choose to keep their operations here in America.

Similarly, our process reform bills would help companies understand their liability under the FTC Act. For example, one proposal would end inactive investigations. Another would clarify how the Commission applies its ‘unfairness’ balancing test. And another would require an explanation of investigations revealing no liability.

Put together, the proposals would give companies a clearer picture of their responsibilities under the FTC Act. Greater legal certainty leads to investment and jobs.

Legislation to prevent gag clauses on consumer reviews is also an important step toward empowering consumers. Increasingly, ‘crowdsourced’ reviews power the Internet and sharing economies.

I look forward to the next step in our deliberative process and to debating legislation and amendments tomorrow.