

**Opening Statement of  
Energy and Commerce Committee Republican Leader Gus Bilirakis  
CPAC Subcommittee Markup on  
“The Consumer Protection and Recovery Act”  
May 27, 2021**

*As prepared for delivery.*

Good morning and welcome to today’s markup of H.R. 2668, the Consumer Protection and Recovery Act.

I want to say first off that I sincerely do appreciate my colleague Mr. Cardenas from California for introducing this legislation. As I have said before, it identifies a gap in consumer protection where we need to find a solution. I am hopeful this can be a legacy item for him, just like the legacy item we were able to work out late last year for Chair Schakowsky, on FTC first offense penalty authority for COVID scams.

However, it can also be a legacy if things are done the wrong way, and sadly I cannot understand why this has become an effort the majority just wants to ram by us without our bipartisan input. If there is a directive from the Speaker’s office, I would hope you resist that pressure since this will have a lasting impact past her tenure. Just like our shared action at the end of last year, this does not have to be a zero-sum outcome.

The true legacy of this committee is getting tough tasks done together. Mr. Cardenas mentioned this at the COVID Scams hearing when he highlighted Senator Wicker’s legislation, which addresses both the 13(b)

authority being considered today and would enact a national privacy standard that we have been working towards.

Madam Chair, earlier this month we participated together in an event where you called on us to hold bipartisan roundtables and taking on a call to action by industry and consumer groups to enact comprehensive privacy legislation this Congress. I am very glad to see you taking this matter seriously, and this topic today remains an ideal way to accomplish a common purpose with our Senate colleagues. Acting Chair Slaughter herself cited in her testimony that “*the Commission has relied on Section 13(b) of the Federal Trade Commission Act to secure billions of dollars in relief for consumers in a wide variety of cases,*” including for data security and privacy.

As Leader Rodgers has said, let’s think about the FTC in holistic and comprehensive terms. We appreciate the work that FTC does, but there are also a number of areas where they have handled matters improperly. our shared priority here is to protect Americans. I also believe we could have a different outcome here if we were allowed to be together in person. Whether it’s a markup, hearing, forum, or roundtable, whatever the setting is it’s pretty hard to share an elevator and consider someone an opponent to be beaten. I remember the days not so long ago, where we had that civility and collaboration, where we could share some food from our districts, and get to talk about each other’s families.... not having our relationships defined by glitchy technology and a virtual clock. Our constituents deserve better from us.

Madam Chair, I have expressed my frustration before with this process, and the scheduling of this markup now joins that list, as I'm sure everyone is eager to begin their Memorial Day weekend and recognize our brave heroes who fought for our freedoms. For this I hope you heed my advice and consider a different path for this legislation and avoid a grueling full committee markup. I urge you to work with us to get a bipartisan compromise together before it reaches that point.

We may disagree on the outcome here, but I know we all want to protect consumers. A national privacy framework is the way to do that, and it is a shame to let this opportunity slip through our fingers.

Thank you, and I yield back.