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6 LEGISLATIVE HEARING TO PROTECT CONSUMERS

7 AND STRENGTHEN THE ECONOMY VIA WEBEX

8 THURSDAY, MAY 26, 2022

9 House of Representatives,

10 Subcommittee on Consumer Protection and Commerce,

11 Committee on Energy and Commerce,

12 Washington, D.C.

13

14 The subcommittee met, pursuant to call, at 12:02 p.m.,

15 in Room 2123, Rayburn House Office Building, Hon. Jan

16 Schakowsky, [chairwoman of the subcommittee], presiding.

17 Present: Representatives Schakowsky, Castor, Clarke,

18 Dingell, Kelly, Soto, Rice, Craig, Fletcher, Pallone (ex

19 officio); Bilirakis, Latta, Guthrie, Bucshon, Dunn, Lesko,

20 Armstrong, and Rodgers (ex officio).

21 Also present: Cardenas, Clarke, Eshoo, McNerney, Rush,

22 Soto, Tonko, Trahan; Armstrong, Curtis, Dunn, Pence, Upton,

23 and Walberg.

24

25 Staff present: Katherine Durkin, Policy Coordinator;

26 Waverly Gordon, Deputy Staff Director and General Counsel;

27 Daniel Greene, Professional Staff Member; Tiffany Guarascio,  
28 Staff Director; Ed Kaczmariski, Policy Analyst; Zach Kahan,  
29 Deputy Director Outreach and Member Service; Mackenzie Kuhl,  
30 Digital Assistant; Jerry Leverich, Chief Counsel,  
31 Communications and Technology; David Miller, Counsel; Kaitlyn  
32 Peel, Digital Director; Chloe Rodriguez, Clerk; Andrew  
33 Souvall, Director of Communications, Outreach, and Member  
34 Services; Michele Viterise, Counsel; Caroline Wood, Staff  
35 Assistant; C.J. Young, Deputy Communications Director;  
36 Michael Cameron, Policy Analyst, CPC, Energy, Environment;  
37 Emily King, Member Services Director; Tim Kurth, Chief  
38 Counsel, CPC; and Brannon Rains, Professional Staff Member,  
39 CPC.  
40

41           \*Ms. Schakowsky. The subcommittee on Consumer  
42 Protection and Commerce will now come to order via Webex.  
43 Today we will be holding a hearing entitled "Legislative  
44 Hearing to Protect Consumers and Strengthen Our Economy and  
45 Protect our Economy.''

46           Due to the COVID-19 public health emergency, members can  
47 participate in today's hearing either in person or remotely  
48 via video conferencing in accordance with the updated  
49 guidance issued by the attending physician. Members, staff,  
50 and members of the press who may be in the hearing room are  
51 not required to wear a mask.

52           For members participating remotely, your microphone will  
53 be set on mute for the purpose of eliminating inadvertent  
54 background noise. Members participating remotely will need  
55 to unmute your microphones each time that you wish to speak.  
56 Please note that once you are unmuted, anything that you say  
57 in Webex will be heard over the loudspeaker in the committee  
58 room and subject to being heard by Livestream and CSPAN.

59           Today, members are participating from different  
60 locations, and all recognition of members such as for  
61 questions will be in the order of subcommittee seniority.

62           Documents for the record can be sent to Ed Kaczmariski at  
63 the email that has been provided to the staff, and all  
64 documents will be entered into the record at the conclusion  
65 of the hearing.

66           And to begin, now, the Chair will recognize herself for  
67 five minutes for an opening statement.

68           So today, we will consider nine pieces of bipartisan  
69 legislation that will address a wide range of popular often  
70 kitchen-table issues. Today we will consider bills that  
71 protect consumers, children, and yes, horses and strengthen  
72 our economy.

73           These bills include the SAFE Act that I introduced with  
74 Representative Buchanan. This legislation will protect  
75 horses from being slaughtered for human consumption. Horse  
76 slaughter is not only inherently cruel, but it is also very  
77 dangerous.

78           Horse meat can be toxic because horses are given drugs  
79 that are unregulatedly administered that can be absolutely  
80 toxic to people who would eat that horse meat, and we also  
81 have the opportunity to end the abusive practice of horse  
82 soring. This horrifying act involves the intentional injury  
83 of horses hooves and legs of performing walking horses.

84           Representatives Cohen, Fitzpatrick, Buchanan, and I are  
85 cosponsors of the PAST Act which would strengthen protections  
86 against horse soring.

87           The Pink Tax Repeal Act sponsored by Representative  
88 Jackie Speier will end gender bias when it comes to -- and  
89 discrimination -- and ensure that women are not going to have  
90 to pay more for goods and services like household and

91 children's essential items that are virtually identical to  
92 those used by men.

93       We have seen everything from diapers and bibs and  
94 deodorants and probiotics that are significantly marked up  
95 when advertised for women and girls and even baby girls.

96       The Visit America Act introduced by Representative  
97 Titus, Case, and the late great Don Young, as well as the  
98 Travel and Tourism Act led by Representatives Dunn, Soto, and  
99 Salazar will booster our travel and tourist industry which we  
100 certainly want to do at this time.

101       Legislation by Representatives Dean and Armstrong will  
102 offer consumers a convenient and accessible way to safely  
103 navigate the notarization procedure remotely.

104       Legislation from Representatives Kelly, Arrington, and  
105 Leiu will protect children from deadly batteries that can be  
106 easily ingested.

107       Reese's Law is named in the honor of Reese Hamsmith, the  
108 daughter of our courageous witness today, Trista, who will  
109 share her story with us, and I thank her for being here, and  
110 I look forward to moving Reese's Law to ensure that no parent  
111 must come before the subcommittee again because they have  
112 lost their child and because of a dangerous product.

113       So if I just could end here together, these bills will  
114 make American's daily lives safer and easier and help grow  
115 our economy.

116           So I thank the witnesses that are here today for joining  
117   us, and now, it's my pleasure to introduce Mr. Bilirakis, the  
118   ranking member of the subcommittee, for his five minutes.

119           \*Mr. Bilirakis. Thank you, Madam Chair, and I want to  
120   wish you a happy 39th birthday.

121           \*Ms. Schakowsky. Exactly.

122           \*Mr. Bilirakis. I got that, right. Thank you, again,  
123   for holding this legislative hearing and thank you to the  
124   witnesses for sharing your expertise today. I look forward  
125   to hearing you.

126           There is a lot to cover with a broad scope of bills on  
127   the docket, so we appreciate all of you speaking with us  
128   today, albeit, virtually.

129           Before jumping into the list in front of us, this  
130   subcommittee has a lot of bills, 37 to be specific, in post-  
131   legislative hearing limbo that have yet to receive a markup.  
132   I know a lot of our members on this side of the aisle are  
133   anxiously waiting to hold the meeting -- and I'm sure on the  
134   other side as well -- to further discuss some of those bills  
135   and work across the aisle to make bipartisan progress.

136           I am hopeful we can move forward with actual legislative  
137   action on those bipartisan bills and leave the partisan ones  
138   to the wayside.

139           Onto the subject, again, at hand, I am pleased to see  
140   bipartisan bills included in today's hearing, like, H.R.

141 7820, the Travel and Tourism Act, introduced by my friends in  
142 the Florida delegation, Representative Dunn, Representative  
143 Soto, and Representative Salazar, and I am fully supportive  
144 of their efforts.

145 I am also glad to see the Visit America Act that my  
146 colleague and fellow Travel and Tourism co-chair, Dina Titus,  
147 sponsors which I know also tackles broader issues for the  
148 industry beyond this committee's jurisdiction.

149 This subcommittee has a rich history of coming together  
150 in the name of promoting America's travel and tourism  
151 industry; and after the wake of the COVID-19 pandemic, this  
152 legislation urgently shows, again, the need for this industry  
153 to be a focus point for the Department of Commerce.

154 As you all know, our committee unanimously passed the  
155 Restoring Brand USA legislation which will release dollars  
156 already collected for the program to help restore our travel  
157 and tourism industry back to even better than the pre-  
158 pandemic levels.

159 H.R. 7820 will further assist the travel and tourism  
160 industry by requiring the Department of Commerce to develop a  
161 ten-year travel and tourism strategy with annual goals for  
162 the number of international visitors to the United States. I  
163 believe this legislation compliments the committee's previous  
164 efforts, and I look forward to seeing the bill move forward.

165 The committee is also considering legislation to provide

166 greater transparency to our constituents with H.R. 4081, the  
167 Informing Consumers about Smart Devices Act, introduced by  
168 Representative Curtis and Representative Moulton holding big  
169 tech accountable has been a priority for Republicans, for  
170 Leader Rodgers, throughout this Congress, and I believe this  
171 legislation will help us move forward accomplishing this  
172 particular goal.

173         In the wake of advancements in technology, increasingly  
174 more innovative devices are being developed and deployed into  
175 our economy that have cameras or microphones. I am certain  
176 every member here on the dais has at least one or two smart  
177 TVs or speakers in their homes. I know I do.

178         This legislation would simply require companies that  
179 manufacture devices with these cameras and microphones to  
180 disclose to consumers of such features, and I think, there is  
181 nothing wrong with that.

182         Unfortunately, I am not able to cover all the bills in  
183 today's docket in five minutes, but I did want to raise one  
184 final bill that is important to a founding principle of this  
185 subcommittee which is protecting consumers.

186         Our subcommittee has jurisdiction over the Consumer  
187 Protection Safety Commission, an independent organization  
188 whose mission is to protect people against risks of injuries  
189 and deaths associated with consumer products. We owe it to  
190 our constituents to examine whether there are dangerous



191 products in the marketplace and actions we need to take  
192 without creating loopholes for bad actors or unduly burdening  
193 those that follow the law.

194 That's why I am proud to support Reese's Law which will  
195 require the CPSC to develop product safety standards with  
196 respect to batteries that pose an ingestion hazard.

197 I want to share my sympathy to Trista Hamsmith on the  
198 loss of dear Reese and thank you for being with us today to  
199 share your story -- you will make a difference -- and for the  
200 countless hours that you have dedicated to the bipartisan  
201 legislation brought before today.

202 Again, Madam Chair, I will yield back the balance of my  
203 time, and I appreciate you giving me the time.

204 [The prepared statement of Mr. Bilirakis follows:]

205

206 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

207

208           \*Ms. Schakowsky. The gentleman yields back.

209           And now, I yield five minutes to the chair of the full  
210 committee, Frank Pallone.

211           \*The Chairman. Thank you, Chairwoman Schakowsky, and  
212 today we'll discuss several bipartisan bills that would  
213 strengthen our economy and protect both consumers and horses.

214           We are going to discuss two bills that will help  
215 strengthen our economy by boosting the travel and tourism  
216 industry. It is very important to my district -- an industry  
217 that desperately is trying to recover from the COVID-19  
218 pandemic.

219           The Visit America Act and the Travel and Tourism Act  
220 both call on the Department of Commerce to develop and  
221 implement a pandemic recovery strategy for the travel and  
222 tourism industry. We also have a bill to further enhance our  
223 nation's manufacturing sector.

224           Today there is no centralized repository of information  
225 about the various federal programs supporting manufacturing.  
226 The Manufacturing.gov Act changes that by requiring the  
227 Department of Commerce to ensure that the Manufacturing.gov  
228 website serves as the primary hub for information relating to  
229 federal manufacturing programs.

230           We also consider legislation that would protect  
231 consumers, as I mentioned. Reese's Law, a bill named after  
232 Reese Hamsmith, an 18-month-old baby, who tragically died

233 after ingesting a button cell battery. These batteries are  
234 very small, the size of a button, and are found in common  
235 household electronics like television remotes, key fobs, and  
236 meat thermometers. They have been shown to cause serious  
237 injury and death to children who swallow them.

238         Reese's Law directs the Consumer Product Safety  
239 Commission to establish mandatory safety standards to protect  
240 children from ingesting button cell batteries. We are so  
241 grateful that Reese's mother, Trista, is here today to share  
242 her story. Her advocacy has no doubt saved lives, and this  
243 bill will save more.

244         We will also examine legislation to address the far too  
245 common practice of charging women higher prices than men for  
246 identical products and services. This so-called Pink Tax is  
247 simply not fair, and it has to stop. The bipartisan Pink Tax  
248 Repeal Act would do that. It prohibits the selling of  
249 substantially similar consumer products and services at  
250 different prices based on gender, and the bill also puts  
251 violators on the hook for civil penalties.

252         Then we have the bipartisan Informing Consumers about  
253 Smart Devices Act that would require that manufacturers of  
254 devices connected to the internet that have cameras or  
255 microphones inform consumers that those cameras or  
256 microphones are part of the device. No one should be  
257 surprised to learn if their electronic device has the ability

258 to record them. The bill also gives the Federal Trade  
259 Commission the authority to punish violators.

260 And we also consider the Securing and Enabling Commerce  
261 Using Remote and Electronic Notarization Act, and that  
262 establishes nationwide standards and technical requirements  
263 for remote online notarization. This bill will transition  
264 notarization to the 21st century without sacrificing security  
265 making the process more convenient and safer for the American  
266 public.

267 And finally, but certainly last but not least, two bills  
268 that would end horrendous practices and intolerable abuse  
269 that is suffered by horses. I have a major track in my  
270 district called Monmouth Park, and my home county is very  
271 much horse country.

272 Since 2015, hundreds of thousands of horses have been  
273 exported from the United States to Canada and Mexico for  
274 slaughter for human consumption; and despite a national ban,  
275 the practice of soring, applying an irritating or blistering  
276 agent to a limb of a horse to accentuate the horse's gate,  
277 continues.

278 So the SAFE Act and the PAST Act will address  
279 unfortunate gaps in our animal welfare laws that have left  
280 these innocent animals far too vulnerable.

281 So I look forward to the discussion, and I yield the  
282 time left -- a minute and a half -- to Representative Kelly,

283 vice-chair of the full committee.

284       \*Ms. Kelly. Thank you, Chairman Pallone, and thank you,  
285 Chairwoman Schakowsky and Ranking Member Bilirakis, for  
286 having this hearing today and including Reese's Law.

287       Reese's Law, as you have heard, is named after Reese  
288 Hamsmith, a young child who passed away in December of 2020  
289 after complications from swallowing a button battery, and I  
290 thank her mom, Trista, for being here virtually today to  
291 share her story.

292       I first met Trista last fall when she approached my  
293 office with an idea for a bill. She shared Reese's story  
294 with me, and as a mother and grandmother, I knew we had to do  
295 something. More than three thousand children ingest button  
296 batteries every year. The health impacts of swallowing can  
297 be severe, and in many cases, result in death. These  
298 instances are on the rise and addressing this issue cannot  
299 wait any longer.

300       That is why I introduce Reese's Law which will require  
301 the Consumer Product Safety Commission to create safety  
302 standards for button cell and coin batteries that prevent  
303 accidental ingestion by children six years old and younger.

304       Fortunately, after of months of hard work, and Trista  
305 working tirelessly to share her story and get support for the  
306 bill, I am excited to be having this hearing and look forward  
307 to working with Trista and the committee to make this bill

308 law.

309 And I will just say really quickly, since we are  
310 Consumer Protection, I hope at some point, we can do  
311 something to protect so many of our children and people from  
312 guns.

313 Thank you, and I yield back.

314 \*The Chairman. And I yield back, Madam Chair.

315 \*Ms. Schakowsky. The gentleman yields back.

316 And now, I recognize the ranking member of the full  
317 committee, Mrs. Rodgers, for five minutes.

318 \*Mrs. Rodgers. Thank you, Madam Chair. Good morning,  
319 everyone. Thank you for participating.

320 We are here today to tackle a variety of challenges and  
321 several proposed solutions to protect people and ensure  
322 America's economic leadership. That includes a number of  
323 solutions addressing the challenges and lessons learned from  
324 the pandemic.

325 I am pleased to see bipartisan legislation at today's  
326 hearing like Mr. Armstrong's bill to add permissions for  
327 remote notary, and Mr. Curtis's bill which requires companies  
328 to clearly indicate when home devices may be able to watch or  
329 listen to you.

330 The pandemic also highlighted the need for more  
331 resiliency in critical industries like travel and tourism,  
332 the gig economy, and services industries so that they can

333 rebound quickly after future disruptions.

334       Our subcommittee Republican Leader, Gus Bilirakis's,  
335 bipartisan Brand USA Travel and Tourism bill signed into law  
336 this year would do just that.

337       Mr. Dunn's legislation along with Mr. Soto and Ms.  
338 Salazar also focuses on solutions to pandemic-era challenges  
339 experienced by the tourism industry to rebound from the  
340 pandemic.

341       On a much more serious note, we'll also be discussing  
342 Reese's Law which will help prevent accidental ingestion of  
343 button cell and coin batteries by children. I want to join  
344 in saying thank you to Reese's mom, Trista Hamsmith, who is  
345 here today. As a mom, I admire your leadership and your  
346 strength to share your daughter's story with us and to save  
347 lives with Reese's Law. Your courage and your leadership is  
348 making a difference.

349       Thank you also to Robin Kelly for introducing this  
350 bipartisan legislation. As the former Republican leader of  
351 this subcommittee, I know the importance of having the  
352 Consumer Product Safety Commission focus on protecting  
353 people, especially children, and I applaud Chair Schakowsky's  
354 leadership in this important issue.

355       I also look forward to hearing about other bills on the  
356 agenda today that will impact manufacturing, retail, and  
357 horses. We have a lot to discuss to ensure these bills have

358 the intended outcomes without producing unintended burdens or  
359 consequences.

360 It is important to note this subcommittee also has a few  
361 dozen post-legislative hearing bills waiting to move out of  
362 committee. So we have our work cut out for us on deciding  
363 which bills are best positioned to move.

364 With the challenges that Americans and businesses are  
365 going through right now, I caution against enacting  
366 legislation that will ultimately make things worse. The so-  
367 called Pink Tax Repeal is not something that I see a clear  
368 path for. It would make the supply-chain crisis worse,  
369 reduce diversity of goods and services, and eliminate choices  
370 that men and women may have different preferences on.

371 We don't need any more empty shelves. Our focus should  
372 be on how incentivize female entrepreneurship rather than the  
373 government putting its heavy hand on how to set prices with  
374 more regulations.

375 I know we'll have a robust debate today, so I look  
376 forward to discussing and learning more on all of the  
377 solutions before you. Thank you to my colleagues for their  
378 hard work. Thank you, and I yield back.

379 [The prepared statement of Ms. Rodgers follows:]

380

381 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

382



383           \*Ms. Schakowsky. The gentlelady yields back. And now,  
384 I would like to introduce our witnesses for today's hearing.

385           First, let me introduce Katlin Kraska who is the  
386 director of Federal Legislation and Government Affairs at the  
387 American Society for the Prevention of Cruelty to Animals.

388           Michael O'Brien (sic) is the vice-president of corporate  
389 underwriting at First American Title Trust -- American Title  
390 Insurance Company.

391           Brian (sic) Hagopian is the CEO and president at Pilot  
392 -- let's see -- it's --

393           \*Voice. Pilot Precision.

394           \*Ms. Schakowsky. Okay. Pilot Precision Products.  
395 Sorry, Mr. Hagopian.

396           Julie Menin is the former commissioner at New York  
397 City's Department of Consumer Affairs.

398           And Hadley Heath Manning is vice-president for Policy at  
399 Independent Women's Forum.

400           Tori Barnes is executive vice-president of Public  
401 Affairs and Policy at United States Travel Association.

402           And Trista Hamsmith that you have heard much about who  
403 is Reese's mom and founder of Reese's Purpose.

404           At this time, the Chair will recognize each of our --  
405 each of our witnesses for five minutes to provide their  
406 opening statement. Before I do so, let me just mention the  
407 system with our clock so that the witnesses will know when to

408 begin to end their remarks.

409       There is a timer on your screen that will count down  
410 your remaining time as the time reaches the one-minute mark,  
411 please begin to wrap up -- as much as you can -- wrap up your  
412 testimony.

413       So Ms. Kraska, you are recognized for five minutes.

414       \*Ms. Kraska. Wonderful. Happy birthday Congresswoman.

415       \*Ms. Schakowsky. Thanks.

416

417 STATEMENT OF KATLIN KRASKA, DIRECTOR, FEDERAL LEGISLATION,  
418 GOVERNMENT RELATIONS, AMERICAN SOCIETY FOR THE PREVENTION OF  
419 CRUELTY TO ANIMALS

420

421       \*Ms. Kraska. Good afternoon. Thank you, Chair  
422 Schakowsky, Ranking Member Bilirakis, and honorable members  
423 of the subcommittee for inviting me to testify in support of  
424 the Save America's Forgotten Equines Act and the Prevent All  
425 Soring Tactics Act. Special thanks to Chair Schakowsky and  
426 Rep. Buchanan for their leadership on the SAFE Act and the  
427 long list of bipartisan leaders of the PAST Act. These two  
428 bills are critical to protecting horses in this country and  
429 the people who love them.

430       My name is Katie Kraska. I am the director of federal  
431 legislation for the ASPCA. It's a special honor for me to be  
432 here because I grew up in Kentucky and horses have always  
433 been a big part of my life.

434       The ASPCA was the first animal welfare organization on  
435 this continent founded in 1866 on a mission to protect  
436 equines. Since then, we have developed innovative programs  
437 working closely with adoption organizations and the equine  
438 industry to ground solutions in science. We have simple,  
439 yet, ambitious goal that all horses have good welfare.

440       This goal is impossible to achieve without passage of  
441 the SAFE Act and the PAST Act, bills to finally end the

442 slaughter of American horses for human consumption and horse  
443 soring which is the intentional injuring of a horse's legs to  
444 induce an unnaturally-high-stepping gate.

445 First, Congress has already acted to end these cruel  
446 practices shutting horse slaughterhouses in 2007 and voting  
447 annually to keep them closed.

448 Soring was banned with passage of the Horse Protection  
449 Act in 1970, but loopholes have allowed American equines to  
450 be exported to other countries for slaughter, and horse  
451 soring to persist largely because of industry self-policing.

452 This is not what Congress had in mind. We need to pass  
453 these bills to finally finish what Congress started years  
454 ago.

455 Second, the public has made their opposition to this  
456 cruelty abundantly clear. A poll released this year found a  
457 bipartisan 83 percent of American voters want to end the  
458 slaughter of American equines. The equine community wants to  
459 end horse slaughter.

460 Hall-of-fame jockeys and trainers, well-respected  
461 veterinarians, and industry leaders like the Jockey Club, the  
462 U.S. Trotting Association, Breeders Cup, the Stronach Group,  
463 recently joined us to announce the Final Stretch Alliance to  
464 End Horse Slaughter. Every single animal protection group  
465 and over 400 equine rescues support these bills.

466 Finally, we see this overwhelming support because horse

467 slaughter is bad for business, it's bad for the equine  
468 community, and it's bad for the equines themselves.

469 Equine industries are built on public perception.  
470 Industry has already stepped up to provide aftercare options,  
471 resources, safety net services for horses in their care; but  
472 as long as horse slaughter is legal, they will continue to  
473 slip through the cracks; and as long as they end up there,  
474 industry will not have the public's trust.

475 Horse slaughter also strikes fear in the hearts of  
476 anyone trying to rehome their horse distorting markets and  
477 putting welfare at risk and incentivizes predatory behavior  
478 when kill buyers pose as good homes but sell horses into the  
479 slaughter pipeline, and it drains the resources of rescues  
480 having to compete with kill buyers.

481 And to be clear, when I say, the "slaughter pipeline,"  
482 I mean, a 28-plus-hour journey packed with other unfamiliar  
483 animals in a trailer often enduring horrific injury or even  
484 death along the way. This is a fate that no one would want  
485 for their horse. It's a fate that no vet would ever  
486 prescribe for a horse. It's cruelty, and there is no reason  
487 for it to continue.

488 Between food safety concerns over the toxic drugs and  
489 chemicals present in American meat and the equine  
490 communities' hard work to rehome and adopt horses, we have  
491 seen a massive drop in the number of American horses exported

492 for slaughter in recent years.

493       We also know that there are 2.3 million Americans that  
494 are interested and able to adopt a horse right now. Compare  
495 this to the 23,000 horses that were exported for slaughter  
496 last year; there are homes for horses for decades, but the  
497 truth is, that no amount of aftercare or adoption work or  
498 responsible owners could prevent American horses from going  
499 to slaughter.

500       We are trying; but as long as export is legal, owners  
501 will be scared, horses will suffer, and industry will be at  
502 risk. The SAFE Act is the only solution that will finally  
503 keep horses and the equine community safe.

504       Similarly, for the sake of the horses undergoing  
505 horrific torture and the integrity of this part of show  
506 industry, we must enact the PAST Act. This bill would bring  
507 long-needed updates to the Horse Protection Act ensuring that  
508 its true intent is achieved, and that no more horses ever  
509 endure a life full extreme pain and suffering.

510       These bills are both unfinished business for Congress,  
511 and they will protect horses, their owners, and the horse  
512 industry.

513       Thank you for your time, and I look forward to hearing  
514 your questions.

515

516

517           [The prepared statement of Ms. Kraska follows:]

518

519       \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

520

521           \*Ms. Schakowsky. Thank you.

522           Mr. O'Brien (sic), you are now recognized.

523



524 STATEMENT OF MICHAEL O'NEAL, VICE PRESIDENT, CORPORATE  
525 UNDERWRITING, FIRST AMERICAN TITLE INSURANCE COMPANY  
526

527 \*Mr. O'Neal. Chairman Pallone, Ranking Member McMorris  
528 Rodgers, Subcommittee Chairwoman Schakowsky, and Ranking  
529 Member Bilirakis, and members of the subcommittee, my name is  
530 Michael O'Neal. I am vice president of corporate  
531 underwriting at First American Title, and I am here on behalf  
532 of the American Land Title Association.

533 Over the past five years, I have assisted dozens of  
534 states in updating their notary laws to allow for the use of  
535 remote online notarization, and I am honored for the  
536 opportunity to speak to you today.

537 Notaries are perhaps easily overlooked, but they are  
538 critically important to our economy, especially for real  
539 estate. Notaries have been with us for a very long time; and  
540 in fact, they go all the way back to the Roman Empire. So  
541 why do we continue to use notaries? It's because they are  
542 proven to increase the security of life's most critical  
543 transactions by authenticating a document signer's identity  
544 and by serving as an impartial witness.

545 The Secure Notarization Act is a bipartisan bill thanks  
546 to the leadership of Representatives Armstrong and Dean. It  
547 modernizes notary law for the 21st century by allowing  
548 documents to be securely notarized over a webcam or a

549     smartphone. We call this remote online notarization.

550             Remote notarization benefits and protects consumers. It  
551     gives them the flexibility to execute documents based on  
552     their schedules without the need to take time off work and  
553     find a babysitter.

554             As you might imagine, the biggest driver of remote  
555     notarization has been the COVID-19 pandemic. As of today, 40  
556     states and counting authorized the use of remote  
557     notarization, but the national solution is needed to provide  
558     this valuable flexibility to every American, including those  
559     who need it most like service members, others who are  
560     overseas, and underserved communities.

561             Furthermore, the country's legal landscape would benefit  
562     from additional certainty around the acceptance of remote  
563     notarization.

564             Congress's best position to provide this certainty just  
565     as it did for electronic signatures with the enactment of the  
566     E-Sign Act more than two decades ago. The Secure  
567     Notarization Act does three basic things:

568             First, it permits all consumers to have access to remote  
569     notary services. Imagine anyone being able to close on a  
570     home from the comfort and convenience of the kitchen table.

571             Second, the bill creates national minimum consumer  
572     protections. This includes using multi-factor authentication  
573     for determining a document signer's identity, tamper-evident

574 technology, so you can detect any changes made to an  
575 electronic document after it has been executed, and an  
576 audio/video recording of the notarization. This both deters  
577 fraud and provides strong evidence in court if there is a  
578 dispute.

579 Finally, the Secure Notarization Act provides certainty  
580 around the interstate recognition of remotely notarized  
581 documents. This ensures American's legal documents will be  
582 valid and enforceable nationwide no matter where they were  
583 signed just as is the case today with any traditional in-  
584 person notarization.

585 Equally important to what the Secure Notarization Act  
586 does is, what it doesn't do. States will continue to  
587 commission and regulate notaries. They are free to add  
588 standards above the minimum consumer protections. The Act  
589 also works in tandem with existing state privacy laws to  
590 protect consumer data.

591 And finally, the Act does not favor or restrict the use  
592 of specific technologies. Today, the country stands at an  
593 inflection point with remote notarization. Just as Congress  
594 acted decisively to enable online commerce by enacting E-  
595 Sign, now is the time to do the same for notarizations.

596 So I will leave you with a quote from a service member  
597 who recently used remote notarization for a home purchase:  
598 "I am stationed overseas in South Korea. My closing happened

599 nearly 7,000 airmiles and 13 time zones away. Closing on a  
600 house would have been impossible without this option. Our  
601 dream house would have slipped away from us had we not been  
602 able to execute the buy remotely.''

603 Thank you for inviting me to testify today, and I am  
604 happy to answer any questions.

605 [The prepared statement of Mr. O'Neal follows:]

606

607 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

608

609           \*Ms. Schakowsky. Thank you for your testimony.

610           And now, Mr. Hagopian, I'm so sorry. I messed up the  
611 name of your company. You'll introduce yourself, and I  
612 recognize you for five minutes.

613

614 STATEMENT OF ERIC D. HAGOPIAN, CEO AND PRESIDENT, PILOT  
615 PRECISION PRODUCTS  
616

617 \*Mr. Hagopian. Thank you, Chair Schakowsky and Ranking  
618 Member Bilirakis and those committee members.

619 Thank you for the opportunity to testify before the  
620 subcommittee in support of Manufacturing.gov Act today. My  
621 name is Eric Hagopian. I am the owner and CEO of Pilot  
622 Precision Products located in western Massachusetts in South  
623 Deerfield near Amherst about two hours west of Boston,  
624 rather.

625 I founded Pilot Precision Products in 2016, but our  
626 roots date back to 1945 when the Dumont Company was  
627 established to manufacture broaching tools in the area which  
628 was also home to many other industrial cutting tool companies  
629 such as Greenfield Tap and Die Bendix and others.

630 My small business employs about 35 highly skilled  
631 machinists. We manufacture and distribute precision  
632 broaching tools and other hole-making tools for the  
633 aerospace, defense, automotive, and medical industries to  
634 name a few.

635 Broaching is a metal cutting operation that uses a  
636 multitooth tool called a broach to change a round hole into a  
637 desired shape such as a square, hex, (inaudible) or other  
638 form used in mechanical drive components. Materials such as

639 steel and aluminum are very prevalent.

640 I also, serve on the executive committee of the National  
641 Tooling and Machining Association based in Cleveland, Ohio,  
642 and I'm speaking today on their behalf, and of course, on  
643 behalf of the thousands of small- and medium-sized  
644 manufacturing companies across the country like Pilot  
645 Precision Products.

646 As the past two years have shown, manufacturing in  
647 America is crucial to our economic and national security  
648 interests. During the early days of the COVID-19 pandemic,  
649 most U.S. manufacturing businesses were deemed essential. We  
650 kept our doors open and lights on producing the products  
651 Americans need to keep our communities safe.

652 No matter what, manufacturers are always there for  
653 Americans. Now, manufacturers need our government to be  
654 there for us. We work hard to compete on an uneven global  
655 playing field. Time and again, we are up against foreign  
656 government subsidized companies; and although U.S. Government  
657 has programs to help improve our competitiveness, there are  
658 often difficult to find, and certainly, to navigate.

659 I am fortunate in that I have an active trade  
660 association to support me, but thousands of other  
661 manufacturing business owners see the federal government as  
662 too big to help and too difficult to be effective.

663 The truth is that manufacturing touches virtually every

664 part of the federal government from job training programs to  
665 advanced manufacturing initiatives. Our sector could benefit  
666 from programs at the Departments of Commerce, Labor, Energy,  
667 Defense, and Transportation.

668         The Government Accountability Office recently found that  
669 58 federal programs across 11 federal agencies exist to  
670 support manufacturing, and this is the problem. These  
671 programs are so scattered across so many different agencies  
672 and departments.

673         According to that same GAO report, 11 programs are at  
674 the Commerce Department alone, but one must search all  
675 different parts of the department to find them, and that's  
676 why we need the Manufacturing.gov Act.

677         The Commerce Department should be the best go-to  
678 resource for all things related to industry. Right now, I  
679 must know what a program is called, and where to look for it,  
680 and then try and back down the program content, but what if I  
681 didn't know that there is a program that exists that could  
682 benefit my business? How would I learn about it without the  
683 support of my industry association?

684         We need a one-stop shop where manufacturers can quickly  
685 go to learn about programs that are already funded and  
686 available. By passing the Manufacturing.gov Act and  
687 establishing a section in the Manufacturing.gov website with  
688 information about federal manufacturing programs, our



689 business can quickly identify how we can invest our dollars  
690 back into our business and community and industry.

691         The bill places focus on providing more information and  
692 resources available in all areas top of (inaudible) to  
693 manufacturers like us. Having links and information on  
694 programs available to our small business in one place would  
695 not only save time but allow us to identify and benefit from  
696 other existing programs. The topics under the  
697 Manufacturing.gov Act such as workforce training, supply  
698 chain technology, research and development, and trade are all  
699 very essential to our business.

700         Frankly, when I first heard about the Manufacturing.gov  
701 Act, I was somewhat surprised thinking that something like  
702 this must already exist, but a connected centralized hub to  
703 manufacturers with federal manufacturing programs seems just  
704 like a commonsense approach that would help us to benefit  
705 programs already designed and funded to support manufacturing  
706 in America.

707         But knowing about the programs is only the first step.  
708 Small businesses often lack resources and knowhow to go about  
709 applying and then implementing these necessary steps. This  
710 is where the industry trade groups such as the National  
711 Tooling and Machining Association did partner with the  
712 federal government under stakeholders to increase awareness  
713 of the programs and provide initial support.

714           Manufacturers are always there for this country  
715    innovating, creating, empowering, and growing our economy,  
716    but we are facing many challenges from worker shortages to  
717    supply chain disruptions. Passing the Manufacturing.gov Act  
718    will ensure that our government can be there for us. With a  
719    one-stop hub for manufacturers, the U.S. Government can help  
720    businesses like mine identify existing programs that could  
721    benefit our company and our industry.

722           Thank you for the opportunity to testify before you  
723    today, and on behalf of myself and the National Tooling and  
724    Machining Association and the industry, I encourage you to  
725    pass the Manufacturing.gov.

726           Thank you.

727           [The prepared statement of Mr. Hagopian follows:]

728

729    \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

730

731           \*Ms. Schakowsky. Well, thank you.

732           Next, I recognize Julie Menin for five minutes.

733

734 STATEMENT OF JULIE MENIN, FORMER COMMISSIONER, NEW YORK CITY  
735 DEPARTMENT OF CONSUMER AFFAIRS

736

737 \*Ms. Menin. Thank you very much.

738 Hello. My name is Julie Menin, and I am testifying  
739 before you today as the former commissioner of the New York  
740 City Department of Consumer Affairs. Thank you, Chair  
741 Schakowsky, Ranking Member Bilirakis, and distinguished  
742 members of the subcommittee for inviting me to speak today as  
743 a witness.

744 I know this committee is doing critical work to protect  
745 American consumers across the country. In this difficult  
746 environment for today's consumers, it is imperative that  
747 lawmakers do everything they can to promote equity,  
748 transparency, and affordability for the American consumer.

749 One law that will do just that is the Pink Tax Repeal  
750 Act, the bill that I am going to be focusing my testimony on  
751 today. I have done extensive work in the arena of consumer  
752 products. Before I began my career in public service, I  
753 worked as a regulatory attorney, first, at Wiley, Rein &  
754 Fielding in Washington, D.C. where I specialized in consumer  
755 protection issues.

756 I then worked as Senior Regulatory Attorney at Colgate  
757 Palmolive Company in New York City where I handled regulatory  
758 legal matters for the agency encompassing the Department of

759 Justice, the Federal Trade Commission, and other regulatory  
760 issues and consumer litigation.

761 Through this experience, I saw firsthand that, although  
762 there might be two products that were a very similar, there  
763 was a (inaudible) to market them differently.

764 In 2014, I was appointed commissioner of the New York  
765 City Department of Consumer Affairs. In 2015, as  
766 commissioner, I used this prior experience I had to spearhead  
767 a large study investigating the gender pricing of goods in  
768 New York City.

769 The goal of the study was to determine the frequency and  
770 extent to which female consumers face higher prices than male  
771 consumers when literally buying the exact same products. We  
772 understood that the study needed to be precise in the data it  
773 collected and needed to cast a wide net around consumer life  
774 cycle.

775 We ultimately examined 794 staple consumer goods across  
776 five industries: children's toys and accessories, children's  
777 clothing, adult clothing, personal care products, and senior  
778 healthcare products.

779 Each product category was selected to reflect a stage of  
780 the consumer life cycle, thereby providing a glimpse into the  
781 experiences of consumers of all types and all ages. While  
782 the study focused on New York City markets, many of the  
783 stores and brands that we examined were, in fact, top

784 national chain retailers.

785         We also understood that to get the most the accurate  
786 results, it was critical to minimize differences between the  
787 men's and women's items that we were comparing. The agency  
788 only selected products that had similar male and female  
789 versions and were closest in branding, ingredients,  
790 appearance, textile, construction, and/or marketing.

791         When the researchers came back with the results, it was  
792 very clear that we were not looking at a case of occasional  
793 overpricing. Rather, we saw that 42 percent of the time  
794 women are charged an average of 7 percent more for what is  
795 essentially the exact same product.

796         So for example, women's jeans were 10 percent more than  
797 virtually identical men's products of the exact same size and  
798 make. Girls' helmets and pads cost 13 percent more than  
799 boys' helmets and pads. Razors and razor cartridges cost 11  
800 percent more for women. Over and over and over again, we saw  
801 significant markup for products aimed for women and girls.

802         I remember one particularly egregious case where a boys'  
803 scooter that was colored red cost \$25 from Target. The  
804 girls' scooter was double the price, and the only difference  
805 is that it was painted pink.

806         What our findings suggested was that, over the course of  
807 their lives, women are paying thousands of dollars more to  
808 purchase similar products as men. These higher prices are

809 mostly unavoidable for women and permeate many different  
810 types of products they buy. Individual consumers do not have  
811 control over the textile and ingredients that are used in  
812 products marketed to them and must make purchasing choices  
813 based on only what is available in the marketplace.

814         We conducted the study to raise public awareness about  
815 pricing disparity, so consumers could make the most educated  
816 shopping choices. However, the burden should not be on the  
817 consumer to have to ferret out this type of discriminatory  
818 practice. The burden must be on the manufacturer and the  
819 retailer to do the right thing.

820         An educated consumer can call out brands and diligently  
821 check and compare prices, but they really shouldn't have to,  
822 and that it's basically time and energy that a woman is being  
823 forced to put on solely because of her gender.

824         All consumers deserve a marketplace in which they don't  
825 have to conduct an investigation to ensure that they're  
826 getting a fair price. For this reason, we need authorities to  
827 step in and enforce fair practices.

828         Gender-based pricing is not indigenous to just New York  
829 City, of course. It's happening all over the country. This  
830 issue is compounded by the fact that women are still, on  
831 average, being paid 83 cents on the dollar to men. They're  
832 earning less but being charged more for everyday basic  
833 products.

834           In order to combat gender inequality in our country,  
835   it's essential to take stronger action against this  
836   widespread and unfair practice. The bill that this committee  
837   is considering would do just that, and by passing this bill,  
838   this committee would provide significant relief for  
839   consumers.

840           And I would just say in closing, I really appreciate the  
841   honor to be able to be here today, and I am happy to answer  
842   any questions that the committee has. Thank you.

843           [The prepared statement of Ms. Menin follows:]

844

845   \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

846



847           \*Ms. Schakowsky.   Thank you.

848           And now, I would recognize Hadley Heath Manning.

849

850 STATEMENT OF HADLEY HEATH MANNING, VICE PRESIDENT FOR POLICY,  
851 INDEPENDENT WOMEN'S FORUM

852

853 \*Ms. Manning. Yes. Thank you.

854 \*Ms. Schakowsky. Yes. For five minutes.

855 \*Ms. Manning. Thank you.

856 Hello. I am Hadley Heath Manning, vice-president for  
857 policy at Independent Women's Forum, a non-profit  
858 organization dedicated to developing and advancing policies  
859 that aren't just well intended, but actually, enhance  
860 people's freedom, opportunities, and wellbeing. Thank you,  
861 Madam Chair Schakowsky, for the invitation to serve as a  
862 witness at this hearing today and happy birthday to you.

863 I appreciate the work of this subcommittee to find  
864 bipartisan solutions to help reduce cost for American  
865 consumers and families who are struggling during this time of  
866 record-high inflation. However, my testimony will focus on  
867 one proposed bill that will not be helpful. The proposed  
868 repeal of the so-called Pink Tax may be well intended, but it  
869 will result in fewer choices and reduce consumer  
870 satisfaction.

871 First, we should clarify that the Pink Tax isn't a tax  
872 at all. If it were, I would be in favor of repealing it.  
873 But the term refers not to a government levy, but to the  
874 disparity in pricing between products marketed to men versus

875 women.

876       Some women's products and services, most notably those  
877 oriented to personal care and hygiene, cost more than similar  
878 products made and marketed to men. One well-known and  
879 frequently cited report that we just heard a lot about from  
880 the New York City Department of Consumer Affairs found that  
881 women's products on average cost 7 percent more than men's.

882       But -- and this is critically important -- a disparity  
883 isn't always evidence of discrimination. In this case, the  
884 disparity actually represents diversity, the robust free and  
885 capitalist American marketplace is capable of providing  
886 millions of products that are customized to the diverse  
887 American population. This is something to celebrate, not  
888 squelch.

889       Importantly, women are free to buy products marketed to  
890 either sex. Either men's and women's products like shampoo,  
891 facewash, razors, and deodorant are substitute goods, or they  
892 are not. If they are, women and men are savvy enough as  
893 consumers to choose what they want based on the product and  
894 the price point.

895       Women make 85 percent of consumer brand decisions and  
896 are capable of navigating this marketplace. In fact, when a  
897 writer for Mic.com. bought all men's beauty products instead  
898 of women's, she saved about \$24 over the course of one week.  
899 Nothing is stopping any American woman from doing this. No

900 law is needed to make these more affordable men's beauty  
901 products available to us.

902       However, the reason many women do not buy men's or  
903 gender-neutral products is, because in many cases, these  
904 goods are not substitutes, therefore, it's not appropriate to  
905 compare the prices of products that substantially differ.

906       Even the study out of the New York City Department of  
907 Consumer Affairs says explicitly that "men's and women's  
908 products are rarely identical making exact comparison's  
909 difficult when often men and women's products are so  
910 different that the cost of production alone can explain the  
911 difference in price."

912       For example, men and women's personal care products  
913 often have a different mix of active and inactive  
914 ingredients, they often smell different, and have different  
915 features.

916       Even when it comes to services such as dry cleaning,  
917 there are different costs on the supply side. Men's shirts  
918 can often be machine pressed; women's blouses often cannot.  
919 This saves the dry cleaner time and money, and he passes  
920 along these savings to male dry-cleaning customers.

921       The Pink Tax is not a just function of supply costs, but  
922 also a function of demand. Despite higher costs, women  
923 demonstrate a preference for goods that are made and marketed  
924 for them. Some goods are truly identical except for the

925 color; and as the mother of two young girls and one young  
926 boy, I can tell you that often my girls prefer the pink or  
927 sparkly version of whatever toy or product their brother has.

928 Now, we can speculate and debate about the reasons why  
929 boys and girls have different preferences, but that might be  
930 beyond the scope of this hearing. Instead today, we can  
931 simply observe that these preferences exist, and that no  
932 consumer protection is needed to keep Americans from  
933 demonstrating those preferences in the marketplace.

934 Referring to the preferences of female customers as a  
935 Pink Tax may actually shortchange some smart and socially  
936 conscious choices that many women are making. According to a  
937 study by the global management consulting firm, Kearney,  
938 female consumers value female-focused products, pro-women  
939 branding and advertising and socially conscious companies  
940 with female leadership.

941 No one could or should blame female consumers who prefer  
942 to pay a little bit more when a brand or product speaks to  
943 their core identity as women or allows them to support a  
944 cause that they believe in.

945 Attempts to repeal the Pink Tax would have unintended  
946 consequences. Prohibiting disparate pricing for products  
947 geared toward men and women ignores the supply and demand  
948 factors that I have discussed here today. The results would  
949 be that producers would simply standardize products

950 eliminating sex-specific options that women and men value and  
951 prefer. This would reduce the diversity of goods and  
952 services available and reduce consumer satisfaction.

953         A robust marketplace provides a broad spectrum of goods  
954 and services. The choice among different goods and services  
955 should belong to consumers. In some more socialized  
956 countries, consumers have fewer options, rather than having  
957 our choice of more than 75 different brands of shampoo, we  
958 could arrive at the personal care aisle only to find "the  
959 shampoo" or "the soap."

960         We are blessed to live in a country where the market is  
961 free to respond to the preferences of so many different types  
962 of consumers. We have organic shampoo, shampoo for black  
963 hair, kids' shampoo, shampoo for curly hair, flat hair, hair  
964 that's been permed or dyed. We have a variety of choice, and  
965 naturally, prices vary according to product.

966         Sadly, today in the U.S. due to supply chain issues and  
967 shortages, the specter of empty shelves is not a far-off  
968 concern. This is the matter that should hold the attention  
969 of the lawmakers, not proposed restrictions like the Pink Tax  
970 Repeal that, rather than offering consumers protection, would  
971 take products away.

972         The problems that undergird so many of our economic  
973 problems today making it harder and harder for American  
974 consumers to afford basic necessities are the result of

975 needless government regulation and meddling. The attempt to  
976 eliminate the so-called Pink Tax and standardize pricing by  
977 fiat would be another step in the wrong direction.

978 Thank you.

979 [The prepared statement of Ms. Manning follows:]

980

981 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

982

983           \*Voice. Madam Chair, you have to unmute yourself.

984           \*Ms. Schakowsky. I thought I had. I'm sorry.

985           Tori Barnes, you are recognized for five minutes.

986



987 STATEMENT OF TORI EMERSON BARNES, EXECUTIVE VICE PRESIDENT,  
988 PUBLIC AFFAIRS AND POLICY, U.S. TRAVEL ASSOCIATION

989

990 \*Ms. Barnes. Thank you, Chairwoman Schakowsky, Ranking  
991 Member Bilirakis, and members of the subcommittee.

992 Good afternoon. I am Tori Emerson Barnes, executive  
993 vice president for Public Affairs and Policy for the U.S.  
994 Travel Association and thank you for inviting the travel  
995 industry to participate in today's hearing.

996 Before I start, I would like to thank Ranking Member  
997 Bilirakis for his leadership on the Restoring Brand USA Act  
998 and Chairwoman Schakowsky and members of the subcommittee as  
999 well as Chairman Pallone and Ranking Member McMorris Rodgers  
1000 for supporting its enactment.

1001 These two bills being considered today are a  
1002 continuation of the work on Brand USA and exemplify this  
1003 committee's ongoing bipartisan engagement on travel and  
1004 tourism issues.

1005 The Visit America Act and the Travel and Tourism Act  
1006 would both support the economic recovery and long-term  
1007 competitiveness of America's travel and tourism industry.  
1008 While both bills contain similar provisions,  
1009 there are also some key omissions in the Travel and Tourism  
1010 Act, and we look forward to working with this committee to  
1011 address those.

1012           The Visit America Act is a bipartisan bill with strong  
1013 support across the travel industry. There is also companion  
1014 legislation in the Senate led by Senator Sullivan and the Act  
1015 is included in the Senate's bipartisan Travel and Tourism  
1016 Omnibus Bill Act of 2021.

1017           First and most important, the bill establishes an  
1018 assistant secretary of travel and tourism at the Department  
1019 of Commerce. The assistant secretary would provide high-  
1020 level leadership accountable to Congress that would work  
1021 effectively across the administration to develop and  
1022 implement national travel policies.

1023           Because travel touches so many areas of government from  
1024 DHS, TSA, and CBP, to the Department of State, DOT, FAA, and  
1025 more, a senior federal official is needed to more effectively  
1026 coordinate policies across the administration. It's also  
1027 important to note that the U.S. is the only G20 country  
1028 without a federal agency or cabinet-level official in charge  
1029 of tourism policy.

1030           Establishing an assistant secretary would put the U.S.  
1031 on par with the other top destinations for international  
1032 travel and provide a high-level official to work with other  
1033 countries on travel facilitation issues.

1034           Second, the Visit America Act directs the Department of  
1035 Commerce to develop a COVID-19 recovery strategy. At the end  
1036 of 2021, international travel spending was 78 percent below

1037 pre-pandemic levels, while business travel spending was down  
1038 56 percent.

1039         This provision ensures that the federal government  
1040 develops and implements a plan to quickly restore travel,  
1041 rebuild our workforce, and prepare for future pandemics.

1042         Third, the Visit America Act directs the Department of  
1043 Commerce to consistently set national goals and strategies to  
1044 grow travel to and within the U.S. The bill also charges the  
1045 assistant secretary with carrying out the strategies on an  
1046 annual basis.

1047         We would like to thank Secretary Raimondo for her work  
1048 to develop a national travel and tourism strategy for the  
1049 next decade. She has been a very strong advocate for our  
1050 industry's recovery and future competitiveness.

1051         Unfortunately, the same type of leadership has been very  
1052 inconsistent across administrations. The Visit America Act  
1053 would ensure that the national travel and tourism strategies  
1054 are consistently developed and carried out from  
1055 administration to administration.

1056         Finally, the Visit America Act directs the assistant  
1057 secretary to work with the International Trade Administration  
1058 and the U.S. Commercial Services to promote and facilitate  
1059 U.S. bids for large international trade shows and events.

1060         The Department of Commerce provides export promotion and  
1061 trade facilitation services for other U.S. exports like

1062 transportation equipment and manufactured goods, but the  
1063 department does not consistently do the same do help U.S.  
1064 destinations compete for large international events and trade  
1065 shows, despite the fact that international inbound travel is  
1066 historically our nation's second largest industry export.

1067         This is a crucial provision to ensure that the U.S. does  
1068 not miss out on major international events which generate  
1069 substantial economic impact for local communities. For  
1070 example, U.S. Travel will host IPW, the leading international  
1071 travel trade show, next week in Orlando. Past IPWs have  
1072 generated an estimated 28.9 billion in export spending in the  
1073 U.S., which is equivalent to exporting 69 Boeing 747s, 700  
1074 GE9X engines, or nearly 58,000 John Deere combines.

1075         This demonstrates international travel's substantial  
1076 economic power and shows why it should be prioritized along  
1077 the other U.S. exports.

1078         Next, I would like to turn to the Travel and Tourism Act  
1079 which includes many of these same provisions including the  
1080 development of COVID recovery strategy and direction for the  
1081 Department of Commerce to set national travel and tourism  
1082 strategies at least once every ten years; however, the bill  
1083 is missing two critical policies:

1084         First, the bill does not establish an assistant  
1085 secretary for travel and tourism; and second, the bill does  
1086 not direct the secretary of commerce to support and

1087 facilitate U.S. bids for larger international trade shows,  
1088 conferences, and events.

1089 In our view, these are two important and impactful  
1090 policies both of which are within the committee's  
1091 jurisdiction.

1092 We want to thank Representatives Titus, Case, Dunn,  
1093 Soto, and Salazar for their work on these critical bills for  
1094 recovery and competitiveness. We hope that the work the bill  
1095 sponsors and this committee can do to ensure to amend the  
1096 Travel and Tourism Act to include similar provisions so that  
1097 both bills can move forward.

1098 Thank you for your time and for your strong continued  
1099 support of the travel and tourism industry.

1100 [The prepared statement of Ms. Barnes follows:]

1101

1102 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1103

1104           \*Ms. Schakowsky. Thank you.

1105           And last, but certainly, not least, I am going to  
1106 introduce Trista Hamsmith. We know this is not easy for you,  
1107 and we are so appreciative for your coming here. Reese's  
1108 mom, you have five minutes for your opening -- for your  
1109 statement. Thank you.

1110

1111 STATEMENT OF TRISTA HAMSMITH, FOUNDER AND REESE'S MOM,  
1112 REESE'S PURPOSE

1113

1114 \*Ms. Hamsmith. Thank you. And thank you for inviting  
1115 me here today.

1116 My name is Trista Hamsmith, and I am here to share why  
1117 enacting legislation to make consumer products that use  
1118 button batteries safer is so important and to impress upon  
1119 you why time is of the essence.

1120 Button batteries are a hidden hazard to young children,  
1121 elderly, and pets, and I am here today to implore you to  
1122 protect families from what mine suffered through just a year  
1123 ago.

1124 My daughter, Reese Elizabeth Hamsmith, meant  
1125 affectionately to those closest to her as, "Re Re," born a  
1126 spunky sassy full-of-life girl on June 13th of 2019. At an  
1127 early age, Reese took the attention of the entire room when  
1128 she walked in with her inquisitive spirit and demeanor. She  
1129 lived life in a way that most will never know. She loved  
1130 hard, she played hard, and she fought harder.

1131 Reese swallowed a button battery in October of 2020 and  
1132 lost her fight on December 17th of 2020 at just over 18  
1133 months old. Reese was an example for us all, and here is her  
1134 story.

1135 Reese seemed sick and not her spunky self. We took her

1136 to the pediatrician, and she was diagnosed with croup. Croup  
1137 is a common misdiagnosis for button battery ingestion as it  
1138 does mimic it almost to a T.

1139       After returning home, we noticed a button battery  
1140 missing from a device in our home. We tore the house apart;  
1141 and after a quick Google search, realized that we needed to  
1142 get to the hospital immediately. Once there, they confirmed  
1143 that the button battery had, in fact, been ingested, and  
1144 there was emergency surgery to remove the battery.

1145       I think it's important to note here that, even once the  
1146 battery is taken out, these batteries continue to burn for  
1147 days after. So whatever damage you think you have, it  
1148 actually continues to get worse.

1149       After a few days in PICU, she was released on a liquid-  
1150 only diet. A couple of days later, took her back for a  
1151 checkup, and they wanted to do a CAT scan. They were worried  
1152 that a hole had been created.

1153       In fact, that battery had continued to burn. It burned  
1154 a hole through her esophagus and then through her trachea  
1155 creating a fistula which acts as a tunnel connecting the two.  
1156 So we now had air going it didn't need to go, and we had  
1157 liquids going where it didn't need to go.

1158       That next morning, she went back for surgery. She came  
1159 back with a G-button so we could administer food to her  
1160 stomach, and she came back sedated. That morning was the



1161 last morning that we saw Reese as herself.

1162 The plan was to keep her sedated and let her rest for a  
1163 week, but it was just a few days later, she had her first  
1164 code in the middle of the night. At that point in time, the  
1165 doctors decided that we need to go to Texas Children's  
1166 Hospital.

1167 Reese spent most of her time at the hospital fighting  
1168 sedation, showing us her spunky self, and I firmly believe  
1169 that every doctor and nurse there knew her attitude and her  
1170 spirit by the time we left just from the (audio disruption).

1171 A few weeks after Reese swallowed the battery, surgeons  
1172 would attempt to close the holes in her esophagus and  
1173 trachea. It was an all-day event, and it was successful. We  
1174 were able to repair the holes.

1175 Now, it was more of a waiting game, let the healing  
1176 happen, and then we were to take her off of the ventilator.  
1177 We did get her off successfully. That evening, I went down  
1178 for dinner, came back up, and walked into the nightmare of  
1179 starting compressions. This was now her second code event.

1180 They worked for about ten minutes, and we were able to  
1181 get her back that time, and the consensus was that she just  
1182 isn't strong enough yet. So we waited and tried again.

1183 Once we did try again, it was obvious that she was not  
1184 going to be able to breathe on her own, and we were going to  
1185 need a tracheotomy. Our path was getting harder, but she was

1186 still with us, and we could do this together.

1187         Around, I guess, around eight o'clock that evening, they  
1188 took her back for the trach, came back in, got settled,  
1189 middle of the night, I woke up to the doctors who were in the  
1190 room -- filled -- and the numbers weren't looking right, and  
1191 they wanted to give her a different trach that would be a  
1192 better fit. We did that. Eight-thirty in the morning, same  
1193 thing, the doctors were back, numbers weren't looking right.

1194         They wanted to do a bedside scope at which point the  
1195 real nightmare began for us. It was shortly after that, that  
1196 the beeping started. I remember watching the numbers  
1197 (inaudible), and the last time I saw a six before I dropped  
1198 my head, okay? They worked for 30 to 40 minutes, and we  
1199 could not get her back.

1200         Early on, while Reese was still fighting her battle, I  
1201 knew that I wanted to spread awareness about the dangers of  
1202 button batteries; and at the time, I imagined it would be  
1203 with Re Re by my side. I guess, my plan (inaudible). In  
1204 Reese's hospital room sat a plaque that said, "He has a plan,  
1205 and I have a purpose."

1206         We always knew that Reese would do big things in this  
1207 world, and her early battle may be over, but her true battle  
1208 -- her true plan and her true purpose has just begun.

1209         There were 4,000 button battery ingestions reported in  
1210 2020; however, it's estimated that only 11 percent of all

1211 cases are reported meaning that, that number is closer to  
1212 36,000 children annually, and any one of these instances  
1213 could prove to be deadly.

1214       The CPSC released data on injuries with a 93 percent  
1215 growth in injuries. Once ingested, the button battery can  
1216 cause severe tissue burns in as little as two hours. Sixty-  
1217 one-point-eight percent of ingestions are coming from the  
1218 products -- not from our dump or not from our trash can, from  
1219 the product.

1220       As the market trend grows, the more products use these  
1221 batteries, the more we're going to see these numbers rise.  
1222 In December of 2020 alone, we know of two -- and two toddlers  
1223 that passed away from a button battery ingestion.

1224       It's been estimated that a child swallows a button  
1225 battery every three hours which means by the time we get done  
1226 here today, at least one child will have swallowed a battery.

1227       We never knew about the dangers of button battery  
1228 ingestion, and I hear families all of the time that didn't  
1229 know either. It's a club I never wanted to be in, and I wish  
1230 I wasn't sitting here in front of you today because that  
1231 would mean my baby girl would still be with (audio  
1232 disruption).

1233       Please don't let the death of my daughter, Reese, and  
1234 her purpose be in vain. We all have children that we love  
1235 and want to protect whether it's our own children or children

1236 in our lives. Help protect all the children of the United  
1237 States, so that we never have to hear a story like Reese's  
1238 again.

1239 Thank you for your time.

1240 [The prepared statement of Ms. Hamsmith follows:]

1241

1242 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1243

1244           \*Ms. Schakowsky. Thank you. Thank you, Trista.

1245           You know, members, you saw, I let her go even longer  
1246 than some of the other witnesses, but I think we really  
1247 wanted to allow her to tell this painful story, so that we  
1248 can do all that we can to make sure that no other family has  
1249 to experience this; no other child has to experience this.

1250           So at this point, the chairman has recognized each  
1251 witness for five minutes, and now, we will move to member  
1252 questions, and I am going to begin with five minutes.

1253           So my first question has to do with the Pink Tax, and  
1254 we've heard two sides of the story. I wanted to ask Ms.  
1255 Menin about, you know, my understanding is that -- and by the  
1256 way, I have experienced the Pink Tax myself. It wasn't in a  
1257 product, it was in services, and it was at my cleaner. When  
1258 I was charged more for having a blouse -- just a plain blouse  
1259 -- and I take my husband's things in, and I take mine in, and  
1260 I saw that I was being charged more for exactly the same  
1261 service.

1262           But it seems to me that it is nothing more than  
1263 discrimination when you say that a pink scooter and a red  
1264 scooter or whatever a boy color is, a blue scooter, is as  
1265 much twice more. And you know, we've heard that, yes, there  
1266 is the option you can get the blue, but I -- what my question  
1267 is, are the people who are -- the women who are -- marketed,  
1268 something for women or for girls, aware of the other options

1269 that could be cheaper?

1270 \*Ms. Menin. Thank you, Chair, for the question.

1271 No. They're not aware, and this is the whole problem  
1272 with the Pink Tax. We're putting the burden back on the  
1273 consumer to ferret out and look at different products to  
1274 determine which one is the most cost effective for them.  
1275 That is completely unreasonable, and quite frankly, I think  
1276 it is illegal.

1277 This is a huge problem. There is no rational basis for  
1278 a scooter, the one that is painted red to be half the price  
1279 of one that is painted pink. Our study also found out that  
1280 bike helmets, the helmet that is marketed to boys was half  
1281 the price as a helmet painted pink that is marketed to girls.  
1282 I am the mother of four kids. I see this, you know, as a  
1283 real issue for consumers.

1284 And by the way, as I mentioned in our study -- we  
1285 studied close to 800 consumer products: one is marketed for  
1286 babies, for teenagers, for adults, and for seniors, and we  
1287 saw it across the board no matter what the product category  
1288 was.

1289 \*Ms. Schakowsky. The other criticism was that, you  
1290 know, sometimes, there really are these kinds of differences,  
1291 and how do we make sure that we're really talking about the  
1292 equivalency?

1293 \*Ms. Menin. Sure. And that, I think, is a great

1294 question. Look, I worked as an attorney, as I mentioned in  
1295 my testimony, for Colgate Palmolive. I have been a consumer  
1296 protection attorney for a long time, but I mentioned Colgate  
1297 Palmolive because it is a consumer-products company. This is  
1298 where I really first started focusing on this idea of the  
1299 ingredients in various products.

1300       It is not correct what was said before in other  
1301 testimony that these differences are reasonable. In other  
1302 words, if you have a shampoo, and it might have a slightly  
1303 different fragrance based on whether it is marketed to a  
1304 woman or a man, it is not the fragrances that should account  
1305 for a different cost. The majority of cost in any consumer  
1306 product derives from research and development. That is the  
1307 number one cost center, and research and development has  
1308 nothing to do with what type of fragrance you might put in a  
1309 shampoo.

1310       Many --

1311       \*Ms. Schakowsky. I am going to have to cut you off  
1312 because I do want to get to one other question of one other  
1313 witness.

1314       I wanted to talk to Ms. Kraska about the horse slaughter  
1315 bill, and how big a problem is this in the United States that  
1316 horses are being transported for human consumption out of the  
1317 United States of America, and who are these? Where are these  
1318 horses?

1319           \*Ms. Kraska. Thank you, Chairwoman, and I will try to  
1320 be brief here.

1321           But from the ASPCA's perspective, one horse is too many.  
1322 If any horses are being exported for this purpose, that  
1323 represents cruelty, but we know that the number has been  
1324 dropping pretty significantly in recent years, so between  
1325 2016 and last year, the number of horses being exported for  
1326 slaughter dropped by 78 percent, so that's down to 23,000  
1327 horses last year; and if you compare that to the 2.3 million  
1328 Americans that have said that they are both willing and able  
1329 -- when I say, "able," like I live in Washington, D.C.; I  
1330 can't necessarily adopt a horse even though I would really  
1331 want to -- that's what we (inaudible), and they are both  
1332 willing and able to do that. So we know that there are homes  
1333 for these horses.

1334           \*Ms. Schakowsky. Thank you. So we're talking about  
1335 tens of thousands. Thank you to the witnesses.

1336           And now, I recognize Mr. Bilirakis for his five minutes  
1337 of questions.

1338           \*Mr. Bilirakis. Thank you, Madam Chair. Thank you for  
1339 holding this very important, very informative, hearing.

1340           The first question is for Ms. Hamsmith. Thank you so  
1341 much for joining us here today and for taking on this task  
1342 while still grieving.

1343           What happened to your little girl, Reese, is a terrible



1344 tragedy. Ma'am, can you elaborate on your testimony  
1345 regarding your outreach to companies and what their rationale  
1346 is as to why there aren't better standards in place?

1347       \*Ms. Hamsmith. Most of the companies that I have spoken  
1348 to are fully supportive of what we're trying to get done  
1349 here. We looked at the toy law that was enacted that  
1350 required screws to secure those in, and everybody is  
1351 wondering why have we not done this for everyday products?

1352       I think it is pretty well supported across the board  
1353 that our children do have access to things that are not just  
1354 specifically children toys; and in our case, it was a remote,  
1355 you know, she reached up and grabbed that remote, dropped it  
1356 -- is what we're assuming -- and that's how she got it.

1357       And so the support has really been quite unwavering as  
1358 far as the need for this for our children across the U.S.

1359       \*Mr. Bilirakis. Yeah. I had an opportunity to speak  
1360 with a parent whose child was affected by this in  
1361 Jacksonville. Congressman Rutherford introduced me to her,  
1362 and she told me the story, and I am a cosponsor of the bill.

1363       So as you developed this proposal, are there particular  
1364 companies that you modeled it after to help prevent another  
1365 tragedy like the one your family has endured?

1366       \*Ms. Hamsmith. So what we would like to do is delegate  
1367 it to the CPSC for them to make the choice on how to properly  
1368 secure these closures and the warning labels. Of course, the

1369 toy industry does have the screws. I know the CPSC had  
1370 talked about push-pull mechanisms, and they are currently  
1371 looking into the most cost-effective way to do this; and of  
1372 course, the best way to keep these secure and out of our  
1373 children's hands.

1374 \*Mr. Bilirakis. Thank you very much. Appreciate it.

1375 Ms. Barnes, in addition to my role as the committee --  
1376 co-chair of the Congressional Travel and Tourism Caucus, as  
1377 you know, one of the themes of our caucus is that we all  
1378 benefit when tourism is thriving. It means less tax burdens,  
1379 more jobs, and a strengthened economy. I know you agree with  
1380 that. Most everyone does.

1381 Unfortunately, travel and tourism was one of the hardest  
1382 hit sectors during the pandemic. Commonsense solutions like  
1383 a Travel and Tourism Act will help boost the economy and help  
1384 get us moving in the right direction.

1385 While this committee has fast jurisdiction, it certainly  
1386 isn't exclusive when it comes to your sector. What areas do  
1387 you see we can focus on in our work with the Commerce  
1388 Department, especially in terms of travel and tourism  
1389 businesses, most severely impacted by the COVID-19 pandemic?

1390 \*Ms. Barnes. So thank you for the question and again,  
1391 thank you for your leadership on the issues around travel and  
1392 tourism. It's so important.

1393 You know, I think, one of the things that we see, and I

1394 think, one of the things we would like to see included in the  
1395 Travel and Tourism Act really is the establishment of an  
1396 assistant secretary of travel and tourism because the ability  
1397 for commerce to actually facilitate U.S. bids for large  
1398 international events is really, really important.

1399         And additionally, one of the things that is really a  
1400 deterrent for folks to come here and hold events here are our  
1401 slow visa processing -- we are up at over 400 days in some  
1402 cases -- for folks to get a visa to come to the U.S., our  
1403 wait times in customs, and having inadequate infrastructure.

1404         And so an example of how an assistant secretary could  
1405 really facilitate bids and help to alleviate some of these  
1406 challenges would be to ensure that visa appointments and  
1407 processing times are efficient for international attendees,  
1408 ensure adequate CBP and TSA staffing are available at  
1409 airports during the times around the event, and then,  
1410 obviously, to identify federal infrastructure resources to  
1411 build the infrastructure that is needed to host events.

1412         You know, it's really important that we have that whole  
1413 government approach. As I mentioned in my testimony, we are  
1414 the only one of the top G20 countries that does not have a  
1415 tourism minister, and so without senior leadership at the  
1416 Department of Commerce, again directed by Congress, we won't  
1417 be able to really optimize all that we could from an economic  
1418 standpoint across this industry.

1419           So really think that, that is important for us to move  
1420 forward and elevate and make the country more globally  
1421 competitive related to travel specifically.

1422           \*Mr. Bilirakis. Okay. I know I have to stop, so I'll  
1423 submit the rest of the questions, but I do want to know this.  
1424 As far as the backlog is concerned with regard to the visa  
1425 processing, what was it like -- maybe, you can answer this at  
1426 another time -- what was it like prior to the pandemic? Did  
1427 we have a backlog?

1428           \*Ms. Barnes. No.

1429           \*Mr. Bilirakis. And to what extent?

1430           \*Ms. Barnes. It was 12 days on average, and now, we're  
1431 up, again, well over 230 days for the top ten markets, I  
1432 believe, and 400 to 600 days for some countries.

1433           \*Mr. Bilirakis. Okay. Thank you very much. I yield  
1434 back, Madam Chair. Thanks for the extra time.

1435           \*Ms. Schakowsky. Thank you.

1436           And now, I recognize the chairman of the full committee,  
1437 Mr. Pallone, for five minutes of questions.

1438           \*The Chairman. Thank you, Chair Schakowsky.

1439           I wanted to ask Ms. Kraska about the SAFE Act. I know  
1440 it's very important to protect horses from slaughter. But  
1441 there could very well be inhumane treatment of horses on the  
1442 way to slaughter, and that's what I wanted to ask you about.  
1443 Talk, if you could a little bit about how horses are treated

1444 on their way to slaughter, and is there is further abuse that  
1445 occurs?

1446       \*Ms. Kraska. (Audio disruption) the question Chairman  
1447 and this is one of the worst parts of the slaughter pipeline.  
1448 So what we consider the pipeline is everything between when  
1449 horses end up in kill pens and all the way after they make  
1450 the, you know, 28-plus-hour journey all the way across the  
1451 border to Canada or Mexico; and during this time, you know  
1452 kill buyers are turning a profit by the number of horses or  
1453 the poundage, I guess, that they're cramming into trailers at  
1454 one time.

1455       So they are going to try to fit as many animals in there  
1456 as they can. These are unfamiliar animals that don't know  
1457 each other; and we know from when horse slaughterhouses were  
1458 operating in the United States, that many of these horses  
1459 were showing up at slaughterhouses with absolutely horrific  
1460 injuries like eyeballs hanging from their heads and limbs  
1461 that were completely off, dead in the trailer. I mean, once  
1462 a horse goes down it's very difficult for them to get back up  
1463 in that type of situation.

1464       And we also know that there was a study published last  
1465 year, 2021, in the journal Meat Science that found that  
1466 carcass bruising on the horses that -- American horses --  
1467 that were exported for slaughter to Mexico, I think, it was  
1468 about 79 percent, so that indicates that it's a really,

1469 really highly prevalent problem.

1470       The EU also did an audit in 2014 that found very similar  
1471 things, so we know that slaughter is cruel from start to  
1472 finish.

1473       \*The Chairman. Thank you so much and thank you for all  
1474 that you do to protect animals.

1475       I wanted to also ask Ms. Hamsmith with regard to her  
1476 daughter's tragedy; but before it, were you aware of how much  
1477 damage the button battery could cause to Reese's system? I  
1478 fear that too few know the serious and deadly risk, and also  
1479 maybe, how Reese's Law would help implement regulations to  
1480 warn parents about the dangers of these batteries.

1481       \*Ms. Hamsmith. No. We were not aware at all. When a  
1482 battery is ingested, it actually causes that positive and  
1483 negative charge to connect, so it's literally burning our  
1484 children from the inside out. Obviously, we had zero clue  
1485 that, that could happen.

1486       As far as what, you know, this legislation could do,  
1487 having the stronger warning labels that are actually at a  
1488 point parents could see and are more graphic detail. It is  
1489 so important for parents to know what actually can happen and  
1490 what those long-term (audio disruption).

1491       \*The Chairman. Well, thank you.

1492       \*Ms. Hamsmith. Yes. You know, what can happen long  
1493 term and that this isn't always something that these kids

1494     come back from.

1495             \*The Chairman.   Thank you so much.

1496             And then lastly, I wanted to ask Ms. Menin if you would  
1497     elaborate on why the FTC needs the new authority in the Pink  
1498     Tax Repeal Act, and can you address the concern that some  
1499     have raised that ensuring women pay the same price as men  
1500     might somehow mean less choice for consumers?

1501             \*Ms. Menin.    Sure.   I would be happy to.

1502             Well, the FTC needs this legal authority because they  
1503     currently don't have it, and otherwise, we're going to result  
1504     in a patchwork of different state laws.   We, here in New  
1505     York, have a very good state law that bans the Pink Tax, but  
1506     the majority of states do not, and so obviously, this law  
1507     would give FTC the necessary legal authority it needs to be  
1508     able to crack down on the Pink Tax.

1509             To your second question about choice, this, in my  
1510     opinion, does not in any way diminish consumer choice,  
1511     because look at the end of the day, all this is doing is  
1512     telling manufacturers that they cannot charge more for what  
1513     is really the same exact product, and so we are in no way  
1514     interfering with consumer choice, and I would add, in the new  
1515     York State where we do have a very robust law, we have not  
1516     seen any evidence of an impact on consumer choice at all.

1517             \*The Chairman.   Well, thank you so much, and I yield  
1518     back.   Thank you, Madam Chair.

1519           \*Ms. Schakowsky. Thank you.

1520           And now, I recognize the ranking member of the full  
1521 committee, Mrs. Rodgers, for five minutes of questions.

1522           \*Mrs. Rodgers. Thank you, Madam Chair. Let me join in  
1523 saying happy birthday. We're both May babies. All right.  
1524 Okay.

1525           \*Ms. Schakowsky. (Crosstalk) do them too.

1526           \*Mrs. Rodgers. Thank you.

1527           Before I begin my questions, this morning, we received a  
1528 letter from the National Tribal Horse Coalition, and I would  
1529 like to -- it includes some federally recognized native  
1530 nations in my home state expressing their opposition to H.R.  
1531 3355, the SAFE Act. I will be looking into the issues that  
1532 they raise and would ask for it to be entered in today's  
1533 record.

1534           \*Ms. Schakowsky. Without objection.

1535           \*Mrs. Rodgers. Thank you.

1536           [The information follows:]

1537

1538           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1539



1540           \*Mrs. Rodgers. Ms. Manning, thank you again for  
1541   testifying. As I mentioned in my opening statement, I have  
1542   significant concerns with H.R. 3853, the so-called Pink Tax  
1543   Repeal legislation.

1544           The simple truth of the matter is that, there is many  
1545   different variables for how the price of a product or service  
1546   is determined, and we are seeing the same debate unfold with  
1547   alleged price gauging proposals, but time and time again, we  
1548   learn that multiple factors go into determining prices.

1549           Like those recent proposals, this legislation is a  
1550   solution in search of a problem. The legislation uses the  
1551   term, quote, substantially similar, which is defined as  
1552   having no substantial differences.

1553           In your research, would that take into consideration  
1554   what the different variables could be when determining the  
1555   price of a good or service?

1556           \*Ms. Manning. So thank you for the question, and this  
1557   language, "substantially similar," is very important. In  
1558   fact, it's the same language that is used in the New York  
1559   State law that we just heard about, and it is one of the  
1560   reasons why the New York state law hasn't been effective at  
1561   equalizing the prices of goods that are targeted towards men  
1562   and women; because in order for goods to be considered  
1563   substantially similar, they have to have no substantial  
1564   differences, and the materials used in production, intended

1565 use of the good, the functional design and features of the  
1566 good, the brand of the good.

1567 And "substantially similar services" are defined as two  
1568 services that exhibit no substantial difference in the amount  
1569 of time to provide the service, the difficulty in providing  
1570 the service, the cost of providing the service, and of  
1571 course, all of these are factors in the way that goods and  
1572 services are priced.

1573 So the market price is simply the intersection of market  
1574 supply and market demand, and there are different price  
1575 points for every different type of product depending on the  
1576 features.

1577 \*Mrs. Rodgers. Thank you.

1578 Ms. Manning, you state in your testimony, you quoted,  
1579 "Disparity isn't always the evidence of discrimination"; but  
1580 because the legislation is vague in defining what factors  
1581 should be considered when determining if something is  
1582 discriminatory, the FTC could simply determine whether or not  
1583 a price for that good or service is discriminatory without  
1584 any justification.

1585 Wouldn't this allow the FTC to determine the prices that  
1586 a business may sell their products or services?

1587 \*Ms. Manning. Yes. And if not the exact price, you  
1588 know, I don't know that the FTC is going to get in the  
1589 business of saying, "This bottle of shampoo has to be

1590 \$5.99.'" Because of the language of this bill, I could  
1591 foresee the FTC becoming very prescriptive and formulaic in  
1592 terms of how products that are made and marketed for the two  
1593 different sexes are ultimately priced.

1594 \*Mrs. Rodgers. And I have one more question. To make  
1595 matters worse, the legislation grants the FTC with the first-  
1596 time civil penalty authority for a violation of the Act.

1597 So now, the FTC gets to label any price they see as  
1598 discriminatory when businesses themselves don't even know.  
1599 Then, they get to hit a company with civil penalties for  
1600 which many will not be able to afford, and I don't see any  
1601 kind of cost benefit analysis or economic impact conducted by  
1602 the FTC Bureau of Economics.

1603 So it almost suggests that we are going to ignore the  
1604 impact on business, but I would also like to think about the  
1605 consequences for consumers. How do you see our constituents  
1606 being impacted when it's already difficult to find products  
1607 on the shelves?

1608 \*Ms. Manning. Sure. Well, it's important when  
1609 lawmakers consider any new regulation to do a cost benefit  
1610 analysis; and of course, the cost of any regulation isn't  
1611 simply a dollar figure. It is also the cost, in this case,  
1612 of risk or legal exposure when firms like retailers or  
1613 manufacturers produce or market products to the two different  
1614 sexes.

1615           They will now face the specter of litigation, the  
1616   specter of being accused of discrimination, when in fact,  
1617   there is not discrimination at play, but rather, a disparity  
1618   based on supply and demand factors, and this cost is going to  
1619   passed on to consumers during a time where -- I don't have to  
1620   tell you -- but we're experiencing record-high inflation, 8.3  
1621   percent this April over 12 months. This is a very difficult  
1622   time to navigate in a marketplace as an American consumer,  
1623   and I hope lawmakers don't make it more difficult.

1624           \*Mrs. Rodgers. Thank you.

1625           The title for today's hearing is about legislation  
1626   strengthening our economy. I am very concerned that this  
1627   legislation, the so-called Pink Tax Repeal, will actually  
1628   have the opposite effect on small businesses.

1629           And to all of my colleagues, we need to stay focused on  
1630   celebrating the diversity of businesses large and small,  
1631   family owned and operated, and the vast products and services  
1632   these businesses offer.

1633           I also want to say thanks to Reese's mom for joining us.  
1634   I have the chance to meet you and talk with you, and I  
1635   appreciate you sharing your story and bringing this  
1636   legislation forward.

1637           I yield back, Madam Chair.

1638           \*Ms. Schakowsky. Thank you.

1639           And now, I recognize Kathy Castor, Congresswoman Castor,

1640 for five minutes for questioning.

1641       \*Ms. Castor. Well, thank you, Madam Chair, and happy  
1642 birthday to you, and thank you for organizing this important  
1643 consumer protection hearing where we have such a wide variety  
1644 of topics on animal cruelty and manufacturing and gender  
1645 discrimination.

1646       And of course, thank you, Ms. Hamsmith, for sharing your  
1647 personal story. You are very brave to do so. You are  
1648 speaking up for a lot of parents who often don't have the  
1649 wherewithal to appear before a congressional committee and  
1650 tell this story, but it's a very important one.

1651       You know, I represent the sunshine state and watched  
1652 with dismay during the pandemic how so many small business  
1653 owners and mom-and-pop businesses really suffered when travel  
1654 and tourism fell off.

1655       In 2020, the travel industry's economic footprint fell a  
1656 whopping 42 percent from 2.6 trillion to 1.5 trillion,  
1657 resulted in a loss of 5.6 million travel-supported jobs,  
1658 according to U.S. Travel, Ms. Barnes, so I was focused on  
1659 helping and introduced with Representative Upton, the  
1660 Protecting Tourism in the United States Act to direct the  
1661 Department of Commerce to take a deep dive on the effects of  
1662 the pandemic on travel and tourism and help us with an action  
1663 plan in growing back, so I think a few of these bills would  
1664 really help.

1665           Ms. Barnes, you answered a some of the questions I was  
1666 going to ask already, but maybe, talk a little bit more about  
1667 what the impact was of the pandemic, how fast the falloff  
1668 was, and the real challenges for those businesses as we work  
1669 to get all of those businesses large and small and all of the  
1670 industry back on its feet.

1671           Ms. Barnes. No. Thank you for your question and thank  
1672 you so much for everything you have done to lead our recovery  
1673 efforts.

1674           As you know, it really was incredibly catastrophic.  
1675 Prior to the pandemic, the U.S. travel industry employed 1 in  
1676 10 jobs and was the number 2 export for our country, and we  
1677 still have a long way to go. We have really recovered strong  
1678 on domestic leisure, but international travel is still down,  
1679 at the end of 2021, about 78 percent; business travel down,  
1680 56 percent, and we really need consistent policies to help  
1681 ensure that we can continue to recover.

1682           We are still looking at a 2024/2025-time horizon just to  
1683 get back to 2019 numbers, and that would be absent five years  
1684 of growth.

1685           One of the things we really need to see on the  
1686 international side is for the administration to lift the  
1687 predeparture testing requirement that's currently still in  
1688 place requiring 24-hours before you come back to the U.S. or  
1689 come to the U.S. to have a test, and you know, Mexico,

1690 Canada, the UK, most of the EU, all of Latin America aren't  
1691 requiring this. So it's really putting us at a competitive  
1692 disadvantage.

1693 We also need to see an accelerated processing of visas.  
1694 I noted the visa backlog. It is tremendous. We really need  
1695 to move that forward more quickly.

1696 And then, you know, we also think that there is an  
1697 opportunity to encourage businesses to get back out there, to  
1698 get back to work, to get back to traveling. We need business  
1699 leaders to really lead by example.

1700 And then, we also have a challenge with our workforce.  
1701 Our workforce is really significantly suffering. One-point-  
1702 seven million jobs are open within the travel and tourism  
1703 industry, and so we need to look at things like the H-2B visa  
1704 process which I know is out of your jurisdiction, but we need  
1705 access to more workers.

1706 For every 100 jobs that are open across the entire  
1707 economy, only 65 people are unemployed Americans who are  
1708 looking for work, so that's something that we also need.  
1709 Without workforce, we won't be able to bring back the travel  
1710 industry.

1711 \*Mrs. Rodgers. Well, thank you very much.

1712 And for my colleagues, supporting the travel and tourism  
1713 industry is so important to building back our economy and  
1714 American jobs. So I will look forward to working with

1715 everyone to craft the right policies moving forward.

1716 I want to move on, Councilmember Menin, on H.R. 4081,  
1717 the Informing Consumers about Smart Devices Act, I know --  
1718 everyone knows that smart device usage has increased  
1719 astronomically across the country. That's how we operate in  
1720 this world now.

1721 So that means, it has never been more important to  
1722 ensure that consumers are fully informed about their smart  
1723 devices, from what data these devices collect, to what  
1724 capabilities these devices possess, and what they are used  
1725 for.

1726 So you have got a broad range of experience, but I am  
1727 especially worried about our kids and teens who will -- they  
1728 will never know a world where smart devices don't exist, and  
1729 they are particularly vulnerable to what they encounter in  
1730 the digital realm.

1731 So talk to us about what you have learned in your  
1732 experience, and what we need to be focused on when it comes  
1733 to kids and the internet of things.

1734 \*Ms. Menin. Thank you very much.

1735 I was invited to offer testimony on the Pink Tax, so  
1736 that's where I am going to keep my comments on. The subject  
1737 that you are raising is incredibly important, but I want to  
1738 respect the fact that the invitation from the committee came  
1739 on the Pink Tax, so I will keep my comments to that.



1740 Thank you.

1741 \*Mrs. Rodgers. Okay. Well, I think, a lot of my  
1742 colleagues here understand the challenges and how important  
1743 it is for us to move on kids privacy. I want to thank Chair  
1744 and all the other members who are working on children's  
1745 online privacy including the My Kid's --

1746 \*Ms. Schakowsky. We are going to have to move on.

1747 \*Mrs. Rodgers. -- Privacy Act.

1748 \*Ms. Schakowsky. Your time is way up. So --

1749 \*Mrs. Rodgers. Oh, okay. Sorry about that, and I yield  
1750 back then.

1751 \*Ms. Schakowsky. Okay. Thank you.

1752 Next, I am calling on Congressman Douglas (audio  
1753 disruption) five minutes for (audio disruption).

1754 \*Mr. Douglas. Thank you, Madam Chair, and also happy  
1755 birthday.

1756 \*Ms. Schakowsky. Thank you.

1757 \*Mr. Douglas. I hope you have a great birthday (audio  
1758 disruption) in Evanston, so have a great birthday in a great  
1759 city.

1760 \*Ms. Schakowsky. Happy to be with all of you.

1761 \*Mr. Douglas. So thanks. Thank you.

1762 I want to thank you for having this hearing and Ranking  
1763 Member Bilirakis for holding this hearing and for all the  
1764 witnesses and your testimony and especially Ms. Hamsmith that

1765 is willing to share your stories which hopefully will lead to  
1766 legislation to, as you said, to continue the life of and the  
1767 legacy of your child.

1768 But today, I want to talk about horses; and as you know,  
1769 I'm from the Commonwealth of Kentucky, and we are home of the  
1770 greatest two minutes in sports with this year proved to be  
1771 great with Rich Strike winning from coming from so far  
1772 behind.

1773 While we are well known for our wonderful thoroughbreds,  
1774 we also have a variety of other horses and other  
1775 competitions, which you know, today, we are talking about the  
1776 Tennessee Walking Horse, and I just want to share that I have  
1777 heard from stakeholders from the Tennessee Walking Horse  
1778 industry in my state and also in other states, and their  
1779 concerns about the PAST Act.

1780 Concerns raised to my office indicate that the Tennessee  
1781 Walking Horse is already one of the most inspected horses  
1782 under current law by both USDAs Animal and Plant health  
1783 Inspection Service and the horse-industry organization  
1784 inspectors.

1785 To that end, the PAST Act eliminates the industry  
1786 inspection entities under the Horse Protection Act and  
1787 replaces them with new employees of the U.S. Department of  
1788 Agriculture and the U.S. Department of Justice.

1789 USDA has never had the policing powers over this issue,

1790 and therefore, there are concerns that it does not have the  
1791 expertise nor the resources to oversee that important  
1792 responsibility.

1793 And to share some of their concerns in greater depth, I  
1794 would just like to submit for the record the following  
1795 documents: a written statement from the Performance Show  
1796 Horse Association and several other written statements from  
1797 industry groups, inspection reports from the past few years,  
1798 and a study by the National Academy of Sciences regarding  
1799 Tennessee Walking Horse inspection.

1800 And my understanding, Madam Chair, is that the committee  
1801 already has these documents. It's been presented before the  
1802 hearing, so I would like to submit those for the record.

1803 [The information follows:]

1804

1805 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1806

1807           \*Mr. Douglas. And just to close, I want all horses to  
1808 be protected, and I want them to all be safe from abuse. I  
1809 strongly believe that horses are continued to -- if they are  
1810 continuing to be soled in violation of the Horse Protection  
1811 Act, we need to address that. Perhaps, should we look to the  
1812 Horse Racing Integrity and Safety Act as a model.

1813           In that case, our committee affirmed that thoroughbred  
1814 racing could and should be independently regulated. I  
1815 believe that stakeholders can find consensus that would  
1816 preserve the Tennessee Walking Horse in their competitions,  
1817 and most important of all, protect these wonderful horses,  
1818 and I hope this information is useful to the committee as it  
1819 moves through the legislative process.

1820           I don't really have any questions, Madam Chair, and I'll  
1821 yield back.

1822           \*Ms. Schakowsky. Thank you. The gentleman yields back.

1823           And I now, recognize Congresswoman Clarke for her five  
1824 minutes of questions.

1825           \*Ms. Clarke. Happy birthday, Madam Chair.

1826           \*Ms. Schakowsky. Thank --

1827           \*Ms. Clarke. Before I begin my prepared remarks and  
1828 questions, I would like to once again, publicly express my  
1829 heartfelt condolences to the loved ones of the victims of the  
1830 onslaught of gun violence in our nation.

1831           I remain distraught and dismayed at the tolerance and

1832 indifference of my colleagues on the other side of the aisle  
1833 at the, now, decades-old endemic gun violence that continues  
1834 to plague our nation.

1835 I would like to encourage my colleagues to search their  
1836 souls and join the 90 percent of Americans who desire to see  
1837 us pass commonsense anti-gun violence laws in this Congress  
1838 to break the cycle of death that our nation -- that your  
1839 inaction actually -- permits. In other words, in the words  
1840 of Senator Murphy, "What are we doing?"

1841 Having said that, Madam Chair, I now, want to direct my  
1842 questions to our distinguished panelists and thank them for  
1843 joining us today.

1844 My questions begin with this statement -- excuse me,  
1845 sorry about that. Let me thank our witnesses for their  
1846 testimony today.

1847 To put it simply, discrimination against women in our  
1848 civil society is broad and pervasive, and it is particularly  
1849 pronounced against women of color. Studies have shown that  
1850 doctors pay less attention to women who complain about the  
1851 severity of their symptoms. Women continue to make 83 cents  
1852 to every dollar earned by men, and women are less likely than  
1853 men to be promoted into leadership roles despite having equal  
1854 or greater experiences.

1855 Not surprisingly, this very same discrimination is also  
1856 baked into the price of goods and services that we, as women,

1857 pay for daily. Studies have shown that women are frequently  
1858 charged more than men for goods and services that require the  
1859 same amount of labor, use the same components, and serve the  
1860 same purposes.

1861 This is marketplace discrimination plain and simple, and  
1862 it is abhorrent and cannot be allowed to continue, and that  
1863 is why I am a proud cosponsor of Congresswoman Jackie  
1864 Speier's Pink Tax Repeal Act.

1865 Having said that, my first question is for my dear  
1866 friend and colleague, Councilmember Menin. It's so nice to  
1867 see you here today.

1868 When you oversaw the New York City Department of  
1869 Consumer Affairs, your agency led a groundbreaking study that  
1870 exposed gender-based pricing across 35 different categories  
1871 and nearly 800 products. Unfortunately, there are those who  
1872 still claim that the Pink Tax is a myth.

1873 Is that what the New York City Department of Consumer  
1874 Affairs study found, and how do you respond to those claims?

1875 \*Ms. Menin. Well, thank you so much, Congressman.  
1876 It's great to see you as always.

1877 First of all, the study that we did which studied over  
1878 800 consumer products found incredible price discrimination.  
1879 You can't argue that when women are being overcharged 42  
1880 percent of the time that it is in any way not intentional,  
1881 and it really cut across every single product category --

1882 everything from products targeted to seniors like the bladder  
1883 pads to the scooter example, the helmets I mentioned,  
1884 shampoos, razors -- every single category across the board.

1885 It is very clear from the seminal study that we did that  
1886 women are truly being charged a Pink Tax, and it is  
1887 abhorrent; and if you take that over the course of their  
1888 lifetime, they are literally paying tens and tens of  
1889 thousands of dollars in money that they shouldn't have to.

1890 \*Ms. Clarke. Can you speak a little more about the  
1891 impact that this discriminatory practicing can have on women  
1892 over the course of their lives?

1893 \*Ms. Menin. Sure. I would be happy to.

1894 So a study by the State of California estimated that the  
1895 Pink Tax on services alone cost a woman roughly \$1,350 per  
1896 year. So if you adjust that for inflation, it means that a  
1897 woman is paying a Pink Tax at least the equivalent of \$2,300  
1898 each year, and picture if that same amount of money was  
1899 instead being deposited in a retirement account with 5  
1900 percent annual returns. We're talking about, over the course  
1901 of a lifetime, women are being charged hundreds of thousands  
1902 of dollars that they shouldn't be.

1903 \*Ms. Clarke. And why is it so important that we legally  
1904 hold companies accountable for gender-based pricing  
1905 discrimination?

1906 \*Ms. Menin. Because unfortunately, if we do not hold

1907     them legally accountable, they will oftentimes not do the  
1908     right thing. You can walk into any drugstore or any store  
1909     across the United States, and you can see evidence of this.  
1910     You will see shampoos where literally the shape of the bottle  
1911     might be curvy, and it is marketed to women, or it might be  
1912     painted pink, or it might have a slightly different  
1913     fragrance.

1914             So we're seeing this as endemic to product categories  
1915     across the board, and so it is imperative that Congress  
1916     regulate and specifically give the Federal Trade Commission  
1917     the legal jurisdiction to crack down on these illegal  
1918     discriminatory practices.

1919             \*Ms. Clarke. I thank you, Councilwoman, for your  
1920     diligence, your hard work, and your commitment, not only to  
1921     our city, but of course, to our nation.

1922             With that, Madam Chair, I yield back and just ask my  
1923     colleagues, what are we doing? And I yield back.

1924             \*Ms. Schakowsky. Thank you. Thank you.

1925             And now, I recognize Representative Bucshon for 15 --  
1926     not for 15 -- how about for 5 minutes for your questions.

1927             \*Mr. Bucshon. Thank you very much, Madam Chair, and let  
1928     me add my well wishes for your birthday. (Inaudible)  
1929     everybody else's as well, and I think it's a great  
1930     opportunity to discuss the legislation before the committee  
1931     today.



1932           \*Mr. Dunn. (Out of turn) included among the bills is  
1933 one that I introduced with my Florida colleagues  
1934 Representatives Soto and Salazar to support the United States  
1935 tourism industry. That's H.R. 7820, the Travel and Tourism  
1936 Act.

1937           \*Ms. Schakowsky. Excuse me. I'm going to let you  
1938 continue if it's okay with Mr. Bucshon because I actually  
1939 called on Mr. Bucshon who was next in line for his  
1940 questioning.

1941           \*Mr. Dunn. Oh, I'm sorry.

1942           \*Ms. Schakowsky. Mr. Bucshon, do you want to just go  
1943 ahead?

1944           \*Mr. Bucshon. No. He should go ahead --

1945           \*Ms. Schakowsky. Okay.

1946           \*Mr. Bucshon. -- and I'll go after him.

1947           \*Ms. Schakowsky. Okay.

1948           \*Mr. Dunn. Sorry about that, Larry. I (crosstalk) --

1949           \*Mr. Bucshon. No. You're fine.

1950           \*Mr. Dunn. I only heard the last syllable of your  
1951 (inaudible).

1952           \*Mr. Bucshon. It's all good.

1953           \*Mr. Dunn. (Audio disruption) from across the world,  
1954 travel to the United States to take advantage of all the  
1955 great things there are to do and see in our nation; and in  
1956 the Second District of Florida, and indeed, across our entire

1957 state, tourists enjoy white sand beaches, state and national  
1958 parks with diverse wildlife, first-class fishing, and water  
1959 sports, and some of the world's great golf courses.

1960         The state of Florida saw a record number of visitors for  
1961 the tenth consecutive year just before the pandemic. In  
1962 fact, in 2019, contributed \$97 billion to Florida's economy  
1963 supporting over 1.6 million jobs.

1964         Unfortunately, in 2020, we all know what happened. The  
1965 pandemic grounded the United States tourism industry to a  
1966 complete stop, and the many families who rely on this  
1967 industry sustained substantial losses and were often forced  
1968 to close the doors of their businesses -- businesses their  
1969 livelihoods depended on.

1970         Fortunately, the response by the Florida governor and  
1971 legislature was inspiring across multiple industries, and  
1972 they were ready to respond at the height of the pandemic.  
1973 Because of their leadership, Florida exceeded visitor  
1974 projections for every quarter in 2021 and so far, this year,  
1975 setting records.

1976         According to data from the U.S. Travel Association, for  
1977 the record, Florida's recovery to travel has outpaced other  
1978 states recoveries in every month since February of 2021. The  
1979 United States and the federal government should learn from  
1980 the governors of these states that were so successful and the  
1981 industry leaders in those states as well.

1982           I have a question for Ms. Tori Barnes. When the CDC  
1983 puts out confusing or conflicting guidance as they did  
1984 throughout the pandemic, how does this affect your industry  
1985 and the decisions that they make in their planning?

1986           \*Ms. Barnes. Thank you for the question.

1987           And no, absolutely, we have absolutely seen a very  
1988 uneven recovery, but I think, what, from you laid out, one of  
1989 the most important takeaways is that, we can have health and  
1990 safety measures in place, and we can return to business  
1991 practices that enable (background noise) to move about, and  
1992 that it is absolutely critical. I think, Florida was, in  
1993 fact, a really good example of letting businesses continue to  
1994 thrive.

1995           And so what we really need from the government is clear  
1996 consistent policies across the board and not a patchwork  
1997 approach. The reason that we are seeing such a recent uneven  
1998 recovery (background noise) we got a different environment  
1999 and different states, and the international front, in  
2000 particular, as I noted, still have this predeparture testing  
2001 requirement, which is not based on science at this juncture,  
2002 but simply, CDC is giving a strong, you know, hold on that  
2003 particular operation.

2004           So we couldn't agree more that the policies that Florida  
2005 have taken to enable the health and safety as well as  
2006 economic recovery, and that is critical to (background noise)

2007 the whole of the travel industry.

2008       \*Mr. Dunn. So do you think that input from industry  
2009 leaders, people, your members, to the federal agencies, the  
2010 Department Commerce, CDC, other agencies -- when they publish  
2011 guidelines, shouldn't they be consulting with you so that  
2012 they can understand, they have a clear, much more clear,  
2013 interpretation, and we all get the consistent messaging.  
2014 Wouldn't that help?

2015       \*Ms. Barnes. Yeah. I mean, absolutely, and quite  
2016 frankly, early on in the pandemic, we as an industry, put  
2017 together a health and safety guidance on our own to ensure  
2018 that (background noise) had an even higher degree of health  
2019 and safety than we already had within the industry, and we  
2020 (audio disruption) agree more that we need to have consistent  
2021 messaging.

2022       There needs to be collaboration, and I think, that is  
2023 why this legislation is so important. We need (audio  
2024 disruption) there is someone that is prioritizing the travel  
2025 industry within the government.

2026       But again, that is why we would like to see (audio  
2027 disruption).

2028       \*Mr. Dunn. All right. Thank you very much for your  
2029 answer. Our time is growing short, but for the record, I  
2030 agree that informed input by specialized knowledge is usually  
2031 a better thing.

2032 With that, Madam Chair, I yield back. Thank you.

2033 \*Voice. You're muted.

2034 \*Voice. We can't hear you, Madam Chair.

2035 \*Ms. Schakowsky. (Crosstalk), you know, I'm going to  
2036 have to call on a Democrat right now.

2037 Debbie Dingell, who has been waiting, is next for five  
2038 minutes of questions, and then, I will be calling on you.  
2039 Sorry.

2040 \*Mrs. Dingell. Thank you, Madam Chair, and happy  
2041 birthday like everyone else. I hope you enjoyed spending it  
2042 with your colleagues doing good work.

2043 \*Ms. Schakowsky. My favorite people. Thank you.

2044 \*Mrs. Dingell. And I want to thank you for holding this  
2045 hearing, and I am heartened by the amount of attention that  
2046 all of these diverse bipartisan proposals are receiving, and  
2047 I want to thank all of you who are testifying here today for  
2048 the work you are doing to help us discuss how we can do more  
2049 to protect consumers and strengthen our economy. I would  
2050 love to talk about all the subjects, but I probably will only  
2051 be able to get to two if I am lucky.

2052 So I'm a manufacturing girl, so I'm going to start with  
2053 manufacturing. I have long fought for policies to support  
2054 domestic manufacturing capacity, strengthen supply chains,  
2055 grow American jobs, and improve America's competitiveness.

2056 The impact of COVID-19 underscored the vulnerabilities

2057 in our manufacturing base, and we must be proactive in taking  
2058 steps to promote further workforce training, research and  
2059 development, and supply chain resiliency in critical  
2060 industries.

2061 Mr. Hagopian, how would having a centralized location  
2062 for federal manufacturing programs help alleviate supply  
2063 chain disruption?

2064 \*Mr. Hagopian. Thank you.

2065 You know, it definitely would be helpful if we had some  
2066 central repository for information specifically related to  
2067 programs that would help benefit our industry. Right now, as  
2068 I stated in my opening comments, it is very difficult for us  
2069 to find what we are looking for because we just have to comb  
2070 through all the data.

2071 So I did look through the Manufacturing.gov website.  
2072 Let's just say it is a good start, but it needs a lot of  
2073 work; and so to that extent, so long as the information that  
2074 is provided is done so alongside industry and industry  
2075 partners like the National Tooling and Machining Association,  
2076 I think it would be most effective for small, medium, and  
2077 large businesses, frankly, as well.

2078 \*Mrs. Dingell. Thank you for that. And while we are  
2079 talking about manufacturing capabilities, I just want to  
2080 reinforce that we need to get (inaudible) into the American  
2081 compete supply chain subtitle across the finish line to

2082 strengthen our domestic manufacturing capacity now.

2083         Let me switch gears to another critical issue I have  
2084 been hearing with a great deal of respect for my colleague,  
2085 the ranking member of the committee, but I really do have  
2086 some real concerns about gender equity.

2087         In many cases, women are paying more than men -- that is  
2088 a reality -- for the very same identical personal care items,  
2089 while still, unfortunately, in this country on the average,  
2090 earning less for every dollar that a man earns exasperating  
2091 purchase power inequities and outcomes.

2092         I am an original cosponsor of the Pink Tax Repeal Act,  
2093 and I heard the issues she raised, and hopefully, we can talk  
2094 about them, but I think, it is beyond time that we end gender  
2095 discrimination in the pricing of goods and services. So I  
2096 think, this measure is vital to protecting women in this  
2097 country.

2098         Ms. Menin, it is an honor to be here with you. Is there  
2099 any current -- well, let me go to this. Why is both the FTC  
2100 and state attorney general enforcement authority necessary to  
2101 prevent unfair discrimination in the pricing of these nearly  
2102 identical products?

2103         \*Ms. Menin. Thank you. You really need both to have  
2104 jurisdiction. The Federal Trade Commission, obviously, is  
2105 going to be setting national standards, they will do a lot  
2106 through rulemaking, it will be incredibly important to have

2107 that national standard, and they are able to crack down on  
2108 national retailers that may be operating in numerous states  
2109 across the country.

2110 At the same time, we also of course, want to have the  
2111 state attorney generals to have their jurisdiction to be able  
2112 to go after these practices as well.

2113 \*Mrs. Dingell. I think, there is oftentimes a  
2114 misconception in this conversation that women should just  
2115 purchase lower priced men's products without addressing the  
2116 fundamental issue of why the prices between substantially  
2117 identical products are different in the first place.

2118 Ms. Menin, how does this argument perpetuate harmful  
2119 disparities and purchasing power and equity for women? Would  
2120 leaving this issue unaddressed exasperate disparities and  
2121 equity for women, especially for those in lower incomes who  
2122 might feel additional constrained by increased prices?

2123 \*Ms. Menin. Absolutely. The evidence is unbelievably  
2124 clear that women are being charged more than men for  
2125 literally almost the same product. I would like to give a  
2126 couple of additional examples: Neutrogena women's lotion  
2127 that's being sold \$16, men's Neutrogena lotion, \$10.28;  
2128 Walgreens Schick razors, \$18.50 for women; Walgreens Schick  
2129 razors, \$15 for men.

2130 I could go on and on and on. Our study showed, again,  
2131 42 percent of the time that women were being charged more;



2132 and if you take that over the course of a woman's lifetime,  
2133 it is completely unfair this Pink Tax. This is money that is  
2134 being charged to women, it is not being charged to men; and  
2135 when you compound that with the fact that women on average  
2136 are making 83 cents to the dollar to men, we are losing out  
2137 on incredible amounts of resources that rightfully belong to  
2138 women in this country.

2139 \*Mrs. Dingell. Thank you very much.

2140 Madam Chair, I am out of time, but I do want to  
2141 associate with the comments of several of my other committee  
2142 members on the subjects of the need to do something about gun  
2143 violence in this country as well. I yield back.

2144 \*Ms. Schakowsky. Now, I want to make it clear. I am  
2145 calling on Congressman Bucshon for five minutes.

2146 \*Mr. Bucshon. Thank you, Madam Chair. Happy birthday.

2147 \*Ms. Schakowsky. Thanks.

2148 \*Mr. Bucshon. Thanks for having the hearing.

2149 Travel and Tourism are an important economic sector for  
2150 Indiana and the United States that have taken a massive hit  
2151 over the course of the COVID-19 pandemic. The number of  
2152 overseas arrivals for March were still 52 percent below pre-  
2153 pandemic levels, and overall travel spending was still 5  
2154 percent below 2019 levels.

2155 This is why I am glad that the Visit America Act, H.R.  
2156 6965, and the Travel and Tourism Act, H.R. 7820, are before

2157 us today. These bills will build off the work that Congress  
2158 has already taken this year in enacting the bipartisan  
2159 Restoring Brand USA Act which I was proud to be a cosponsor  
2160 of that will help promote the return of international  
2161 visitors to the U.S. by ensuring that Brand USA has the  
2162 access to the funding it needs to fulfill its mission and to  
2163 help showcase to the world the great things to visit in  
2164 Indiana and throughout our country.

2165         Unfortunately, successes like this are counteracted by  
2166 the continuing implementation of COVID-19 travel restrictions  
2167 and testing requirements such as requiring all international  
2168 visitors to show a negative test within 24 hours of arrival.

2169         I have cosigned a bipartisan letter highlighting that  
2170 the inbound testing order remains the single biggest barrier  
2171 to the full recovery of our international travel system, and  
2172 that fully vaccinated travelers, in my view, should be exempt  
2173 from these requirements. And ultimately, people who can show  
2174 that they are naturally immune due to previously acquired  
2175 COVID-19 disease should also be exempted.

2176         Unfortunately, the CDC has not enacted commonsense  
2177 policies like that; so when someone is considering visiting  
2178 the U.S. or Europe, we help make that choice for them by  
2179 making travel harder.

2180         Ms. Barnes, thank you for all that you and the U.S.  
2181 Travel Association do to support our economy. Would you

2182 agree that inbound testing requirements remain one of, if not  
2183 the primary, deterrent for many travelers coming to our  
2184 country? Is that true?

2185       \*Ms. Barnes. Yes. Thanks, Congressman. Thank you for  
2186 that question. In fact, we just did a recent international  
2187 survey, and vaccinated travelers to come to top inbound  
2188 markets, and 54 percent of them said the predeparture testing  
2189 requirements were still discouraging them from coming to the  
2190 United States, and so absolutely, it is a deterrent. That  
2191 and the visa processing backlog are two of the biggest  
2192 issues, but the predeparture testing requirement, that should  
2193 go away today. Quite frankly, there is no science-based  
2194 reason to keep that in place, and it is obviously, a  
2195 significant deterrent.

2196       \*Mr. Bucshon. Well, thank you. I would agree with  
2197 that, and you know, I mean, as a physician, I have my own  
2198 views on when we should be testing completely asymptomatic  
2199 vaccinated individuals and what the result of a,  
2200 quote/unquote, positive test even means in those individuals.

2201       It is a deterrent in a lot of areas right now; and at  
2202 some point, I really believe, you know, we are going to have  
2203 to decide when the endpoint is of just constantly testing  
2204 everyone for COVID-19 because we'll be doing this forever if  
2205 we don't define some endpoints here.

2206       Also, the Travel and Tourism Act (inaudible) would

2207     require the development of a strategy to encourage  
2208     international visitors to the U.S. I believe that this  
2209     strategy should include provisions to encourage travel to  
2210     places like Indiana that international visitors may not be  
2211     aware of like they would things that are in New York or Los  
2212     Angeles for example.

2213             What are some of the ways that you and the U.S. Travel  
2214     Association would work with the administration to ensure  
2215     middle America doesn't get left out of these travel  
2216     strategies and encourage people to visit our country?

2217             \*Ms. Barnes. Sure. So two things: One would be, we  
2218     really do think it is important to have an assistant  
2219     secretary for travel and tourism. The reason is, is we need  
2220     to have someone that is really focused on the industry at  
2221     large and can help across all of the agencies to really  
2222     enable a more travel-friendly environment, and I think that  
2223     it is important to note that Brand USA, in fact -- and as you  
2224     noted, you cosponsored, and we are grateful for that -- does  
2225     this important work to bring international travelers to all  
2226     destinations across all 50 states and communities alike.

2227             So having a senior-level governmental official -- again,  
2228     I mentioned before that of the G20, the United States is the  
2229     only country that does not have a minister of tourism -- and  
2230     so we think that having that person in place would be really  
2231     important. Coupling that with the work that Brand USA does

2232 could mean really great things for all 435 districts in this  
2233 country, including Indiana.

2234 \*Mr. Bucshon. Well, thank you very much for that  
2235 answer.

2236 And Madam Chair, I yield back.

2237 \*Ms. Schakowsky. Thank you.

2238 And now, I recognize Congresswoman Robin Kelly for five  
2239 minutes.

2240 \*Ms. Kelly. Thank you, Madam Chair, and I want to lend  
2241 my happy birthday to you also. I hope you have great plans  
2242 this evening.

2243 I will start by saying thank you to Trista for providing  
2244 her testimony today. I know it can't be easy to keep telling  
2245 your story over and over, but it is inspiring that you turn a  
2246 tragedy into action so no family has to go through what yours  
2247 did.

2248 When I (audio disruption), that was my hope, to prevent  
2249 children from accessing button and coin batteries, so no  
2250 family has to go through what the Hamsmith family have had to  
2251 go through. I just really wanted to give you, Trista, the  
2252 opportunity to share with the committee anything that you  
2253 didn't get a chance to share in your opening statement.

2254 \*Ms. Hamsmith. Yes. Thank you, Ms. Kelly. I think  
2255 it's important to note that, in our case, Reese didn't make  
2256 it; but there are many children across the U.S. that, that

2257 was not the case, and they did make it, but they are living  
2258 with lifelong injuries, and when I say, "lifelong injuries,"  
2259 I'm talking, they are having to go in for monthly dilations  
2260 of their esophagus, their voice boxes are paralyzed, they are  
2261 living years of their life on a trach.

2262         For Reese, had she made it, they said that she would  
2263 have been in the third grade before being able to sit down  
2264 and eat a meal with her fellow classmates for lunch.

2265         So I think it is important to note that, you know,  
2266 whether these kids live or die, the devastation, whether it  
2267 is for the family or the child, is a lifelong devastation  
2268 that needs to be fixed.

2269         \*Ms. Kelly. Thank you so much for sharing, and I am  
2270 just grateful that Reese's Law is being discussed today, and  
2271 I just want to encourage my colleagues to join as cosponsors  
2272 and support this very, very important legislation so that,  
2273 again, families will not have to go through the tragedy that  
2274 this family went through.

2275         And with that -- it's my birthday present to you, Madam  
2276 Chair -- I yield back.

2277         \*Ms. Schakowsky. Thank you both for that and for your  
2278 support of this legislation.

2279         And now, I want to give Debbie Lesko, who is one of the  
2280 most loyal members of this subcommittee, and I appreciate  
2281 your attendance and participation, and you have five minutes.

2282           \*Mrs. Lesko. Thank you, Madam Chairwoman, and I wish  
2283 you a blessed day and a blessed year.

2284           \*Ms. Schakowsky. Thank you.

2285           \*Mrs. Lesko. I think we are discussing a lot of really  
2286 good bills today. The Reese's Law, Informing Consumers about  
2287 Smart Devices, Travel and Tourism Act, the Remote  
2288 Notarization Act, the Manufacturing.gov Act, and the Visit  
2289 America Act all are good bills, and I am glad that they have  
2290 bipartisan support.

2291           I have a question, though, about the bill that is called  
2292 the Pink Tax bill, and I want to pursue that a little bit  
2293 more. While others were talking, I went onto Amazon, and  
2294 there were 20,000 results for moisturizers when I looked up  
2295 moisturizers. And so it ranged from Bulldog Skin Care  
2296 Original Moisturizer, which is for men or teenage boys, \$2.81  
2297 a fluid ounce; Neutrogena was \$2.41 a fluid ounce; Aveeno was  
2298 0.61 cents a fluid ounce, and then, I looked up deodorants on  
2299 Amazon. There was 4,000 results for deodorants.

2300           \*Voice. Hi. This is --

2301           \*Mrs. Lesko. I remember when my son was a teenager, he  
2302 liked the Axe brand, right? Because that was advertised to  
2303 teenage boys and Axe Black deodorant for men is a dollar  
2304 ninety-two an ounce versus, let's say, Lady Speed Stick is  
2305 0.81 cents an ounce.

2306           And there are 3,000 results for razors. The Gillette

2307 Venus sensitive disposable razor, which is for women, is  
2308 \$2.32 a razor. The Gillette Sensor III sensitive men's  
2309 disposable razor was a dollar forty-two a razor.

2310 So obviously, in that case, the same brand, they both  
2311 say, "sensitive," they both say, "disposable." The women's  
2312 razor was more than the men's, but it's different. It's a  
2313 different head to the razor, a different shape.

2314 So I guess, my question is for Ms. Manning. You know,  
2315 how in the world is a woman or a man working for the Federal  
2316 Trade Commission or in a state attorney general's office  
2317 going to determine out of 20,000 different moisturizers or  
2318 4,000 different razors, if the reason for the price  
2319 difference was because it is marketed to a man versus a woman  
2320 or was it because of advertising?

2321 For instance, my son, when he was a teenager, he wanted  
2322 the Axe brand even though there are comparable brands that  
2323 were a lot cheaper.

2324 Also, not necessarily with women and men, but also, the  
2325 point of it is, how about cornflakes? I buy Kroger brand  
2326 cornflakes. They are a dollar forty-nine a box. Kellogg's  
2327 cornflakes, the same thing, are \$5.00 a box. How is somebody  
2328 in a government going to determine this?

2329 \*Ms. Manning. Well, I so appreciate the question  
2330 because I think your question raises the importance point  
2331 that these are highly competitive markets for consumer goods,



2332 and that we are blessed with robust choice, and even now,  
2333 with retailers like Amazon, we have access to many more  
2334 choices than before, and you know, one misconception that I  
2335 want to push back on is, the idea that all of this choice is  
2336 somehow a burden.

2337         This choice is not a burden. It's a great opportunity  
2338 for women and men as consumers to find the exact product that  
2339 they are looking for that fits their needs and their  
2340 preferences and their price point.

2341         I also want to point out, since we're here with the  
2342 Consumer Protection and Commerce subcommittee, that the best  
2343 consumer protection is that market competition that we are  
2344 talking about, and when there are retailers in the market who  
2345 are trying to provide a good or service, whether it is for  
2346 men or women or a gender-neutral product, the downward  
2347 pressure on price that we experience as consumers is because  
2348 of market competition, and so I am happy to hear that there  
2349 are so many retailers offering so many different -- a wide  
2350 variety of -- choices in the marketplace.

2351         I also did some research while others were talking, and  
2352 I found that, the red and pink scooters that featured  
2353 prominently in the New York City report, are available on  
2354 Walmart.com today for exactly the same price. You know, they  
2355 were cited as a Target.com purchase in the report.

2356         Because we have market competition, because there are

2357 different retailers, women and men as consumers can patronize  
2358 businesses that price products according to their values and  
2359 their needs.

2360       \*Mrs. Lesko. Thank you, Madam Chair, and I have run out  
2361 of time, so I yield back.

2362       \*Ms. Schakowsky. And the gentlewoman yields back.

2363       And now, I recognize Congressman Soto for five minutes.

2364       \*Mr. Soto. Thank you so much, Madam Chair, for your  
2365 indulgence. It is graduation season, so it has been pretty  
2366 busy back here in Florida's Ninth Congressional District.

2367       What an exciting day today. I am thrilled to address  
2368 multiple different key bills today with you and appreciate  
2369 you and Ranking Member Bilirakis for your leadership to  
2370 promote commerce and to protect consumers and ensure fair  
2371 practices, whether it is Manufacturing.gov, a centralized  
2372 website to create a primary hub for information for federal  
2373 manufacturing programs.

2374       We make microchips. We make aerospace products. We  
2375 also make boat products in the district. So this is going to  
2376 be key for our district.

2377       In addition, proving disclosures for devices like Alexa,  
2378 Siri, and other home devices, we need to make we are  
2379 protecting consumers.

2380       Stopping the Pink Tax, practice of charging women and  
2381 girls more than men for similar products, we are right with

2382     you, Madam Chair, on this one.

2383             And Reese's Law, to protect children who accidentally  
2384     ingest batteries named after a young boy who tragically lost  
2385     his life in one of these situations.

2386             Banning horse meat, horse soring tactics, as well as  
2387     online notarization and statewide notary standards. As a  
2388     notary, I can appreciate that, and I certainly appreciate all  
2389     that you are doing.

2390             I am also honored to represent the theme park capital of  
2391     the world, Orlando, Florida. Visitors come from around the  
2392     United States and the world to enjoy major tourism  
2393     destinations like Disney, Universal, SeaWorld, Legoland, Old  
2394     Town, Gator Land, and so much more.

2395             Domestic tourism, I'm proud to report, Madam Chairwoman,  
2396     has been very strong. The parks are packed as Americans are  
2397     getting back to enjoying traveling with their families. I  
2398     hope you see the same thing in all of your districts.

2399             International travel has increased in North America and  
2400     in Europe, but it has been more difficult for folks in South  
2401     America, Asia, and Australia, potentially, because of  
2402     pandemic-related delays, and so we want to make sure we are  
2403     organized, have a plan to boost international tourism, and  
2404     that's going to be exactly what the Travel and Tourism Act  
2405     does.

2406             It's going to require the secretary of commerce to

2407 establish an annual goal; and for international visitors, it  
2408 will allow the secretary to develop and implement a COVID-19  
2409 pandemic recovery and strategy to assist this recovery, as  
2410 well as statutory authority for U.S. Travel and Tourism  
2411 Advisory Board to make sure the secretary is engaging with  
2412 industry as we are developing and implementing COVID-19  
2413 pandemic recovery strategies.

2414         Madam Chair, I want to make clear that I support both  
2415 H.R. 7820, the Travel and Tourism Act, as introduced by Mr.  
2416 Dunn and myself from Florida, as well as H.R. 6965, the Visit  
2417 America Act, as introduced by Ms. Titus of Nevada.

2418         As a sponsor of the Travel and Tourism Act, I want to  
2419 make clear our intent is to have the bill be complimentary of  
2420 the Visit America Act, and not a substitute for it. Is that  
2421 also your understanding, and would you support moving the  
2422 bills through committee through an open amendment process to  
2423 ensure (audio disruption), and I ask, Madam Chair, if you  
2424 wouldn't mind yielding for that question?

2425         \*Ms. Schakowsky. I'm sorry. What was the question?  
2426 Excuse me. I'm sorry.

2427         \*Mr. Soto. I am asking, is it your understanding, and  
2428 would you support moving the bills through the committee  
2429 through an open amendment process to ensure the proposers are  
2430 complimentary to each other, and I ask if the chairwoman  
2431 would like to yield to that question?

2432           \*Ms. Schakowsky. This is not a question that the chair  
2433 can answer, if you want to yield to the chair of the  
2434 committee, the -

2435           \*Mr. Soto. Yes.

2436           \*Ms. Schakowsky. -- chair of the full committee? Yes.

2437           \*Mr. Soto. I am happy to yield to the Chair Pallone.

2438           \*Ms. Schakowsky. I don't know that he is still here.

2439           \*Mr. Soto. Well, thank you, Madam Chair, this was my  
2440 understanding. It's something that I will look forward to  
2441 working with you and the ranking member and others on, so we  
2442 get a bipartisan product that we all can support going  
2443 forward and thank you for your time, and I yield back.

2444           \*Ms. Schakowsky. Well, thank you, and I know that there  
2445 is certainly a lot of bipartisan support for this  
2446 legislation, so we will work together to move it forward.

2447           And now, I call on Representative Armstrong for his five  
2448 minutes.

2449           \*Mr. Armstrong. Happy birthday, Madam Chair.

2450           \*Ms. Schakowsky. Thanks.

2451           \*Mr. Armstrong. Before I start, I would like to seek  
2452 unanimous consent to enter into the record a letter from the  
2453 American Land Title Association and 17 other organizations in  
2454 support of H.R. 3962, and I think, your staff has got that  
2455 letter this morning.

2456           \*Ms. Schakowsky. Without objection, so ordered.

2457 [The information follows:]

2458

2459 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2460

2461           \*Mr. Armstrong. All right.

2462           H.R. 3962, the Secure Act, is legislation to permit the  
2463 nationwide use of remote online notarization which is simply  
2464 an electronic notarization where the party and the notary are  
2465 in different locations.

2466           Even before the pandemic, we were rapidly transitioning  
2467 to a world where the business is conducted through remote and  
2468 electronic transactions. You can bank by a remote electronic  
2469 transaction, testify in a judicial -

2470           \*Voice. Hey.

2471           \*Mr. Armstrong. -- proceeding.

2472           \*Voice. (Crosstalk), I think, I was - had to text real  
2473 quick, and I wonder if that is why it happened because --

2474           \*Ms. Schakowsky. So -- okay.

2475           \*Mr. Armstrong. And you can even draft estate documents  
2476 that will eventually need to be notarized. There simply is  
2477 no reason we should not allow remote online notarization.

2478           Mr. O'Neal, is remote online notarization the equivalent  
2479 or even superior to in-person notarization?

2480           \*Mr. O'Neal. Thank you, Representative Armstrong.

2481 Thank you, again, for your strong bipartisan leadership on  
2482 this bill.

2483           I think, comparing remote online notarization with  
2484 traditional notarization is really instructive. Obviously,  
2485 remote notarization is more convenient, but actually, it is

2486 also safer and more reliable too. You can see that in  
2487 several ways:

2488         One is the ID verification process. In a remote online  
2489 notarization, you use the latest technological tools with  
2490 multifactor authentication which is far superior to a notary  
2491 trying to detect whether an ID that is handed to the notary  
2492 is fraudulent or not.

2493         Second is that remote notarization results in a much  
2494 more robust audit trail, an audio/video recording.  
2495 Traditional notarizations oftentimes don't have any evidence.  
2496 Only a few states even require a notary to keep a paper  
2497 journal.

2498         Finally, the outcome of the notarization. A traditional  
2499 notarization results in a paper document with notarization  
2500 typically at the end, and it's relatively easy to slip a page  
2501 or modify the document. Remote notarization, by contrast,  
2502 results in a tamper-sealed electronic document. You see  
2503 exactly what the document was when it was notarized and any  
2504 changes made afterwards.

2505         And finally, I will of course, just add that, both  
2506 consumer and notary health and safety concerns make the  
2507 remote option attractive and brings stronger consumer  
2508 protections.

2509         \*Mr. Soto. As someone who has tried cases for a living,  
2510 I agree that video evidence is highly probative and a safe



2511 considerable judicial resources. I have been a notary for  
2512 two different professions, and I always wanted to get the one  
2513 where you could actually pinch the paper and have the raised  
2514 seal, but alas, I only ever had the stamp.

2515         So I don't know if there is a special level of notary  
2516 you get to where you get that, or if they just were  
2517 transitioning in the state of North Dakota, but what groups  
2518 of people are most likely to benefit from expanded access  
2519 remote online notarization services?

2520         \*Mr. Armstrong. Well, obviously, all American consumers  
2521 can benefit from remote services, but of course, think of the  
2522 sick or elderly, people who are childcare givers, any  
2523 immobilized Americans, or of course, anyone exercising social  
2524 distancing could obviously benefit from remote notarization.

2525         I will also highlight, any Americans who are traveling  
2526 overseas, including servicemembers, if you are overseas, you  
2527 often have to travel long distances to find an embassy or  
2528 consulate to get a document notarized.

2529         Remote notarization allows you to connect with a U.S.  
2530 notary in real time and the resulting document is an  
2531 electronic document that can be used instantly in the United  
2532 States as opposed to trying to find a way to get a paper  
2533 document notarized overseas shipped back home for use.

2534         So I think it benefits all Americans.

2535         \*Mr. Soto. I actually remember when we had a lot of

2536 national guards men and women deployed to Iraq. We had  
2537 people in North Dakota that would specifically go over there  
2538 essentially as couriers to get documents notarized from  
2539 overseas guards men and women and I mean, it just it was  
2540 fascinating that, even at that point in time, that we  
2541 couldn't figure out a better way to do it.

2542 But this bill doesn't seek to federalize the regulation  
2543 of notaries or otherwise replace authority of states to  
2544 regulate notaries, right?

2545 \*Mr. Armstrong. That's correct. This bill does not  
2546 replace the states as the primary authority for both  
2547 commissioning and regulating notaries. It simply provides a  
2548 legal foundation and minimum consumer protections that states  
2549 can exceed, and in fact, every state should be encouraged to  
2550 add additional consumer protections and regulate notaries as  
2551 they traditionally have done.

2552 \*Mr. Soto. And there is nothing in this bill that  
2553 mandates a specific use of any particular technology either;  
2554 is there?

2555 \*Mr. Armstrong. That's an extremely important point.  
2556 This bill is technology neutral, doesn't mandate the use of  
2557 any specific technologies, so the notaries can continually  
2558 take advantage of whatever latest technologies, fraud  
2559 deterrent technologies, come along.

2560 \*Mr. Soto. And I just want to -- I will just end with,

2561     you know, I have actually had a lot of fun working with  
2562     Representative Dean on this issue. We have got to do some  
2563     different things, and it is not a trivial thing. The  
2564     pandemic showed us that people -- and particularly with  
2565     housing markets and highly competitive things -- that this is  
2566     really something that is more than just advancing technology.  
2567     This can help people in a very real way while still  
2568     protecting everything that notaries do.

2569             So I appreciate the chance to do this. Thank you for  
2570     your testimony, and with that, I will yield back.

2571             \*Ms. Schakowsky. Thank you.

2572             And now, I call on Kathleen Rice. I know you have been  
2573     patiently waiting, and I appreciate it for your five minutes  
2574     of questioning.

2575             \*Miss Rice. Thank you, Madam Chairwoman, and again,  
2576     happy birthday to you. What a way to spend your birthday,  
2577     but I'm happy to be here with you.

2578             First, I want to say a couple of things. There are very  
2579     few bright parts. There is really very little that you could  
2580     say positively about the pandemic, but one thing I  
2581     appreciated during the pandemic was that, I wasn't wearing  
2582     clothes that had to be dry cleaned anymore because I am sick  
2583     and tired of paying not just a dollar more to have the same  
2584     article of clothing cleaned, but multiple dollars more for no  
2585     reason that I have heard during this hearing.

2586           It was said that "disparity isn't always evidence of  
2587   discrimination''; but in the absence of the disparity being  
2588   based on something else, it is flat out discrimination it  
2589   seems to me; and instead of talking about the possible  
2590   negative economic impact of repealing the Pink Tax, how about  
2591   the negative economic impact that women are experiencing  
2592   every single day by spending more for the same exact thing  
2593   and taking that money out of something that can be put in the  
2594   bank making money for them given their lessor status already  
2595   in the workplace. So I just wanted to make those two  
2596   comments.

2597           I have to say that I have known Julie Manning for many  
2598   years, and I am so thrilled to have you here. You have been  
2599   such a fighter for consumers and thank you so much for your  
2600   time today.

2601           I want to ask you, specifically -- I would like to talk  
2602   a little bit about the New York State Pink Tax law that was  
2603   passed in 2020. Obviously, legislation aimed at ending  
2604   gender-based price discrimination, and it was based on the  
2605   powerful study that you did. Can you explain to us how the  
2606   law is being implemented in New York? Has it? Because it  
2607   was claimed that the New York law has not had a positive  
2608   impact on lowering prices for women.

2609           Can you talk a little bit about how it is being  
2610   implemented in New York, and has it been effective in

2611 curtailment discriminatory gender pricing?

2612       \*Ms. Manning. Yes. Absolutely great to see you,  
2613 Congressman Rice, as always.

2614       So the New York state law was based on the study that we  
2615 did at the New York City Department of Consumer Affairs, and  
2616 the New York State law covers both goods and services that  
2617 are essentially similar.

2618       It defines "goods" as "substantially similar goods as  
2619 to goods that exhibit little difference in the materials used  
2620 in production, intended use, or design," and "services"  
2621 definition is "services that exhibit little difference in the  
2622 amount of time delivering, difficulty, and cost in providing  
2623 the service."

2624       It has been implemented, and fines are \$250 for the  
2625 first violation. We think this law is incredibly important  
2626 because it covers both goods and services; and as you  
2627 correctly pointed out, women are being overcharged thousands  
2628 and thousands of dollars a year for no reason whatsoever.

2629       And when, for example, our study of 800 goods showed  
2630 that 42 percent of the time, women are being charged more  
2631 than men, the only natural conclusion there is that, there is  
2632 discriminatory intentional conduct.

2633       \*Miss Rice. Well, I mean, I couldn't agree with you  
2634 more. I mean, the example that you gave about the scooter  
2635 that is the same product, literally the same product, and the

2636 only difference is the color. I mean, that to me, is just  
2637 the most outrageous example of this.

2638 \*Ms. Manning. Correct.

2639 \*Miss Rice. Can you talk --

2640 \*Ms. Manning. And Target apologized and changed it as a  
2641 result of the study. So the comment that was made earlier  
2642 about that other companies aren't, we really were able to get  
2643 companies across the board to stop this discriminatory  
2644 practice.

2645 \*Miss Rice. So Target did that, Ms. Manning, and did it  
2646 have the impact of not having any scooters available for  
2647 girls?

2648 \*Ms. Manning. Absolutely not. Scooters are available  
2649 for girls. Scooters are available for boys. The only  
2650 difference, now, is that they are the same price as they  
2651 should be.

2652 \*Miss Rice. I have got about 50 seconds, and you know,  
2653 we talked before about the structure of the FTC working in  
2654 conjunction with state attorneys general. Can you talk about  
2655 the enforcement structure in New York and how that works?

2656 \*Ms. Manning. Absolutely. So the State is the  
2657 enforcer. The City doesn't have the legal jurisdiction to  
2658 enforce on the Pink Tax, so the State is doing it. It is the  
2659 State consumer affairs department. They are the ones that  
2660 are enforcing it. The state attorney general also has

2661 enforcement.

2662           This is why, again, it is so important to have the  
2663 Federal Trade Commission. That Federal Trade Commission, I  
2664 have practiced law before them for years. They have  
2665 particular expertise in ferreting out this exact type of  
2666 content.

2667           \*Miss Rice. I want to thank all the witnesses here.  
2668 This is incredibly important conversation on all of these  
2669 bills, and I yield back the seven seconds I have left, Madam  
2670 Chairwoman.

2671           \*Ms. Schakowsky. Thank you so much.

2672           And I am really -- I would almost say, honored -- to  
2673 have someone who has signed on to be at this hearing today,  
2674 has waited for quite a while, and I am proud to say that Paul  
2675 Tonko, Congressman Tonko, now has his five minutes, and this  
2676 is -- if I am not wrong -- last but not least.

2677           \*Mr. Tonko. There you go. Well, thank you, Chair  
2678 Schakowsky, and thank you to you and Chair Pallone for  
2679 holding this hearing on these really important legislative  
2680 issues, and of course, a ringing happy birthday and thank you  
2681 for your youthful activism which cannot be denied.

2682           I would like start by highlighting the Manufacturing.gov  
2683 Act which I introduced, with Representatives Upton and Axne  
2684 last year. Small- and medium-sized enterprises are the  
2685 bedrock of our manufacturing base employing about 43 percent

2686 of all manufacturing workers in the U.S.

2687       They play an instrumental role in producing critical  
2688 products essential to our economic vitality. They include  
2689 fabricated metal products, machinery, electrical equipment,  
2690 appliances, computers, plastics to name a few.

2691       I think, we all agree the federal government needs to be  
2692 doing more to promote manufacturing here at home.

2693       But, Mr. Hagopian, what are some of the current federal  
2694 programs that assists small- and medium-sized manufacturers  
2695 to become more competitive, and how familiar are  
2696 manufacturers with these programs?

2697       \*Mr. Hagopian. Thank you for the question. I would say  
2698 that manufacturers, especially small- and medium-sized  
2699 enterprises, are largely unfamiliar with government programs  
2700 because the owners of these -- and managers -- of these  
2701 companies are largely head-down leaders. They are very  
2702 engaged in the day-to-day activities of their business; and  
2703 as such, find it difficult to avail themselves of these  
2704 resources mainly because they have to search for them.

2705       That being said, there are two particular resources that  
2706 are available that these companies do use on a large basis,  
2707 and those two things are Section 179 Accelerated Depreciation  
2708 and the R&D Tax Credit, both of which my company enjoys, and  
2709 we use that money to reinvest in our business.

2710       \*Mr. Tonko. So, sir, I would ask you then, Mr.



2711 Hagopian, you know, would the Manufacturing.gov Act assist  
2712 small- and medium-sized manufacturers in terms of awareness  
2713 of federal programs?

2714 \*Mr. Hagopian. Yeah. So certainly, we need a place, a  
2715 central repository, where the information is easy to access  
2716 and understand; and again, through our industry association  
2717 and the National Tool and Machining Association, we'll assist  
2718 the government in promoting all of those benefits to the  
2719 small- and medium-sized enterprises.

2720 \*Mr. Tonko. Thank you. And this bill has already  
2721 passed the Senate, and I hope that we can pass it here in the  
2722 House as well to deliver on a bipartisan basis for our U.S.  
2723 manufacturers. I am going to switch gears now.

2724 As co-chair of the Congressional Horse Caucus, and as  
2725 one who worked with Chair Schakowsky with the ASPCA to  
2726 develop our Horse Racing Integrity and Safety Act, I would  
2727 like to provide or state my support for two vital bills to  
2728 protect horses: the SAFE Act and the PAST Act.

2729 As we have heard, the SAFE Act would finally put in  
2730 place a permanent federal ban to protect horses from  
2731 slaughter. It is critical for the welfare of our equines,  
2732 the sustainability of the equine industry, and the protection  
2733 of horse owners across the country that we end this predatory  
2734 practice for good.

2735 The PAST Act ends the failed system of industry self-

2736     policing on abusive soring practices and strengthens  
2737     enforcement measures for those caught continuing this  
2738     horrible practice. It passed the House in 2019 on a  
2739     bipartisan basis, as you all know, and I hope we will be able  
2740     to pass this into law this year.

2741             So Ms. Kraska, can you tell us why it is so important to  
2742     pass these two bills to protect our American equines and  
2743     those equine athletes?

2744             \*Ms. Kraska. Thank you so much, Congressman Tonko, and  
2745     you have been a real leader in this phase, and we greatly  
2746     appreciate everything that you have done for horses and the  
2747     people who love them in this country.

2748             So I am here, of course, representing an animal  
2749     protection organization, the ASPCA; and from our perspective,  
2750     both of these practices need to end because they are  
2751     extremely cruel, but we are on the Consumer Protection  
2752     subcommittee, and one of the additional most important  
2753     reasons that we need to pass both of these bills is because  
2754     of the people that they impact in this country -- the impact  
2755     of this cruelty on industries, on horse owners, on the people  
2756     who care about horses in this country.

2757             There are 38 million, you know, self-described horse  
2758     enthusiasts. That's a ton of people, and horse soring and  
2759     horse slaughter are both black eyes on the overall industry,  
2760     and that is why we see so much industry support for passing

2761 these measures.

2762 We also know that these practices impact the entire  
2763 equine community. They drive down participation in shows,  
2764 they cause owners to be fearful of rehoming their horses  
2765 which has some really distressing negative externalities.  
2766 They (inaudible] predatory behavior practices like kill pen  
2767 bailouts, and we know that there are even some individuals  
2768 who will buy racehorses and then go back to their previous  
2769 owners to try to extort them for funds before sending them to  
2770 slaughter.

2771 So there is really no reason for these practices to  
2772 exist anymore. That is why we need these bills.

2773 \*Mr. Tonko. Wonderful. Well, thank you for your  
2774 advocacy and let's get it done.

2775 I have exhausted my time, Madam Chair, again, wonderful  
2776 happy birthday to you, and I hope you and Bob celebrate  
2777 wickedly. So I yield back.

2778 \*Ms. Schakowsky. Well, I really want to express my real  
2779 gratitude to the witnesses today. I think, all of you did an  
2780 extraordinary job of making your positions very clear  
2781 answering the questions.

2782 I want to remind members that, pursuant to committee  
2783 rules, they have ten business days to submit additional  
2784 questions for the record to be answered by the witnesses who  
2785 have appeared today, and I ask each of the witnesses to

2786 respond as promptly as possible to questions that you are  
2787 getting in writing. I would appreciate it so very, very  
2788 much.

2789 \*Ms. Schakowsky. And before I adjourn, I just wanted to  
2790 -- where is it?

2791 \*Voice. It is right here.

2792 \*Ms. Schakowsky. Okay. Yes. Before we adjourn, I  
2793 request unanimous consent. Well, first, let me see if there  
2794 anything that Mr. Bilirakis wanted to add before we adjourn  
2795 about the hearing -- the ranking member.

2796 Gus, do you want any final --

2797 \*Mr. Bilirakis. I tell you, it was an extremely  
2798 productive hearing, and I appreciate it very much, Madam  
2799 Chair. We learned a lot, a very diverse amount of bills, and  
2800 extremely informative, and I want to wish you, again, a very  
2801 happy birthday.

2802 \*Ms. Schakowsky. Thank you. Thank you.

2803 So I request a unanimous consent now to enter the list  
2804 of 47 documents as reviewed by Democratic and Republican  
2805 staff into the record. Is there any objection?

2806 And hearing none, so ordered, and without objections,  
2807 then, we will enter that into the record.

2808 [The information follows:]

2809

2810 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2811

2812           \*Ms. Schakowsky. And with that, this wonderful hearing  
2813 is adjourned.

2814           [Whereupon, at 2:35 p.m., the Subcommittee was  
2815 adjourned.]