

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

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July 20, 2026

MEMORANDUM

To: Subcommittee on Commerce, Manufacturing, and Trade Members and Staff
From: Committee Majority Staff
Re: Subcommittee on Commerce, Manufacturing, and Trade Hearing on July 22, 2026

I. INTRODUCTION

The Subcommittee on Commerce, Manufacturing, and Trade will hold a legislative hearing on Wednesday, July 22, 2026, at 10:15am (ET) in 2123 Rayburn House Office Building. The hearing is entitled, “Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace.” The hearing will review the following legislation:

- H.R. 6832, Packaging and Claims Knowledge (PACK) Act of 2025 (Rep. Weber)
- H.R. 7502, Recycled Materials Attribution Act (Reps. Langworthy and Gonzalez)
- H.R. 7945, Nitrous Oxide Safety Act of 2026 (Reps. Mullin and Bice)
- H.R. 5956, Defending Against Foreign Propaganda Act (Rep. Kean)
- H.R. 5967, Strategic Task Force on Scam Prevention (Reps. Menendez and Houchin)
- H.R. 3875, Transparency in Enforcement, Restricting, and Monitoring of Services (TERMS) Act (Rep. Goldman (TX))
- H.R. 3209, App Store Freedom Act (Reps. Cammack and Trahan)
- H.R. 2713, Mitigating Automated Internet Networks for (MAIN) Event Ticketing Act (Reps. Harshbarger and Carter (LA))
- H.R. 9708, Short Term Rental Sex Offending Disclosure (Rep. Harshbarger)
- H.R. ___, BOSS and SWIFT ACT of 2026 (Rep. Pallone)
- H.R. ___, Debt Settlement Disclosure Act (Reps. Fry and Peters (CA))
- H.R. ___, Stop the Fraud Act (Rep. Lee (FL))

II. WITNESSES

- Daniel Castro, President, Information Technology and Innovation Foundation
- John Hewitt, Senior Vice President, Consumer Brands Association
- Celia Winslow, President and Chief Executive Officer, American Financial Services Association
- John Breyault, Vice President, National Consumers League

III. BACKGROUND

The Committee on Energy and Commerce has jurisdiction over consumer affairs and consumer protection, as well as interstate and foreign commerce generally. The Commerce, Manufacturing, and Trade Subcommittee oversees two executive branch agencies within this broad remit: the Federal Trade Commission (FTC) and the Consumer Product Safety Commission (CPSC). Together, these agencies protect American families from unfair and deceptive business conduct and unsafe consumer products, respectively.

A. Federal Trade Commission

The FTC serves as the country's primary consumer protection and competition enforcement agency. Established in 1914 by the Federal Trade Commission Act, the executive agency is charged by Congress with protecting Americans from unfair or deceptive acts or practices.¹ The FTC enforces and administers more than 80 statutes covering almost every facet of the nation's economy, including the FTC Act, the Telemarketing and Consumer Fraud and Abuse Prevention Act, Identity Theft Act, Fair Credit Reporting Act, and the Take It Down Act.² In fiscal year 2025, the FTC obtained court orders for more than \$1.8 billion in consumer redress and returned \$317.7 million in redress to consumers directly.³

B. Consumer Product Safety Commission

The CPSC protects the American public from unsafe and hazardous consumer products through education, uniform safety standards, and enforcement.⁴ Established in 1972 by the Consumer Product Safety Act, the executive agency is charged by Congress with addressing unreasonable risks of injury or death from consumer products ranging from appliances to toys.⁵ The CPSC applies American safety standards to the manufacturing and sale of consumer products to the public, including at the nation's border. Accordingly, the agency is responsible for ensuring that consumer products imported from the Peoples' Republic of China comply with

¹ 15 U.S.C. § 41.

² Fed. Trade Comm'n, FTC Strategic Plan for Fiscal Years 2026-2030, at 5 (Apr. 3, 2026), https://www.ftc.gov/system/files/ftc_gov/pdf/fy-2026-2030-ftc-strategic-plan.pdf.

³ *Id.* at 8.

⁴ Consumer Product Safety Commission, About CPSC, www.cpsc.gov/en/About-CPSC/.

⁵ David H. Carpenter, Cong. Research Serv., R45174, The Consumer Product Safety Act: A Legal Analysis (Apr. 24, 2018).

American law, and it has taken increasingly urgent action to protect American families from dangerous Chinese imports.⁶

C. The Supreme Court’s Decision in *Trump v. Slaughter*

On June 29, 2026, the Supreme Court ruled in *Trump v. Slaughter*. The case concerned the President’s authority to remove FTC commissioners, although the holding implicates all agencies where Congress had provided statutory removal protections for executive officers, including the CPSC.⁷ In a 6-3 decision, the Court overruled its *Humphrey’s Executor* precedent and clarified that commissioners of independent agencies, such as the FTC, are subject to at-will removal by the President. The Court’s decision is consistent with its recent precedents regarding removal authority, including in *Free Enterprise Fund v. Public Company Accounting Oversight Board* and *Seila Law LLC v. Consumer Financial Protection Bureau*. As Justice Gorsuch raised in a concurrence, the ruling “takes a notable step...toward the Constitution” and raises necessary questions about the authorities delegated by Congress to commissions such as the FTC and CPSC.⁸

IV. LEGISLATION

The Subcommittee will discuss the following legislation:

A. H.R. 6832, Packaging and Claims Knowledge (PACK) Act of 2025 (Rep. Weber)

This bill amends the FTC Act to establish a national framework for claims about the recyclability, compostability, and reusability of consumer packages, including a prohibition on deceptive claims about such packaging. It sets minimum standards for third-party certifications with respect to these claims. A violation of this bill is treated as a violation of a rule under the FTC Act regarding unfair or deceptive acts or practices.

B. H.R. 7502, Recycled Materials Attribution Act (Reps. Langworthy and Gonzalez)

This bill prohibits a person from making a misleading recycled content claim in advertising, marketing, selling, or offering for sale a product to a consumer. It recognizes mass balance accounting as an acceptable method for substantiating recycled content claims and directs the FTC to update the Guides for the Use of Environmental Marketing Claims. Finally, the bill establishes a national framework with respect to recyclability claims.

⁶ Press Release, Peter A. Feldman, U.S. Consumer Product Safety Comm’n, CPSC Immediately Withdraws Accreditation from Chinese Laboratories to Protect American Families (Jan. 15, 2026), <https://www.cpsc.gov/About-CPSC/Chairman/Peter-A-Feldman/Statement/CPSC-Immediately-Withdraws-Accreditation-from-Chinese-Laboratories-to-Protect-American-Families>.

⁷ *Trump v. Slaughter*, 609 U.S. No. 25-332 (2026) (slip op. at 59).

⁸ *Id.* at 59.

C. H.R. 7945, Nitrous Oxide Safety Act of 2026 (Reps. Mullin and Bice)

This bill prohibits any consumer product that contains nitrous oxide under section 8 of the Consumer Product Safety Act. The bill contains exceptions for a product that contains nitrous oxide that is used in the course of medical or dental treatment, commercial production of food or food products, and research and development.

D. H.R. 5956, Defending Against Foreign Propaganda Act (Rep. Kean)

This bill prohibits any person from disseminating to a consumer an advertisement paid for by a government of a foreign country or a foreign person without disclosing to the consumer that the advertisement was paid for by such government or by such person. A violation of this bill is treated as a violation of a rule under the FTC Act regarding unfair or deceptive acts or practices.

E. H.R. 5967, Strategic Task Force on Scam Prevention (Reps. Menendez and Houchin)

This bill directs the FTC, in conjunction with the Department of Justice, to convene an interagency task force for the purpose of addressing scams. The task force shall develop and implement a national strategy to address scams that includes utilization of consumer complaint data bases, public education, coordination with industry entities, enforcement, and coordination with international partners.

F. H.R. 3875, Transparency in Enforcement, Restricting, and Monitoring of Services (TERMS) Act (Rep. Goldman (TX))

This bill requires online service providers to disclose their acceptable use policies, provide users with written notice before the termination of a user's account, and publish an annual report detailing actions taken to enforce their acceptable use policies. A violation of this bill is treated as a violation of a rule under the FTC Act regarding unfair or deceptive acts or practices.

G. H.R. 3209, App Store Freedom Act (Reps. Cammack and Trahan)

This bill establishes requirements for app store providers with more than 100 million users. The bill prohibits an app store provider from requiring an app to use its payment system or to impose any restriction or fee on the pricing or terms of sale of an app, among other business-to-business conduct. A violation of this bill is treated as a violation of a rule under the FTC Act regarding unfair or deceptive acts or practices.

H. H.R. 2713, Mitigating Automated Internet Networks for (MAIN) Event Ticketing Act (Reps. Harshbarger and Carter (LA))

This bill amends the Better Online Tickets Sales (BOTS) Act of 2016. It establishes new reporting requirements for online ticket sellers to notify the FTC about successful bot attacks,

directs the FTC to establish a complaint database for consumers, and encourages information sharing with state attorneys general. The bill also imposes data security requirements for online ticket sellers, mandates information sharing between the FTC and law enforcement, and requires a report to Congress on enforcement of the BOTS Act of 2016.

I. H.R. 9708, Short Term Rental Sex Offending Disclosure (Rep. Harshbarger)

This bill requires covered platforms listing a property for rent to: (1) implement reasonable procedures to determine whether a property owner is a registered child sex offender; and (2) include a clear and conspicuous public disclosure to any prospective guest. A violation of this bill is treated as a violation of a rule under the FTC Act regarding unfair or deceptive acts or practices. This bill is enforceable by State attorneys general.

J. H.R. ___, BOSS and SWIFT ACT of 2026 (Ranking Member Pallone)

This bill would establish new requirements on primary ticket sellers, secondary ticket sellers, and secondary ticket sales marketplaces with respect to disclosure, distribution, and pricing. A violation of this bill is treated as a violation of a rule under the FTC Act regarding unfair or deceptive acts or practices. This bill is also enforceable by state attorneys general and a private right of action.

K. H.R. ___, Debt Settlement Disclosure Act (Reps. Fry and Peters (CA))

This bill requires for-profit debt settlement services to make clear and conspicuous disclosures in advertising and in communications with consumers. Among the disclosures required are the consumer's outstanding balances, fees charged by the debt settlement service, and summaries of any settlements secured by the service.

L. H.R. ___, Stop the Fraud Act (Rep. Lee (FL))

This bill would direct the CPSC to publish a list of foreign-adversary controlled online marketplaces or retailers. In addition to an initial list of such online marketplaces or retailers, the CPSC may rely on determinations made by appropriate national security agencies or make a determination that an online marketplace or retailer demonstrates a persistent pattern of importing or facilitating the importation of consumer products that pose a risk of injury to U.S. consumers. The bill amends the Consumer Product Safety Act to prevent the importation of a consumer product that was sold, purchased, shipped, delivered, or otherwise made available in a transaction with a foreign-adversary controlled online marketplace or retailer.

V. KEY ISSUES

The hearing may include discussion on the following key issues:

- Protecting consumers from fraud and unfair business practices.
- A national framework for claims made to consumers about the recyclability of consumer products.
- Dangerous consumer products purchased from Chinese retailers and online platforms and imported into the United States.

VI. STAFF CONTACTS

If you have questions regarding this hearing, please contact Giulia Leganski, Evangelos Razis, Natalie Hellmann, or Matt Furlow of the Majority Committee staff at (202) 225-3641.