

Opening Statement of Chairman Fred Upton
Energy and Commerce Committee Markup of H.R. 6213, the No More Solyndras Act; H.R. 6190, the Asthma Inhalers Relief Act; H.R. 6194, the U.S. Agricultural Sector Relief Act; S. 710, the Hazardous Waste Electronic Manifest Establishment Act; and H.R. 6131, a bill to extend the SAFE WEB Act

(As Prepared for Delivery)

Today we begin consideration of five bills that reflect the broad range of issues before the Energy and Commerce Committee.

We'll begin this afternoon with S. 710, the Hazardous Waste Electronic Manifest Establishment Act and H.R. 6131, which extends the U.S. SAFE WEB Act.

S. 710 is a simple yet important step to modernize how we collect and maintain data related to the transport of hazardous waste. For years, companies that handle hazardous waste have been required to submit paper manifests, which ended up in a file cabinet or storage facility rarely to be seen again.

With this bill, we're establishing a framework to replace paper manifests for hazardous waste transport into an electronic reporting system – one that saves money and man-hours for users while making the data significantly easier to access. It's a common-sense bill that comes without cost to taxpayers.

Likewise, H.R. 6131 is a straightforward measure to extend a law that is working well to protect the interests of Americans using the Internet. The 2006 SAFE WEB Act allows the FTC to share information involving cross-border fraud with foreign law enforcement agencies and take other steps to combat foreign-originated Internet fraud and scams. I'm pleased to be extending it.

This law has served our nation well, and as the Internet plays a larger and larger role in our everyday activities, extending this authority to combat fraud is an important step. Again, I look forward to support from my colleagues for this measure.

We will proceed to consideration of both of these measures shortly. Then, tomorrow morning, we will reconvene to address three more bills that are likewise designed to take a common-sense approach to governing and extend protections to American consumers and taxpayers.

H.R. 6213, the No More Solyndras Act, is a prime example of how our committee can identify waste, fraud, and abuse and take legislative steps to ensure it never happens again.

Our investigation into the stimulus-backed loan guarantee to Solyndra – and similar Section 17 stimulus loan guarantees that have also gone belly-up – revealed a program that lacked sufficient safeguards to prevent risky gambles that were destined to fail. The Obama administration ignored one warning flag after another, and as a result, American taxpayers were left on the hook for more than half a billion dollars lent to this one favored company.

The No More Solyndras Act takes two important steps to wind down the Title 17 loan guarantee program and protect taxpayers in the process. First, it makes clear that no new applications

will be accepted. The program that brought us stimulus-backed Solyndra is effectively closed down. And for those participants that have already applied to the program and received varying levels of commitment from the government, we institute tough new safeguards and accountability measures so that warning flags can no longer be ignored.

This bill recognizes both our current fiscal challenges and our understanding that the federal government is ill-suited to be gambling the taxpayers' dollars with this sort of company-specific investment. We are strong supporters of 'all-of-the-above' when it comes to American energy, and our considerable interest in research and development will continue to foster innovation and new technologies.

The final two bills we'll take up tomorrow apply the common-sense test to EPA activities to protect consumers and our agricultural sector.

H.R. 6190, the Asthma Inhalers Relief Act, would temporarily allow existing supplies of an over-the-counter asthma inhaler to be sold without EPA penalty. We heard from FDA that this product was not taken off the shelves for health reasons – it was taken off the shelves because of the EPA's unwillingness to grant a brief window of flexibility for patients to access existing supplies. Temporarily allowing patients to access the remaining stock is a simple solution.

Finally, H.R. 6194, the U.S. Agricultural Sector Relief Act, addresses a similarly stringent EPA tactic that could easily be modified with a bit of flexibility to protect the interests of U.S. farmers and others in the agricultural community. The bill simply calls on EPA to secure the critical use exemptions our nation is entitled to so that farmers who demonstrate a need can access the crop fumigant known as methyl bromide.

I thank my colleagues for their efforts as we move forward on these five important measures.