

Today marks 11 years since we experienced a devastating loss of life.

9/11 marked all of our lives by surfacing doubts of our resiliency as a Country.

There is no doubt, today, that we are resilient and that we are survivors. Let's not forget the progress we have made in transportation security policies and we must continue to support measures that take us forward and provide a more safe and secure transportation for all Americans.

That is why I support H.R. 6028 and ask that my colleagues do the same.

□ 1700

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no more speakers. If the gentleman from Illinois has no more speakers, then I am prepared to close.

Mr. WALSH of Illinois. I have no more speakers.

Mr. THOMPSON of Mississippi. I yield myself such time as I may consume.

Mr. Speaker, on this day above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the House has missed the opportunity today to consider noncontroversial Homeland Security legislation introduced by both Democrats and Republicans, thus showing that on 9/11 we put partisan politics aside and focused on doing the right thing.

Before closing, I would like to extend my congratulations to the gentleman from Illinois, Representative WALSH, for having bills on the floor for consideration for the first time today. I suspect that he is as surprised as I am that one of his first bills to reach the floor was proposed to Congress by the Obama administration.

With that, Mr. Speaker, I urge the passage of this proposal from the Obama administration, and I yield back the balance of my time.

Mr. WALSH of Illinois. I thank the ranking member.

I urge all Members, Mr. Speaker, to join me in support of this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 6028, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

Mr. MURPHY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (S. 710) to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazardous Waste Electronic Manifest Establishment Act".

SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(a) IN GENERAL.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

"SEC. 3024. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

"(a) DEFINITIONS.—In this section:

"(1) BOARD.—The term 'Board' means the Hazardous Waste Electronic Manifest System Advisory Board established under subsection (f).

"(2) FUND.—The term 'Fund' means the Hazardous Waste Electronic Manifest System Fund established by subsection (d).

"(3) PERSON.—The term 'person' includes an individual, corporation (including a Government corporation), company, association, firm, partnership, society, joint stock company, trust, municipality, commission, Federal agency, State, political subdivision of a State, or interstate body.

"(4) SYSTEM.—The term 'system' means the hazardous waste electronic manifest system established under subsection (b).

"(5) USER.—The term 'user' means a hazardous waste generator, a hazardous waste transporter, an owner or operator of a hazardous waste treatment, storage, recycling, or disposal facility, or any other person that—

"(A) is required to use a manifest to comply with any Federal or State requirement to track the shipment, transportation, and receipt of hazardous waste or other material that is shipped from the site of generation to an off-site facility for treatment, storage, disposal, or recycling; and

"(B)(i) elects to use the system to complete and transmit an electronic manifest format; or

"(ii) submits to the system for data processing purposes a paper copy of the manifest (or data from such a paper copy), in accordance with such regulations as the Administrator may promulgate to require such a submission.

"(b) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

"(c) USER FEES.—

"(1) IN GENERAL.—In accordance with paragraph (4), the Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system, including any costs incurred in collecting and processing data from any paper manifest submitted to the system after the date on which the system enters operation.

"(2) COLLECTION OF FEES.—The Administrator shall—

"(A) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

"(B) deposit the fees in the Fund.

"(3) FEE STRUCTURE.—

"(A) IN GENERAL.—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure that is necessary to recover the full cost to the Administrator of providing system-related services, including—

"(i) contractor costs relating to—

"(I) materials and supplies;

"(II) contracting and consulting;

"(III) overhead;

"(IV) information technology (including costs of hardware, software, and related services);

"(V) information management;

"(VI) collection of service fees;

"(VII) reporting and accounting; and

"(VIII) project management; and

"(ii) costs of employment of direct and indirect Government personnel dedicated to establishing, managing, and maintaining the system.

"(B) ADJUSTMENTS IN FEE AMOUNT.—

"(i) IN GENERAL.—The Administrator, in consultation with the Board, shall increase or decrease the amount of a service fee determined under the fee structure described in subparagraph (A) to a level that will—

"(I) result in the collection of an aggregate amount for deposit in the Fund that is sufficient and not more than reasonably necessary to cover current and projected system-related costs (including any necessary system upgrades); and

"(II) minimize, to the maximum extent practicable, the accumulation of unused amounts in the Fund.

"(ii) EXCEPTION FOR INITIAL PERIOD OF OPERATION.—The requirement described in clause (i)(II) shall not apply to any additional fees that accumulate in the Fund, in an amount that does not exceed \$2,000,000, during the 3-year period beginning on the date on which the system enters operation.

"(iii) TIMING OF ADJUSTMENTS.—Adjustments to service fees described in clause (i) shall be made—

"(I) initially, at the time at which initial development costs of the system have been recovered by the Administrator such that the service fee may be reduced to reflect the elimination of the system development component of the fee; and

"(II) periodically thereafter, upon receipt and acceptance of the findings of any annual accounting or auditing report under subsection (d)(3), if the report discloses a significant disparity for a fiscal year between the funds collected from service fees under this subsection for the fiscal year and expenditures made for the fiscal year to provide system-related services.

"(4) CREDITING AND AVAILABILITY OF FEES.—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts.

"(d) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund, to be known as the 'Hazardous Waste Electronic Manifest System Fund', consisting of such amounts as are deposited in the Fund under subsection (c)(2)(B).

"(2) EXPENDITURES FROM FUND.—

"(A) IN GENERAL.—Only to the extent provided in advance in appropriations Acts, on request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator amounts appropriated to pay costs incurred in developing, operating, maintaining, and upgrading the system under subsection (c).

"(B) USE OF FUNDS BY ADMINISTRATOR.—Fees collected by the Administrator and deposited in the Fund under this section shall be available to the Administrator subject to appropriations Acts for use in accordance with this section without fiscal year limitation.

"(C) OVERSIGHT OF FUNDS.—The Administrator shall carry out all necessary measures to ensure that amounts in the Fund are used only to carry out the goals of establishing, operating, maintaining, upgrading, managing, supporting, and overseeing the system.

"(3) ACCOUNTING AND AUDITING.—

"(A) ACCOUNTING.—For each 2-fiscal-year period, the Administrator shall prepare and submit to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations

of the House of Representatives a report that includes—

“(i) an accounting of the fees paid to the Administrator under subsection (c) and disbursed from the Fund for the period covered by the report, as reflected by financial statements provided in accordance with—

“(I) the Chief Financial Officers Act of 1990 (Public Law 101–576; 104 Stat. 2838) and amendments made by that Act; and

“(II) the Government Management Reform Act of 1994 (Public Law 103–356; 108 Stat. 3410) and amendments made by that Act; and

“(ii) an accounting describing actual expenditures from the Fund for the period covered by the report for costs described in subsection (c)(1).

“(B) AUDITING.—

“(i) IN GENERAL.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an Executive agency.

“(ii) COMPONENTS OF AUDIT.—The annual audit required in accordance with sections 3515(b) and 3521 of title 31, United States Code, of the financial statements of activities carried out using amounts from the Fund shall include an analysis of—

“(I) the fees collected and disbursed under this section;

“(II) the reasonableness of the fee structure in place as of the date of the audit to meet current and projected costs of the system;

“(III) the level of use of the system by users; and

“(IV) the success to date of the system in operating on a self-sustaining basis and improving the efficiency of tracking waste shipments and transmitting waste shipment data.

“(iii) FEDERAL RESPONSIBILITY.—The Inspector General of the Environmental Protection Agency shall—

“(I) conduct the annual audit described in clause (ii); and

“(II) submit to the Administrator a report that describes the findings and recommendations of the Inspector General resulting from the audit.

“(e) CONTRACTS.—

“(1) AUTHORITY TO ENTER INTO CONTRACTS FUNDED BY SERVICE FEES.—After consultation with the Secretary of Transportation, the Administrator may enter into 1 or more information technology contracts with entities determined to be appropriate by the Administrator (referred to in this subsection as ‘contractors’) for the provision of system-related services.

“(2) TERM OF CONTRACT.—A contract awarded under this subsection shall have a term of not more than 10 years.

“(3) ACHIEVEMENT OF GOALS.—The Administrator shall ensure, to the maximum extent practicable, that a contract awarded under this subsection—

“(A) is performance-based;

“(B) identifies objective outcomes; and

“(C) contains performance standards that may be used to measure achievement and goals to evaluate the success of a contractor in performing under the contract and the right of the contractor to payment for services under the contract, taking into consideration that a primary measure of successful performance shall be the development of a hazardous waste electronic manifest system that—

“(i) meets the needs of the user community (including States that rely on data contained in manifests);

“(ii) attracts sufficient user participation and service fee revenues to ensure the viability of the system;

“(iii) decreases the administrative burden on the user community; and

“(iv) provides the waste receipt data applicable to the biennial reports required by section 3002(a)(6).

“(4) PAYMENT STRUCTURE.—Each contract awarded under this subsection shall include a provision that specifies—

“(A) the service fee structure of the contractor that will form the basis for payments to the contractor; and

“(B) the fixed-share ratio of monthly service fee revenues from which the Administrator shall reimburse the contractor for system-related development, operation, and maintenance costs.

“(5) CANCELLATION AND TERMINATION.—

“(A) IN GENERAL.—If the Administrator determines that sufficient funds are not made available for the continuation in a subsequent fiscal year of a contract entered into under this subsection, the Administrator may cancel or terminate the contract.

“(B) NEGOTIATION OF AMOUNTS.—The amount payable in the event of cancellation or termination of a contract entered into under this subsection shall be negotiated with the contractor at the time at which the contract is awarded.

“(6) NO EFFECT ON OWNERSHIP.—Regardless of whether the Administrator enters into a contract under this subsection, the system shall be owned by the Federal Government.

“(f) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM ADVISORY BOARD.—

“(1) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a board to be known as the ‘Hazardous Waste Electronic Manifest System Advisory Board’.

“(2) COMPOSITION.—The Board shall be composed of 9 members, of which—

“(A) 1 member shall be the Administrator (or a designee), who shall serve as Chairperson of the Board; and

“(B) 8 members shall be individuals appointed by the Administrator—

“(i) at least 2 of whom shall have expertise in information technology;

“(ii) at least 3 of whom shall have experience in using or represent users of the manifest system to track the transportation of hazardous waste under this subtitle (or an equivalent State program); and

“(iii) at least 3 of whom shall be a State representative responsible for processing those manifests.

“(3) DUTIES.—The Board shall meet annually to discuss, evaluate the effectiveness of, and provide recommendations to the Administrator relating to, the system.

“(g) REGULATIONS.—

“(1) PROMULGATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, after consultation with the Secretary of Transportation, the Administrator shall promulgate regulations to carry out this section.

“(B) INCLUSIONS.—The regulations promulgated pursuant to subparagraph (A) may include such requirements as the Administrator determines to be necessary to facilitate the transition from the use of paper manifests to the use of electronic manifests, or to accommodate the processing of data from paper manifests in the electronic manifest system, including a requirement that users of paper manifests submit to the system copies of the paper manifests for data processing purposes.

“(C) REQUIREMENTS.—The regulations promulgated pursuant to subparagraph (A) shall ensure that each electronic manifest provides, to the same extent as paper manifests under applicable Federal and State law, for—

“(i) the ability to track and maintain legal accountability of—

“(I) the person that certifies that the information provided in the manifest is accurately described; and

“(II) the person that acknowledges receipt of the manifest;

“(ii) if the manifest is electronically submitted, State authority to access paper printout copies of the manifest from the system; and

“(iii) access to all publicly available information contained in the manifest.

“(2) EFFECTIVE DATE OF REGULATIONS.—Any regulation promulgated by the Administrator

under paragraph (1) and in accordance with section 3003 relating to electronic manifesting of hazardous waste shall take effect in each State as of the effective date specified in the regulation.

“(3) ADMINISTRATION.—The Administrator shall carry out regulations promulgated under this subsection in each State unless the State program is fully authorized to carry out such regulations in lieu of the Administrator.

“(h) REQUIREMENT OF COMPLIANCE WITH RESPECT TO CERTAIN STATES.—In any case in which the State in which waste is generated, or the State in which waste will be transported to a designated facility, requires that the waste be tracked through a hazardous waste manifest, the designated facility that receives the waste shall, regardless of the State in which the facility is located—

“(1) complete the facility portion of the applicable manifest;

“(2) sign and date the facility certification; and

“(3) submit to the system a final copy of the manifest for data processing purposes.

“(i) AUTHORIZATION FOR START-UP ACTIVITIES.—There are authorized to be appropriated \$2,000,000 for each of fiscal years 2013 through 2015 for start-up activities to carry out this section, to be offset by collection of user fees under subsection (c) such that all such appropriated funds are offset by fees as provided in subsection (c).”.

(b) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. 6901) is amended by inserting at the end of the items relating to subtitle C the following: “Sec. 3024. Hazardous waste electronic manifest system.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on S. 710.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

The enactment of S. 710 will enable the EPA to employ current technology to sharply reduce paperwork regulatory requirements at the same time it makes crucial information more accessible for States, first responders, and the public.

When people create hazardous waste, we require them to carefully track the movement and disposition. That way we know that, when a drum full of some hazardous waste is removed from a factory, the same amount winds up where it belongs—in a proper disposal facility—and that none of it is tossed into a sewer or a vacant lot. But for years, guaranteeing this actually happened meant keeping up with the reporting requirement—filling out multiple copies of paper forms and mailing them to the EPA and State officials, as

well as keeping paper copies at each place of business.

The inefficiency of this system in today's electronic business-to-business world certainly stands out to anyone. In fact, we learned of a case when first responders arrived at the scene of a chemical plant fire and they needed to know what substances were inside the plant before they started fighting the fire. In the whole city, the only copies of the forms identifying the hazardous waste were inside the building and were consumed in the fire. Now, there has got to be a better way.

With an electronic system, instead of filling out long forms and mailing them, the critically needed data, with a few computer key strokes, can be sent wherever it is needed. State regulators, first responders, and others will be able to pull it up on their computers and track the materials in real time. The changeover will not only save millions of dollars for regulated businesses, but quite frankly, it will save lives. So, even though the e-manifest system in S. 710 is funded by user fees, I want to note it will not be a burden on small businesses. Users pay only when and to the extent they file manifests. Otherwise, the new system will work like the old paper system, where the process to identify discrepancies in shipments is preserved.

Mr. Speaker, S. 710 was a good bill when it arrived here from the other body, but we made it better. First, we converted it from so-called "mandatory" spending to "discretionary." That will allow our colleagues on the Appropriations Committees an annual chance to review the program and make sure that money collected from users and money spent on the system is only enough to get the job done. Next, in working with our friends from the Committee on Transportation and Infrastructure, we added language to help the EPA harmonize its changeover to electronic filing with the Department of Transportation. The DOT also has its own requirements for handling and reporting hazardous materials, and we want the agencies to talk to each other and their computers to speak the same language.

So, Mr. Speaker, I urge the House to send S. 710, as amended, back to the other body, where we expect it to be approved without further amendment so that the President can sign it into law.

I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the Hazardous Waste Electronic Manifest Establishment Act, as amended by the Energy and Commerce Committee. This legislation will establish a centralized, Federal electronic manifest system for tracking hazardous waste for both the Federal Government and the States, and will pay for it through the collection of user fees.

Protecting the public from hazardous waste is certainly a critical mission of

the Department of Transportation and the EPA. Both departments, in coordination with industry and State agencies, have been vigilant in the treatment and transport of hazardous waste because of the safeguards established by the hazardous waste manifest system. Paper manifests provide shipping information to help with the tracking of potentially dangerous materials and information about the contents of each shipment for emergency responders.

The requirements of the current system were established over 30 years ago. Since 2001, the EPA has proposed a nearly paperless manifest system, which would reduce the financial burden of paperwork on States and the industry. EPA Administrator Lisa Jackson described the adoption of an electronic system for manifests as "an investment in modernizing the system that will pay off in efficiency later." That is why this legislation has wide support from hazardous waste generators, shippers, and processors, in that it reduces administrative and paperwork burdens.

The Congressional Budget Office estimates that this program will yield net annual savings for industry and the States of over \$100 million per year. The CBO also estimates that about 114,000 shippers would use this new system in the year 2016, with shipping users almost doubling in later years to 227,000.

Environmental groups also support this legislation because it will lead to "reductions in regulatory burden while simultaneously increasing the timeliness and availability of hazardous waste data" and "better protecting our environment." Those are their quotes.

I think the gentleman from Pennsylvania made reference to this a moment ago. In 2006, a fire erupted at a hazardous waste disposal facility in my home State of North Carolina. When first responders arrived on the scene, they could not access information about the hazardous chemicals inside of the facility because the paper manifests were inside the building that was burning.

We should bring this system, Mr. Speaker, into the 21st century. Technology has advanced. We all know that. There has been such advancement in technology over the last 32 years, and we should no longer be relying on carbon copies to track potentially dangerous shipments. Today's proposed legislation also maintains flexibility for small businesses by making participation in the electronic reporting program voluntary. It's not compulsory. It is a voluntary proposal. So, if any firm chooses, it can still use paper-based reporting methods.

As it passed the Senate, S. 710 embodied concepts that are widely supported, but it carried significant costs and direct spending, and deviated from the common practice of making the collection and utilization of user fees subject to appropriation.

□ 1710

But Chairman SHIMKUS worked closely with the Democratic members of the Environment and Economy Subcommittee to craft a substitute bill that addresses concerns while preserving the benefits of the legislation. The bill passed out of our subcommittee and the full Energy and Commerce Committee on voice votes with strong bipartisan support. I believe, Mr. Speaker, it has a high likelihood of being accepted by the Senate and the President. We will certainly give them that opportunity. I urge my colleagues to support this bill so we can finally see this significant improvement signed into law.

I want to thank Mr. MURPHY and all of the other Members who worked to expedite this legislation and get it to the floor today. I'm going to ask my colleagues to join with us in passing this bill.

With that said, Mr. Speaker, I reserve the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I have no more speakers on this bill, and I'm prepared to close if the gentleman from North Carolina is prepared to close, as well.

Mr. BUTTERFIELD. I don't have any more speakers, and I too am prepared to close.

Mr. Speaker, as the final speaker, I yield myself such time as I may consume.

Mr. Speaker, let me again thank Mr. MURPHY, the gentleman from Pennsylvania, and Mr. SHIMKUS, and the chair and the ranking member of all the committees of jurisdiction for their extraordinary work on this bill.

This is a critical piece of legislation. All of the stakeholders who are involved in disposing of chemicals and shipping chemicals are all in agreement that this is necessary. In fact, the time has passed that we pass this type of legislation. We live in a new age of technology now, so there's no excuse for us not automating these procedures. This bill today enables that to happen.

I want to thank all of my colleagues on both sides of the aisle for their spirit of bipartisanship in getting this to the floor. I ask my colleagues to please vote "yes" on this important legislation.

With that, I yield back the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask that all Members support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, S. 710, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

U.S. SAFE WEB ACT OF 2006
EXTENSION ACT

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6131) to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF THE U.S. SAFE WEB ACT OF 2006.

Section 13 of the U.S. SAFE WEB Act of 2006 (Public Law 109-455; 15 U.S.C. 44 note) is amended to read as follows:

“SEC. 13. SUNSET.

“Effective September 30, 2020, this Act, and the amendments made by this Act, are repealed, and any provision of law amended by this Act shall be amended to read as if this Act had not been enacted into law.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 6131.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I rise today in strong support of H.R. 6131, a bill to reauthorize the U.S. SAFE Web Act of 2006.

I would like to thank Energy and Commerce Committee Chairman UPTON for his leadership on this important issue, as well as Ranking Member WAXMAN. But a special thank you also goes out to my good friend and lead co-author of H.R. 6131, our subcommittee's ranking member, Mr. BUTTERFIELD of North Carolina, for his strong bipartisan support.

When it comes to the future of electronic commerce, consumer trust and online privacy are trending topics that Americans care very deeply about. Today, the Internet serves billions of users worldwide with e-commerce in the U.S. topping \$200 billion last year for the first time and up a remarkable 15 percent so far this year. But lurking online are hackers, cyberthieves, and even organized crime rings.

As someone who is deeply involved in online privacy issues, as well as consumer protection, I'm very concerned that e-commerce will cease to grow and

flourish if Americans lose faith in their ability to be protected from online predators, jeopardizing future innovation, as well as our Nation's fragile economic recovery.

One important tool in combating crossborder fraud, spam, and spyware is this act, which is set to expire next year. H.R. 6131 reauthorizes important crime-fighting and consumer protection law for another 7 years.

By any measure, the U.S. SAFE Web Act has been extremely effective, allowing the Federal Trade Commission to better protect U.S. consumers from fraud, deception, spam and spyware, and crossborder cases involving threats originating both domestically and abroad. And to give you an idea of just how well it's working, no opposition to reauthorizing the law has been expressed from either the business community or by advocacy groups.

Most importantly, the U.S. SAFE Web Act enhances the FTC's investigative and enforcement functions by authorizing information sharing with foreign enforcement agencies, something the commission may not do without express authorization. The act only allows information sharing with countries whose law on data sharing is substantially similar to that governing the FTC, and the FTC may share data only under conditions where the information will be treated confidentially and a country will reciprocate information sharing with the FTC. Clearly, we would be fighting an uphill battle if these critically important consumer protections were not in place.

About a decade ago, the Federal Trade Commission began to highlight the growing problems that it encountered in effectively combating Internet scams and fraud directed at American citizens by foreign operators, oftentimes involving organized crime rings. By 2005, an estimated 20 percent of consumer complaints the FTC received involved fraud originating outside of the U.S., costing American consumers hundreds of millions of dollars each year.

In order to expand its ability to effectively fight online fraud, the FTC sent Congress legislative recommendations in 2005 seeking additional authorities. Without objection, Congress passed the U.S. SAFE Web Act on December 6, 2006, and it was signed into law 2 weeks later by President Bush. For American consumers, the U.S. SAFE Web Act has been a clear success to date, and it should be reauthorized before its expiration next year.

Mr. Speaker, I strongly urge the passage of H.R. 6131, and I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 6131, a bill that will reauthorize certain powers granted to the Federal Trade Commission under the U.S. SAFE Web Act that are set to expire very soon.

Congresswoman BONO MACK, the chair of the Commerce, Manufacturing

and Trade Subcommittee of Energy and Commerce and I and our staffs worked together in a bipartisan manner to quickly get this very important reauthorization language out of the committee and onto the House floor.

When the bill was first authored in the 109th Congress, it was overwhelmingly supported by both Republicans and Democrats and passed the House under suspension of the rules. So I am happy to see that this reauthorization is proceeding in much the same way.

This law provides the Federal Trade Commission with expanded and enhanced authorities with the aim of combating crossborder spyware and spam attacks against the U.S., as well as helping protect consumers from phony Internet rip-offs and telemarketing scams. The enhanced authority has empowered the FTC to better protect American consumers through robust crossborder information sharing, investigative assistance, and coalition building with foreign consumer protection agencies.

In a 2009 report to Congress, the FTC noted the significant role the act has played in facilitating crossborder cooperation in investigations and enforcement proceedings, along with the growing need for continued cooperation to combat new and existing global fraud. Simply put, Mr. Speaker, the expanded authorities are working to protect the American people, and Congress needs to make sure they remain in place so the Federal Trade Commission can effectively combat crossborder scams.

The original SAFE Web Act passed in the 109th Congress included a sunset provision that will cause these enhanced authorities to expire in December of next year. H.R. 6131 will extend these authorities to September of the year 2020.

Mr. Speaker, I am a strong supporter of granting the FTC the powers it needs to effectively protect consumers against fraud, whether originating here or abroad.

□ 1720

So I joined my good friend, Congresswoman BONO MACK, in pushing the 7-year extension in this bill. It is important to highlight that each and every FTC Commissioner, all of them, of both political parties, have called for a permanent reauthorization.

I joined with the FTC in calling for the sunset clause in the U.S. SAFE WEB Act to be completely repealed, and it is still, it is still my opinion and the opinion of several in our committee that this is a better approach.

Nonetheless, Mr. Speaker, both parties can agree, and the FTC's enforcement record shows, that this has been a successful law, so we should not delay. We should not delay or disrupt the FTC's ability to protect the American people from those who want to take advantage of them. I hope my colleagues will agree with us and will join with us in supporting this measure.