

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“Effective September 30, 2020, this Act, and the amendments made by this Act, are repealed, and any provision of law amended by this Act shall be amended to read as if this Act had not been enacted into law.”.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

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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.

Again, I want to thank the gentlelady from California for her friendship and her leadership on the committee. You have just been extraordinary. I also want to thank the chairman of the full committee, Mr. UPTON, the gentleman from Michigan, as well as my ranking member, Mr. WAXMAN, from California. All of us, all of us have worked together so diligently to make this happen, and I thank you so very much.

I will close by simply reiterating what I have said the last 3 or 4 minutes. This is a good bill. We have bipartisan support for this bill. It has been expedited to the House floor. I ask my colleagues to join with us and get it passed, and let's get it enacted into law.

I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, in closing, I just would like to say that today, with nearly 1.5 billion credit cards now in use in the U.S., nearly everyone has a stake in making certain that the FTC has the powers that it needs to combat cross-border fraud, spam, and spyware.

Rather than give the FTC more power, the U.S. SAFE WEB Act is simply giving the FTC the tools it needs to carry out its mission more effectively; and it's done so without increasing the cost to American taxpayers, without any new rulemaking, and without any new investigative authority. Reauthorizing the U.S. SAFE WEB Act as soon as possible will avoid disrupting ongoing investigations, allowing the FTC to continue to pursue cross-border fraud complaints and to continue important information-sharing agreements with foreign law enforcement agencies.

Again, let me just emphasize that this is a critically important consumer protection bill, it enjoys broad bipartisan support, it doesn't cost any additional money, and the clock is ticking. The law needs to be reauthorized now.

It's good for American consumers, and it's good for the future of e-commerce. It sends an important signal to the rest of the world that online crooks, no matter where they're located, will be tracked down and prosecuted.

Mr. Speaker, I urge the adoption of H.R. 6131, and I yield back the balance of my time.

Mr. STEARNS. Mr. Speaker, in 2006 when the original SAFE WEB Act was signed into law, I was Chairman of the Energy and Commerce Committee's Subcommittee on Commerce, Trade, and Consumer Protection. I believed then, as I believe now, that this bill provided needed authority to the Federal Trade Commission to address cross border fraud.

Essentially, the SAFE WEB Act ensures that the FTC can effectively combat Internet scams and fraud being perpetrated against U.S. citizens by foreign operators. Throughout my tenure in Congress I have worked to pass strong data security and cyber protections for consumers, and the SAFE WEB Act directly correlates with this mission.

Without reauthorization, the Act and its grant of authorities to the FTC will expire on

December 22, 2013. I appreciate Chairman BONO MACK's attention to this issue and focus on reauthorizing this bill before it expires. Delay in reauthorization could threaten the strong relationships the FTC has been able to build with foreign countries, such as Canada, these past six years.

I am also pleased to see that while today's bill will extend the SAFE WEB Act for an additional seven years, it also makes clear that the law will sunset if not again reauthorized. While I applaud what the FTC has done so far, I support sun-setting laws that provide independent agencies with new authorities. Such action guards against bureaucratic overreach and preserves important Congressional oversight.

In conclusion, I believe this is an important bill and I encourage all my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 6131.

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

A motion to reconsider was laid on the table.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5865) to promote the growth and competitiveness of American manufacturing, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5865

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Manufacturing Competitiveness Act of 2012".

SEC. 2. NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.

Not later than June 1, 2014, and June 1, 2018, the President shall submit to Congress, and publish on a public website, a strategy to promote growth, sustainability, and competitiveness in the Nation's manufacturing sector, create well-paid, stable jobs, enable innovation and investment, and support national security.

SEC. 3. MANUFACTURING COMPETITIVENESS BOARD.

(a) IN GENERAL.—On the first day of each of the two Presidential terms following the date of enactment of this Act, there is established within the Department of Commerce an American Manufacturing Competitiveness Board.

(b) MEMBERS.—Members of the Board shall be appointed as follows:

(1) PUBLIC SECTOR MEMBERS.—The President shall appoint to the Board—

(A) the Secretary of Commerce;

(B) Governors of two States, from different political parties, after consulting with the National Governors Association; and

(C) two other members who are current or former officials of the executive branch of government.

(2) PRIVATE SECTOR MEMBERS.—

(A) CRITERIA.—Ten individuals from the private sector shall be appointed to the

Board in accordance with subparagraph (B) from among individuals with experience in the areas of—

(i) managing manufacturing companies, including businesses with fewer than 100 employees;

(ii) managing supply chain providers;

(iii) managing labor organizations;

(iv) workforce development;

(v) finance;

(vi) analyzing manufacturing policy and competitiveness;

(vii) conducting manufacturing-related research and development; and

(viii) the defense industrial base.

(B) APPOINTMENT.—The Speaker of the House of Representatives and the majority leader of the Senate shall each appoint 3 members to the Board. The minority leader of the House of Representatives and the minority leader of the Senate shall each appoint 2 members to the Board.

(c) TERMINATION.—The Board shall terminate 60 days after submitting its final report pursuant to section 4(c)(3).

(d) CO-CHAIRMEN.—The co-chairmen of the Board shall be the Secretary of Commerce (or the designee of the Secretary) and a member elected by the private sector members of the Board appointed pursuant to subsection (b)(2).

(e) SUBGROUPS.—The Board may convene subgroups to address particular industries, policy topics, or other matters and to take advantage of the expertise of other individuals and entities in matters to be addressed by the Board. Such subgroups may include members representing any of the following:

(1) Other Federal agencies, as the co-chairmen determine appropriate.

(2) State, tribal, and local governments.

(3) The private sector.

(f) QUORUM.—Ten members of the Board shall constitute a quorum for the transaction of business but a lesser number may hold hearings with the agreement of the co-chairmen.

(g) MEETINGS AND HEARINGS.—

(1) TIMING AND FREQUENCY OF MEETINGS.—The Board shall meet at the call of the co-chairmen, and not fewer than 2 times.

(2) PUBLIC HEARINGS REQUIRED.—The Board shall convene public hearings to solicit views on the Nation's manufacturing sector and recommendations for the national manufacturing competitiveness strategy.

(3) LOCATIONS OF PUBLIC HEARINGS.—The locations of public hearings convened under paragraph (2) shall ensure the inclusion of multiple regions and industries of the manufacturing sector.

(h) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the Board, including any subgroups established pursuant to subsection (e).

SEC. 4. DUTIES OF THE BOARD.

(a) IN GENERAL.—The Board shall—

(1) advise the President on issues affecting the Nation's manufacturing sector;

(2) conduct a comprehensive analysis in accordance with subsection (b); and

(3) develop a national manufacturing competitiveness strategy in accordance with subsection (c).

(b) COMPREHENSIVE ANALYSIS.—In developing a national manufacturing competitiveness strategy under subsection (c), the Board shall conduct a comprehensive analysis of the Nation's manufacturing sector, taking into consideration analyses, data, and other information previously compiled, as well as relevant reports, plans, or recommendations issued by Federal agencies, Federal advisory boards, and the private sector. Such analysis shall, to the extent feasible, address—