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FOR IMMEDIATE RELEASE

May 12, 2009

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Statement by the Honorable Bobby L. Rush, Chairman

Energy and Commerce Committee Subcommittee on
Commerce, Trade, and Consumer Protection

**Legislative Hearing: H.R. 2309, the Consumer Credit and Debt Protection Act and
H.R. 2190, the Mercury Pollution Reduction Act**

May 12, 2009

WASHINGTON, D.C. — “The Subcommittee will come to order.

“Today, the Subcommittee is conducting yet another legislative hearing on two more bills:

H.R. 2309, the Consumer Credit and Debt Protection Act, and H.R. 2190, the Mercury Pollution Reduction Act. This hearing continues our trend to hold legislative hearings with the intent of moving bills towards eventually becoming law.

“H.R. 2190, the Mercury Pollution Reduction Act was introduced by the vice-chair of the Subcommittee, my friend from Chicago, Ms. Schakowsky. The bill effectively bans the use of mercury in the production of chlorine and caustic soda, effective two years after enactment; and further prohibits the export of mercury, effective immediately.

“Mercury is well-known to cause neurological damage, especially to children. The toxin is often found in fish, and when people eat contaminated fish, they also consume the mercury. Pregnant women who ingest mercury in fish pass the toxic effects along to their developing fetuses, which can lead to long-term neurological harm. Furthermore, studies indicate that unsafe mercury levels are more prominent in people of color and in poorer communities; and this disparate impact along ethnic and racial lines is likely the result of fish and seafood consumption.

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“It is my understanding that only four plants still use mercury in the production of chlorine. It is also my understanding that the chlorine industry has made the transition away from mercury as a result of increased efficiency in alternative methods of manufacturing. As such, I am interested to know why Ms. Schakowsky’s bill shouldn’t become law as soon as possible, given the well-established harmful effects of mercury and the cost-savings associated with producing chlorine from other methods. I want to commend Ms. Schakowsky for her work on this bill.

“I am the author of the second bill we are considering today. H.R. 2309, the Consumer Credit and Debt Protection Act is the result of two oversight hearings this subcommittee has held on consumer credit issues this year. The bill provides the Federal Trade Commission with normal rulemaking authority under the Administrative Procedures Act for all consumer credit and debt-related issues, as opposed to its current, cumbersome rulemaking authority under the Magnusson-Moss Act. This authority will empower the Commission to nimbly respond to current and future credit abuses perpetrated on consumers. My bill also directs the Commission to specifically address current abuses in the automobile and debt consolidation industries. It is my intent, during an eventual mark-up, to also add a directed rulemaking on payday lending as well.

“I hope the witnesses will inform the subcommittee on how effective H.R. 2309 will be in protecting consumers not only from the credit and debt scams of today, but the scams of tomorrow. It is important that the FTC have the requisite flexibility and authority to address numerous credit and debt schemes that plague consumers. Moreover, I believe it’s extremely important that the Commission retain this aggressive posture on consumer credit and debt regardless of the political leadership at the top. Both Democrats and Republicans are guilty of being asleep at the switch, and the current difficulties in the financial and housing markets have shown us that we can no longer afford this type of political negligence. It is vital that a strong, revitalized Federal Trade Commission work on behalf of consumers in order to prevent the types of wide spread abuses that went unaddressed in the past.

“Today, I hope to have an informative legislative hearing on these two bills and work with all affected stakeholders and my friends on the other side of the aisle. We may end up disagreeing; but as always, I believe in disagreeing in a civil and politically honest manner.

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