

ONE HUNDRED ELEVENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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Statement of Rep. Henry A. Waxman
Chairman, Committee on Energy and Commerce
Markup of H.R. 5626, the “Blowout Prevention Act of 2010”; H.R. 2480, the “Truth in Fur Labeling Act of 2010”, amended; H.R. 4501, the “Guarantee of a Legitimate Deal Act of 2010”, amended; H.R. 1796, the “Carbon Monoxide Poisoning Prevention Act”, amended; and H. Res. 1466, a resolution of inquiry requesting the President and directing the Secretary of Energy to produce certain documents to the House of Representatives relating to the potential use of Yucca Mountain as a high level nuclear waste repository
Full Committee
July 15, 2010

The Committee will come to order.

This morning, we will mark up four important bills and one resolution.

One bill we will consider is H.R. 5626, the Blowout Prevention Act of 2010.

I introduced this bill with Chairmen Markey and Stupak. Since introduction, we have worked closely with Mr. Barton, Mr. Upton, Mr. Green, Mr. Melancon, Mr. Scalise, and others to refine the legislation. I thank and commend them for their many valuable suggestions. As a result of their leadership and hard work, we now have a bill that deserves strong bipartisan support in our Committee.

The bill is designed to make sure that the problems that caused BP’s Deepwater Horizon blowout in the Gulf can never happen again.

This legislation is our response to the Committee’s investigations into the oil spill. These investigations were led by Mr. Stupak, the chairman of our Oversight and Investigations Subcommittee, and Mr. Markey, the chairman of our Energy and Environment Subcommittee. They have done tremendous work exposing the causes of the blowout and the inadequacies of BP’s response.

This tragedy, which is the greatest environmental catastrophe in American history, can be termed an “accident” in name only.

BP made a series of reckless decisions before the blowout. When drilling the well, BP took one shortcut after another in order to save time and money. BP relied on a blowout

preventer that was anything but foolproof. And when the blowout occurred, BP was unprepared to deal with the consequences.

Under this legislation, neither BP nor any other company would be able to make these same mistakes again.

We found that the blowout preventer failed to perform its critical function. The bill addresses this by establishing new standards for redundancy, testing, and third-party certification on blowout preventers.

We found that BP made serious well design and cementing mistakes. The bill addresses this by establishing new requirements and third-party certification for safe well design and cementing.

We found that BP failed to use a lock-down device to secure the wellhead. The bill requires a lock-down device.

We also found that there was no CEO involvement in the well operations, despite the serious consequences of a potential loss of control of the well. The bill requires that the company CEO attest to the fact that the company will use a safe well design, have a blowout preventer that actually works, and have an appropriate and effective spill response plan.

In sum, this bill ensures that the Congress is doing everything it can to prevent this from ever happening again.

We will also consider today three bills reported by the Subcommittee on Commerce, Trade, and Consumer Protection, chaired by Mr. Rush. All these bills reflect bipartisan collaboration, and I hope my colleagues will support them.

H.R. 4501 is a strong consumer protection bill that will set much-needed standards for transactions in the mail-in precious metals industry. I commend Rep. Weiner for his leadership on this legislation. The bill will prevent unscrupulous companies from melting down a consumer's jewelry until the consumer has explicitly accepted the company's offer. The bill also sets a strong requirement for insuring return shipments to consumers, and it requires companies to promptly return consumers' valuables if the offer to purchase is not accepted.

H.R. 2480 is a commonsense, bipartisan bill that requires all articles of apparel containing fur to be labeled regardless of the cost of the garment. This legislation will eliminate the confusion currently experienced by consumers and retailers wondering whether the clothes they are buying or selling contain fur.

H.R. 1796 will reduce carbon monoxide poisoning. Carbon monoxide is a deadly gas that you can't see or smell. This bill upgrades the voluntary industry standards for carbon monoxide alarms into mandatory consumer product safety standards, and it provides a grant program to encourage states to adopt laws to expand the use of carbon monoxide alarms in all homes with fuel-burning appliances or attached garages.

Finally, the Committee will consider H. Res. 1466, introduced by Rep. James Sensenbrenner. This resolution requests the President and directs the Secretary of Energy to provide documents to the House of Representatives relating to the Department of Energy's decision that the proposed Yucca Mountain waste repository is not a workable option for nuclear waste disposal. I will discuss this resolution in more detail when we take it up. However, I want to note at the outset that I believe resolutions of inquiry are powerful oversight tools that should be used only after meaningful attempts to obtain information have been attempted and have failed. In this case, it is my understanding that the author of this resolution did not attempt to obtain from the Administration directly the information that is sought by the resolution. I, therefore, believe this resolution is premature and will urge the Committee to support a motion to report the resolution without recommendation.