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6 MARKUP OF: H.R. ____, A BILL TO AMEND THE
7 COMMUNICATIONS ACT OF 1934 TO REAUTHORIZE
8 APPROPRIATIONS FOR THE FEDERAL
9 COMMUNICATIONS COMMISSION, TO PROVIDE FOR
10 CERTAIN PROCEDURAL CHANGES TO THE RULES OF
11 THE COMMISSION TO MAXIMIZE OPPORTUNITIES FOR
12 PUBLIC PARTICIPATION AND EFFICIENT
13 DECISIONMAKING, AND FOR OTHER PURPOSES.

14 WEDNESDAY, OCTOBER 11, 2017

15 House of Representatives

16 Subcommittee on Communications and

17 Technology

18 Committee on Energy and Commerce

19 Washington, D.C.

20
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22
23 The subcommittee met, pursuant to call, at 1:00 p.m., in Room
24 2123 Rayburn House Office Building, Hon. Marsha Blackburn
25 [chairman of the subcommittee] presiding.

26 Members present: Representatives Blackburn, Lance, Shimkus,
27 Latta, Guthrie, Olson, Kinzinger, Bilirakis, Flores, Brooks,
28 Collins, Cramer, Walters, Costello, Walden (ex officio), Doyle,
29 Welch, Loeb sack, Ruiz, Dingell, Eshoo, Matsui, McNerney, and
30 Pallone (ex officio).

31 Staff present: Ray Baum, Staff Director; Mike Bloomquist,
32 Deputy Staff Director; Allie Bury, Legislative Clerk,
33 Energy/Environment; Karen Christian, General Counsel; Kelly
34 Collins, Staff Assistant; Robin Colwell, Chief Counsel,
35 Communications & Technology; Zachary Dareshori, Staff Assistant;
36 Sean Farrell, Professional Staff Member, Communications &
37 Technology; Chuck Flint, Policy Coordinator, Communications &
38 Technology; Adam Fromm, Director of Outreach and Coalitions; Gene
39 Fullano, Detailee, Communications & Technology; Ali Fulling,
40 Legislative Clerk, Oversight & Investigations, Digital Commerce
41 and Consumer Protection; Theresa Gambo, Human Resources/Office
42 Administrator; Elena Hernandez, Press Secretary; Peter Kielty,
43 Deputy General Counsel; Tim Kurth, Senior Professional Staff,
44 Communications & Technology; Lauren McCarty, Counsel,
45 Communications & Technology; Drew McDowell, Executive Assistant;
46 Katie McKeogh, Press Assistant; Evan Viau, Legislative Clerk,
47 Communications & Technology; Jeff Carroll, Minority Staff
48 Director; Alex Debianchi, Minority Telecom Fellow; Elizabeth
49 Ertel, Minority Deputy Clerk; David Goldman, Minority Chief
50 Counsel, Communications and Technology; Jerry Leverich, Minority

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51 Counsel; Miles Lichtman, Minority Policy Analyst; Dan Miller,
52 Minority Policy Analyst; Tim Robinson, Minority Chief Counsel;
53 Matt Schumacher, Minority Deputy Press Secretary and Digital
54 Director; and Andrew Souvall, Minority Director of
55 Communications, Outreach and Member Services.

56 Mrs. Blackburn. The Subcommittee on Communications and
57 Technology will come to order. We are still waiting for Mr. Doyle
58 to come, but in the interest of time, we are going to go ahead
59 and begin. And I recognize myself for 3 minutes for an opening
60 statement.

61 And I do want to welcome each of you here. We are pleased
62 to arrive at this day and to mark up the discussion draft of the
63 FCC Reauthorization Act. At the beginning of this Congress, we
64 made clear that a priority of this committee would be
65 reauthorizing agencies within our jurisdiction. Today, we start
66 with the Federal Communications Commission, an agency that has
67 not been reauthorized in over 25 years. The appropriation level
68 when the Commission was last authorized was \$109 million. Today,
69 it is over \$430 million, yet the agency's authorizing statute has
70 not been revisited.

71 The FCC is charged with the administration of the
72 Communications Act and other statutes that govern our country's
73 communications policy. The agency plays an increasingly
74 important role as society becomes more dependent on technology,
75 and the authorizing statute needs to be updated to reflect the
76 current state of the communications marketplace.

77 This subcommittee held an FCC oversight hearing in July,
78 during which the subcommittee discussed the need to reauthorize
79 the agency. Since that time, staff, both Democrat and Republican,
80 has been working on a draft that makes technical changes to the

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existing Communications Act and also incorporates a number of bipartisan measures focused on agency efficiency, transparency, and public safety.

The discussion draft before us today updates the Commission's application and regulatory fee structure, requires the Commission to adopt rules governing agency process, and establishes the independence of the agency's Inspector General.

While the draft incorporates many important reforms, we will continue having discussions with members of this committee about the inclusion of additional measures before consideration of the full committee. I look forward to the discussion today and to advancing this legislation.

And at this time, Mr. Pallone, I will recognize you for 3 minutes for an opening.

Mr. Pallone. Thank you, Chairman Blackburn. I know that reauthorizing the Federal Communications Commission has been a top priority for you and I appreciate you have been open to working with us on it and the legislation before us today is better as a result of that bipartisan work. For instance, the Manager's Amendment includes the bill from Congressmen Welch and Young to improve call quality for those living in rural America. It includes the Rural Wireless Access Act from Congressmen Loeb sack and Costello that will help ensure the FCC in supporting wireless internet access more efficiently. We have also been able to incorporate the Improving Broadband Access for Vets Act from

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106 Congressmen McNerney and Kinzinger to ensure that the FCC is doing
107 all it can to get our veterans on line.

108 The reauthorization bill also includes Congresswoman
109 Eshoo's Response Act to help first responders find someone when
110 they call 911, and Congressman Engel's bill that makes sure our
111 network operators have more relevant cyber threat information.

112 This work is a good start, but we still have critical work
113 to do before I can support reporting this bill out of the full
114 committee. We must find a way to include the Viewer Protection
115 Act in any final FCC reauthorization bill.

116 A number of Democrats have put forward a bill that would make
117 sure that television viewers or radio listeners will not lose
118 signal as a result of the FCC's incentive auction. And as we have
119 seen repeatedly over the past few months, disasters can strike
120 at any time and when they do, TV and radio broadcasters play a
121 vital role in providing potentially life-saving information.

122 For instance, right now in Puerto Rico, some broadcasters
123 have managed to keep their signal going. They are reaching out
124 to the desperate and telling them where to find the very limited
125 resources needed for survival and we cannot let these stations
126 go dark.

127 Unfortunately, funding the repacking of stations is not
128 enough. People still need to know how to find the new signal.
129 Currently, the FCC does not have any funding to educate people
130 about how to reprogram their televisions, so my priority going

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forward will be to include sufficient funds to educate consumers on how to make sure their televisions still work.

So as we begin this markup, I urge my colleagues to support the Manager's Amendment, but I also want to make clear that the bill should not proceed to a full committee markup until we find a way to include the Viewer Protection Act. And Madam Chairman, I just also want to say I was very disturbed to see this morning the President issue a tweet that seemed to threaten broadcasters' licenses only because he disagreed with their reporting. This threat alone could intimidate the press and lead to skewed and unfair reporting. And so therefore, I am calling on the FCC Chairman Pai to immediately condemn this unwarranted attack. I also call on him to announce publicly that he will not follow through on his orders from the President. Chairman Pai should not act in any way to undermine free speech or our airways. I yield back, Madam Chairman.

Mrs. Blackburn. The gentleman yields back. At this time, Chairman Walden, you are recognized for three minutes.

The Chairman. Thank you very much, Madam Chair, and good afternoon.

Today, we take a positive step forward in our efforts to modernize America's outdated communications laws by reauthorizing the Federal Communications Commission, a task that has not been completed since 1990.

Without a doubt, much has changed since the last

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reauthorization of the Commission. The last time this agency was authorized, we were still a year away from the first-ever website, and cell phones could do little more than make a phone call.

Now, we all carry super computers in our pockets and rely heavily on forms of media that didn't even exist when the agency was last authorized. Our communications laws continue to lag behind, one of the many reasons this committee has prioritized a return to regular order and to reauthorizing agencies within our jurisdiction.

The Discussion Draft before us today makes important changes to the Commission's fee collection authority and includes a number of process reforms that will maximize the agency's transparency and efficiency. The draft also includes a number of bipartisan measures, including provisions that enhance public safety, ensure call reliability, and improve broadband coverage data collection.

While this draft incorporates many important technical amendments and policy changes, there are still issues before this committee that need to be addressed. For example, last month, we held a hearing on the broadcaster repacking process and heard about the challenges associated with completing the process on time and on budget. We hope to have further discussion on these issues between now and the time this draft is considered by the full committee.

We share in the effort to try and make sure that broadcasters are appropriately taken care of as the band gets repacked. If

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181 we had only kept the number in there at three billion a head when
182 we started the process, maybe we wouldn't be facing the challenge
183 we are today. We got a lot of push back on that.

184 I want to thank the subcommittee colleagues for engaging on
185 these issues. It is an important piece of our work and as you
186 know, we are going through agency by agency, program by program,
187 and doing our authorizing work which is really important for the
188 committee and the Congress and the American people. With that,
189 I yield back.

190 Mrs. Blackburn. The gentleman yields back. Mr. Doyle, you
191 are recognized for 3 minutes.

192 Mr. Doyle. Thank you. And Madam Chair, I want to thank you
193 for holding this markup and also for working with us to advance
194 this legislation on a bipartisan basis. This bill represents a
195 good start and a good-faith effort by the majority to work with
196 us. My hope is that we can further improve this bill before we
197 bring it before the full committee.

198 I am proud that we were able to work with the majority to
199 include a number of bipartisan and democratic initiatives in this
200 bill. These are sensible policy measures that serve to make
201 sensible and targeted improvements to the law and people's lives.

202 The majority has rightly seen fit to include language from
203 Chairman Walden's FCC Process Reform Bill that we have now passed
204 through the House twice. This bill includes Ms. Eshoo's FCC
205 Collaboration Act which I and Mr. Shimkus were original

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206 co-sponsors of in the 113th and 114th Congress.

207 We were also able to include a number of bipartisan and
208 democratic measures from a number of our members including Mr.
209 McNerney's and Mr. Kinzinger's bill that promotes broadband
210 internet access for veterans, and a bill from Mr. Loeb sack and
211 Mr. Costello to improve the FCC's collection of wireless coverage
212 data, as well as a bill from Ms. Eshoo directing the FCC to take
213 action on 911 call location accuracy, and a bill from Mr. Engel,
214 the creation of an inter-agency advisory committee to examine and
215 report on communication security.

216 Despite all of this good, I still think we have some issues
217 left to be addressed before we get to full committee. Foremost
218 among them is addressing the shortfall in the Broadcaster
219 Relocation Fund. Ranking Member Pallone has put forth his Viewer
220 Protection Act which I and many of my colleagues support. We need
221 to act to correct the current shortfall in funding and ensure that
222 consumers are not harmed because Congress failed to account for
223 the cost of broadcasters' relocation.

224 It is critical that we not only fund the relocation itself,
225 but consumer education about the transition as well. One of the
226 key lessons of the DTV transition was that the success of the
227 transition hinged on educated and informed consumers. It is
228 essential that we can include these provisions as a part of the
229 final package by the time we reach full committee.

230 And one last thing, I do appreciate the bipartisan work that

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231 we are doing here today, but like Mr. Pallone, I am deeply
232 concerned by a tweet that the President sent out this morning.
233 The President threatened NBC and other networks with loss of their
234 broadcast licenses for the reporting on his administration.
235 While it is certainly the administration's right to dispute the
236 veracity of reporting done by the media, it is unacceptable for
237 the President and the administration to threaten the independence
238 of the media when they don't like the reporting. With that, I
239 will yield back.

240 Mrs. Blackburn. The gentleman yields back. Mr. Guthrie,
241 you are recognized for 1 minute.

242 Mr. Guthrie. Thank you, Madam Chairman Blackburn. I
243 support the work of the committee to reauthorize the FCC. The
244 technology we are talking about today compared to that to 1990
245 is astounding, and especially with the explosion of wireless
246 technology.

247 Getting more spectrum into the pipeline for commercial use
248 is a top priority of mine as we think about more ways to continue
249 work with the Commission. And as the chairman knows, under your
250 leadership, my good friend, Congresswoman Matsui and I have been
251 working hard to bring more spectrum to market and to spur
252 efficiency in existing uses.

253 I want to thank the chairman for your statement today that
254 you support continuing the conversation about spectrum which will
255 be important to give the FCC the tools they need to make more

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256 spectrum available. And as leaders of the spectrum caucus, we
257 are already working with stakeholders to identify bands that may
258 be ripe for commercialization, so we look forward to continuing
259 to work with you in this effort as well. And I yield back.

260 Mrs. Blackburn. The gentleman yields back. Mr. Loeb sack
261 for one minute.

262 Mr. Loeb sack. Thank you, Madam Chair. This amendment
263 includes legislation I introduced, the Rural Wireless Access Act
264 to make sure we are getting wireless coverage throughout rural
265 America. I am constantly driving through the 24 counties in my
266 district in Iowa and I can tell you there are lot of areas where
267 you cannot get a signal. Right now, the maps the FCC is using
268 to figure out where to invest resources tells a different story,
269 that somehow, lo and behold, all of Iowa is getting high speed,
270 4G LTE wireless coverage. You can ask me or you can ask any of
271 my constituents and we will tell you that that is simply not the
272 case.

273 My bill would fix this issue and make sure the FCC is using
274 accurate data so that our coverage maps are accurate and
275 investments are going to the areas that need them most. I want
276 to thank in particular Congressman Costello for working on a
277 bipartisan basis on this, and Madam Chair, I appreciate your
278 incorporating this into the larger bill. I am looking forward
279 to reporting this out of committee and hopefully, we will get it
280 into the full committee and on to the floor and get it passed.

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281 Thanks so much.

282 Mrs. Blackburn. Absolutely, and you deserve that credit for
283 being so persistent on this issue.

284 Mr. Flores, you are recognized.

285 Mr. Flores. Madam Chair, thank you for holding this hearing
286 to reauthorize the FCC. As we have heard several times already
287 this afternoon, it has been almost 27 years since we last
288 reauthorized the Commission. In that time, we have seen several
289 technological advances that stayed light years ahead of the policy
290 debates here in Washington, mobile tablets and phones to virtual
291 reality and now driverless cars.

292 Looking forward, I hope that we will focus on providing
293 encouragement for the deployment of 5G, continue efforts to
294 revitalized AM radio, and to ensure smooth transitions by all
295 those affected by the incentive auction. And you have heard this
296 conversation many times with respect to the incentive auction.

297 Speaking of that auction, the underlying bill's provisions
298 that would be used to reimburse TV stations inadvertently left
299 out many radio broadcasters that utilize similar infrastructure
300 and would be similarly impacted.

301 As we look forward to the solutions on the repack of the TV
302 spectrum, I hope to work with the committee on consideration of
303 my bill, the Radio Consumer Protection Act. The bill has a narrow
304 way to address the reimbursements by adding radio -- and prevents
305 the oversight of many of our radio stations and listeners who are

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306 being left out of a process that they really don't even benefit
307 from at all.

308 I thank you for the opportunity to work towards modernizing
309 FCC and for the time to speak today. And I yield back the balance
310 of my time.

311 Mrs. Blackburn. The gentleman yields back. Ms. Matsui,
312 you are recognize for 1 minute.

313 Ms. Matsui. Thank you, Madam Chair. I am pleased that we
314 are coming together today in a bipartisan manner to reauthorize
315 the Federal Communications Commission. The issues faced in the
316 Commission are critical to the advancement of our digital economy
317 and to our country's prosperity. I hope to continue to work
318 for the committee on other important priorities as well.

319 As Ranking Member Pallone mentioned, we need to ensure that
320 our local broadcasters have the resources they need to transition
321 following our successful incentive auction. That auction was the
322 result of diligent, bipartisan work between the committee and
323 federal agencies to find creative solutions to free up spectrum.

324 Spectrum is a finite resource. With the possibility of 5G
325 on the horizon, there is no doubt that the spectrum will be
326 critical to achieving a robust, national network that reaches all
327 Americans. That is why I join Representative Guthrie introducing
328 the Federal Spectrum Incentive Act to provide financial
329 incentives for federal agencies to relinquish any unused spectrum
330 to be repurposed for commercial use.

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331 I look forward to continue to work with the committee on this
332 legislation and other spectrum initiatives. Thank you and I
333 yield back.

334 Mrs. Blackburn. The gentlelady yields back. Is there any
335 other member seeking time? You are recognized, Mr. McNerney.

336 Mr. McNerney. I thank the chairman for her work on this and
337 the diligent work in the committee. I am glad that we are able
338 to come together to a bipartisan agreement on reauthorizing the
339 FCC.

340 The amendment in the nature of a substitute being offered
341 today includes a bipartisan bill that Congressman Kinzinger and
342 I introduced. The provision will set us on a path of working to
343 close the digital divide for veterans. Having broadband internet
344 connection helps veterans to apply for jobs and helps obtain
345 vocational training. It helps them communicate with friends and
346 family and have access to Veterans Administration services.

347 My provision directs the FCC to examine the current state
348 of broadband access and what can be done to increase that access.
349 It asks the Commission to focus on low-income veterans and
350 veterans residing in rural areas, both of which face a higher
351 likelihood of not having broadband internet service. This
352 measure was passed in the House last year with overwhelming
353 support.

354 I thank the chairs and ranking members for working with me
355 and with Mr. Kinzinger to include this language in the amendment

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356 before us today. I yield back.

357 Mrs. Blackburn. The gentleman yields back. There being no
358 other members wishing to give a 1 minute opening -- oh, we have
359 one more. Ms. Eshoo, I am so sorry. I didn't see you. You are
360 recognized for one minute.

361 Ms. Eshoo. Thank you, Madam Chairwoman. I am glad that we
362 have come together to reauthorize the FCC, something Congress
363 hasn't done, hasn't accomplished since 1991. So today is an
364 important day.

365 And I want to thank you, Madam Chairwoman and your staff for
366 working with us to include a number of important priorities in
367 this bill.

368 The reauthorization includes legislation I introduced last
369 Congress, the Response Act, requiring the FCC to complete a
370 proceeding within 18 months to ensure that all 911 calls including
371 those made using a multi-line telephone system provide the precise
372 location of a 911 caller to first responders.

373 We learned, we know that when someone calls 911, first
374 responders have to know exactly where an individual is calling
375 from, especially if the caller is unable to communicate to the
376 dispatcher or the caller simply doesn't know where they are. This
377 is an issue the FCC has been studying since 1994. It is a priority
378 that John Shimkus and I, the founders of the NG911 Caucus, have
379 been working on for a long time.

380 I want to thank Chairman Walden, who committed to working

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381 with me to ensure that the FCC completed a proceeding on location
382 accuracy, and he has kept his promise. And that is included in
383 this bill.

384 Just one more thing, the FCC Collaboration Act, I don't know
385 many Congresses I have introduced that in, it is the sunshine law.
386 And that is also included, so maybe this is the magic year for
387 that.

388 So thank you, Madam Chairwoman and I yield back.

389 Mrs. Blackburn. Let us hope it is the magic year for getting
390 some of these things across the finish line.

391 You are recognized, Mr. Ruiz. Go ahead.

392 Mr. Ruiz. Thank you, Chairwoman. First, I want to thank
393 you, Chairwoman Blackburn, for your commitment to working on this
394 important reauthorization in a bipartisan manner. Together, we
395 have many ideas that will improve reliability, access, and
396 security. We truly work best when we work together.

397 I filed several amendments to the bill today that I believe
398 can receive bipartisan support and will further improve this bill
399 and I appreciate your commitment to working to making sure that
400 we include some of these afterwards.

401 First, which is based on my bill, H.R. 1581, the Tribal
402 Digital Access Act, would help close the digital divide through
403 Indian country by codifying and reinforcing the importance of FCC
404 programs for the Universal Service Fund that tribal communities
405 can use.

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406 Your staff have been working with my office in a good-faith
407 manner to refine the bill and secure the support of the Commission
408 and I thank them for their hard work as well. Please relay that
409 to your staff, Chairwoman.

410 I hope we can continue to work together so that this
411 legislation maybe included when this bill is considered in the
412 full committee.

413 The next amendment would call on the FCC to study and publish
414 a set of best practices for wireless operators to consider as they
415 rebuild and as they build for a future with more and more severe
416 storms. So hurricane kind of resiliency for some of these
417 infrastructure developments that we need.

418 And finally, the last amendment would ensure tribal
419 representation on the FCC Federal and State Joint Board on
420 Universal Services.

421 So in closing, thank you very much. I look forward to making
422 sure that the tribes have a voice at the table at all times. Thank
423 you.

424 Mrs. Blackburn. The gentleman yields back and now at this
425 point the chair will call up the discussion draft and ask the clerk
426 to report.

427 The Clerk. Discussion draft, to amend the Communications
428 Act of 1934 to reauthorize appropriations for the Federal
429 Communications Commission to provide for certain procedural
430 changes to the rules of the Commission to maximize opportunities

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431 for public participation and efficient decisionmaking and for
432 other purposes.

433 Mrs. Blackburn. Without objection, the first reading of the
434 bill is dispensed with and the bill be open for amendment at any
435 point. So ordered.

436 The chair now recognizes herself for the purpose of offering
437 an amendment in the nature of a substitute. And the clerk will
438 report the amendment.

439 [The amendment of Mrs. Blackburn follows:]

440

441 *****INSERT*****

442 The Clerk. Amendment in the nature of a substitute to the
443 discussion draft offered by Mrs. Blackburn.

444 Mrs. Blackburn. Without objection, the reading of the
445 amendment is dispensed with and the chair recognizes herself in
446 support of the amendment. I can assure you all we will go quickly
447 because we have about 8 minutes left, 7 minutes left now.

448 And this is a bipartisan amendment. It demonstrates the
449 willingness of both parties to come together in agreement on
450 important policy issues and I do thank all members of the
451 subcommittee and their staffs for their engagement.

452 This amendment builds upon existing bipartisan legislation
453 addressing process reforms that the House passed earlier this
454 year. These process reforms ensure the FCC continues to improve
455 the sufficiency and transparency. It includes a number of
456 additions aimed at improving communications' reliability and
457 public safety: the SANDY Act, which requires the FCC to conduct
458 a study on the feasibility and benefits of making WiFi access
459 points available to the general public for access to 911 services
460 during times of emergency. It also includes Kari's Law, another
461 bipartisan bill aimed at access to 911 services. In
462 addition to process reforms, the amendment recognizes the
463 importance of cyber security in carrying out the FCC's mission,
464 elevates the role of the chief information officer.
465 Specifically, the CIO now has a significant role in the
466 decision-making process for planning, programming, and

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467 budgeting.

468 This amendment also incorporates the bipartisan work of Mr.
469 Loeb sack and Mr. Costello to bring wireless coverage to rural
470 areas. The Rural Wireless Act takes a big step in the right
471 direction.

472 We have the FCC Consolidated Reporting Act, the Amateur Radio
473 Parity Act, the Anti-Spoofing Act, the Improving Rural Call
474 Quality Act. These are all measures that the committee has
475 previously considered and have passed the House on a bipartisan
476 basis.

477 We are going to continue working to incorporate additional
478 provisions before consideration of the full committee including
479 measures on spectrum and regulatory relief. And I look
480 forwarding to advancing the legislation to the full committee and
481 I thank my colleagues for their support.

482 Are there others wishing to speak on the amendment? Mr.
483 Latta, you are recognized.

484 Mr. Latta. Thank you, Madam Chair, and I move to strike the
485 last word.

486 Mrs. Blackburn. The gentleman is recognized.

487 Mr. Latta. Thank you, Madam Chair. I support the
488 committee's efforts to reauthorize the Federal Communications
489 Commission. However, I believe an important provision is
490 missing, H.R 3787, the Small Entity Regulatory Relief Opportunity
491 Act, SERROA. I introduced this legislation, along with Mr.

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492 Schrader, to help alleviate small businesses from burdensome
493 regulations.

494 The telecommunications and technology sector is known for
495 innovation and start ups. The small companies generate much of
496 this creativity. These smaller businesses do not require the
497 same level of regulatory oversight as large entities. In fact,
498 heavy-handed regulations often hinder small entities which both
499 Congress and the FCC have previously recognized.

500 Our legislation would offer relief to permit small entities
501 to grow, innovate, and hire new employees by streamlining and
502 expediting the FCC's existing waiver process. Directing the FCC
503 to streamline procedures will benefit small businesses and their
504 customers providing greater certainty, truer costs, and
505 administrative efficiency. SERROA would also require the FCC to
506 offer small entities with a one-year deferral on new regulations
507 with some exceptions.

508 Additionally, the FCC as part of its triennial review would
509 review existing regulations applicable to small entities and
510 determine if any relief should be granted. This is a commonsense
511 proposal.

512 Small businesses are the engines of our economy, creating
513 two out of every three jobs. Our focus should be to ensure that
514 we are creating a regulatory environment that encourages
515 innovation, spurs competition, and fosters consumer choice.

516 Again, I would ask the chair that we could work together on

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517 including Mr. Schrader's and my proposal and the underlying bill
518 before it comes to a full markup and the full committee markup.

519 I thank the chair and I yield back the balance of my time.

520 Mrs. Blackburn. The gentleman yields back, and yes, we will
521 continue to work on this issue and we appreciate your bringing
522 it to the committee's attention.

523 Are there others seeking to speak on the amendment? Are
524 there any other amendments, bipartisan amendments? No.

525 Mr. Doyle is ready to roll. I hear it. And I can just draw
526 this out all day long if I wanted to, right?

527 If there is no further discussion, the vote occurs on the
528 amendment in the nature of a substitute.

529 All those in favor shall signify by saying aye.

530 All those opposed, no.

531 The ayes have it and the amendment in the nature of a
532 substitute is agreed to.

533 The question now occurs on forwarding the discussion draft
534 to the full committee as amended.

535 All those in favor say aye.

536 All those opposed, no.

537 The ayes have it and the bill is agreed to.

538 With that we will at this time, without objection staff is
539 authorized to make technical and conforming changes to the
540 legislation approved by the subcommittee today. So ordered.
541 Without objection, this subcommittee stands adjourned.

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[Whereupon, at 1:32 p.m., the subcommittee was adjourned.]

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