

**Opening Statement of the Honorable Fred Upton**  
**Subcommittee on Commerce, Manufacturing, and Trade**  
**Markup of “H.R. 4013, Low Volume Motor Vehicle Manufacturers Act of 2014, H.R. 4450,**  
**Travel Promotion, Enhancement, and Modernization Act of 2014, and H.R. \_\_\_\_, Targeting**  
**Rogue and Opaque Letters (TROL) Act of 2014”**  
**July 9, 2014**

*(As Prepared for Delivery)*

Today we'll begin consideration of three bills: the Low-Volume Motor Vehicle Manufacturers Act, the Travel Promotion, Enhancement, and Modernization Act, and the TROL Act. Each of these bills required give and take between stakeholders, and I thank those who worked in good faith to reach an amicable agreement.

The Low-Volume Motor Vehicle Manufacturers Act provides folks who make replica or specialty cars a bit of flexibility on how to comply with NHTSA mandates. These manufacturers are typically small businesses who produce a small number of vehicles per year, which makes them uniquely situated compared to the other auto manufacturers in this country. In my view, this is a small business and jobs bill that reduces regulatory burdens. Small businesses are a bright light in our fragile economy, and we should do everything we can to ensure their continued growth.

Another bright spot in our economy is the travel sector. Tourism in the U.S. supports over 14 million jobs and directly contributes \$450 billion to the U.S. GDP. The tourism sector brings revenue and jobs to every district represented on this committee - including over a billion dollars in southwest Michigan. Tourism dollars that flow through our local economies help boost the very fabric of our communities and should be welcome revenue. The Travel Promotion, Enhancement, and Modernization Act, offered by Mr. Bilirakis, would extend the Travel Promotion Act and Brand USA's activities to market the U.S. as a travel destination through 2020.

Finally, the TROL Act targets a not-so-bright spot in today's marketplace – that of so-called patent trolls who prey on small businesses owners. According to the White House, trolls have sent over 100,000 letters to small businesses across the country – letters that amount to little more than a shakedown scheme. Balancing the need to stem this noxious tide is the need to ensure that we don't make it overly burdensome for legitimate patent holders to protect their property rights.

Balancing these two interests hasn't been easy, but I want to thank all of the interested parties who have willingly come to the negotiating table to have an honest and thoughtful dialogue in search of a compromise.

The overarching intent of this bill is to provide the FTC with an extra set of tools to augment its current section 5 authority. If the FTC chooses, we want the agency to seek civil penalties under this bill – but only for actors who were knowingly or recklessly committing harmful acts. If someone engages in any of the specified activities without the requisite intent, the FTC can still enforce against those individuals using their current Section 5 authority to seek injunctive relief. The same is true for activities that are not included in this bill – we want the FTC to continue to be able to use its current authority to seek injunctions, as indicated by the savings clause.

Legislating is a process, and today's vote is one step of many. We will continue to seek feedback, including questions and concerns that will be discussed today, and collaborate to strengthen the legislation going forward.

I thank those involved for their good faith efforts to reach compromise on these non-partisan bills and I hope that my colleagues on both sides of the aisle will join me in supporting them.

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