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6 MARKUP OF:

7 H.R. 5677 (JOYCE), 5G SPECTRUM AUTHORITY LICENSING

8 ENFORCEMENT, 5G SALE ACT;

9 H.R. 6544 (DUNCAN AND DEGETTE), ATOMIC ENERGY ADVANCEMENT

10 ACT;

11 H.R. 5718 (LATTA, CLYBURN, BALDERSON AND KUSTER), NUCLEAR

12 FUEL SECURITY ACT OF 2023;

13 H.R. 4167 (HUDSON), PROTECTING AMERICA'S DISTRIBUTION

14 TRANSFORMER SUPPLY CHAIN ACT;

15 H.R. 6192 (LESKO), HANDS OFF OUR HOME APPLIANCES ACT;

16 H.R. 6185 (DUNCAN), GUARANTEEING RELIABLE INFRASTRUCTURE

17 DEVELOPMENT ACT;

18 H.R. 6421 (BUCSHON), AFFORDABLE HOMES ACT;

19 H.R. 4045 (RODGERS), HYDROPOWER CLEAN ENERGY FUTURE ACT;

20 H.R. 6571 (BUCSHON AND BLUNT ROCHESTER), PROMOTING RESILIENT

21 SUPPLY CHAINS ACT;

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22 H.R. 6572 (BUCSHON AND BLUNT ROCHESTER), DEPLOYING AMERICAN
23 BLOCKCHAINS ACT;

24 H.R. 5390 (MILLER-MEEKS, BUCSHON, JOHNSON, KUSTER, SCHRIER
25 AND SPANBERGER), CRITICAL INFRASTRUCTURE MANUFACTURING
26 FEASIBILITY ACT;

27 H.R. 5398 (JOHNSON AND PHILLIPS), ADVANCING TECH STARTUPS
28 ACT;

29 H.R. 5146 (JOYCE AND PENCE), ADVANCING GIG ECONOMY ACT;

30 H.R. 3950 (BILIRAKIS AND SCHAKOWSKY), TICKET ACT;

31 H.R. 6568 (ARMSTRONG, BILIRAKIS AND SCHAKOWSKY), THE STOP ACT
32 OF 2023;

33 H.R. 6543 (KIM), NO HIDDEN FEES ON EXTRA EXPENSES FOR STAYS
34 ACT;

35 H.R. 6125 (VALADAO AND PETERSEN), ONLINE DATING SAFETY ACT
36 OF 2023;

37 H.R. 5202 (WASSERMAN SCHULTZ, BURGESS, CARTER, ALLRED,
38 CASTOR, WILLIAMS, GARCIA, FLOOD, ROSS, BACON AND GOTTHEIMER),
39 VIRGINIA GRAEME BAKER POOL AND SPA SAFETY REAUTHORIZATION
40 ACT, AS AMENDED;

41 H.R. 2964 (MCCLAIN AND PELTOLA), WASTEWATER INFRASTRUCTURE
42 POLLUTION PREVENTION AND ENVIRONMENTAL SAFETY, WIPPES ACT;

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43 H.R. 1797 (TORRES, GARBARINO, CLARKE, RYAN, BOWMAN,
44 D'ESPOSITO, ESPAILLAT AND GOLDMAN), SETTING CONSUMER
45 STANDARDS FOR LITHIUM-ION BATTERIES ACT, AS AMENDED;
46 H.R. 6132 (BALDERSON AND CASTOR), AWNING SAFETY ACT OF 2023;
47 H.R. 4310 (TRAHAN, CAREY, PORTER AND STEWART), YOUTH
48 POISONING PROTECTION ACT;
49 H.R. 4814 (SOTO, BURGESS, TRAHAN AND GUTHRIE), CONSUMER
50 SAFETY TECHNOLOGY ACT;
51 H.R. 2365 (BILIRAKIS AND TONKO), NATIONAL PLAN TO END
52 PARKINSON'S ACT;
53 H.R. 5372 (JOYCE AND PETERS), EXPANDING SENIORS' ACCESS TO
54 LOWER COST MEDICINES ACT OF 2023;
55 H.R. 2880 (CARTER AND BLUNT ROCHESTER), PROTECTING PATIENTS
56 AGAINST PBM ABUSES ACT;
57 H.R. 5393 (GRIFFITH AND CARTER), TO AMEND TITLE XVIII OF THE
58 SOCIAL SECURITY ACT TO ENSURE FAIR ASSESSMENT OF PHARMACY
59 PERFORMANCE AND QUALITY UNDER MEDICARE PART D, AND FOR OTHER
60 PURPOSES;
61 H.R. 5385 (LANDSMAN AND HARSHBARGER), MEDICARE PBM
62 ACCOUNTABILITY ACT;
63 H.R. 5386 (MCGARVEY AND BILIRAKIS), CUTTING COPAYS ACT;

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64 H.R. 4881 (MALLIOTAKIS AND BILIRAKIS), TO AMEND TITLE XVIII
65 OF THE SOCIAL SECURITY ACT TO LIMIT COST SHARING FOR DRUGS
66 UNDER THE MEDICARE PROGRAM;
67 H.R. 5389 (GUTHRIE AND KELLY), NATIONAL COVERAGE
68 DETERMINATION TRANSPARENCY ACT, AS AMENDED;
69 H.R. 133 (BUCHANAN AND BARRAGAN), MANDATING EXCLUSIVE REVIEW
70 OF INDIVIDUAL TREATMENTS, MERIT ACT, AS AMENDED;
71 H.R. 5396 (BUCSHON), COVERAGE DETERMINATION CLARITY ACT OF
72 2023;
73 H.R. 5371 (JOYCE AND PHILLIPS), CHOICES FOR INCREASED
74 MOBILITY ACT OF 2023;
75 H.R. 5388 (BALDERSON AND BUCHANAN), SUPPORTING INNOVATION FOR
76 SENIORS ACT;
77 H.R. 5380 (SARBANES), TO AMEND TITLE XVIII OF THE SOCIAL
78 SECURITY ACT TO INCREASE DATA TRANSPARENCY FOR SUPPLEMENTAL
79 BENEFITS UNDER MEDICARE ADVANTAGE;
80 H.R. 3842 (SCHRIER, BILIRAKIS AND BUCSHON), EXPANDING ACCESS
81 TO DIABETES SELF-MANAGEMENT TRAINING ACT OF 2023, AS AMENDED;
82 H.R. 5397 (FITZPATRICK, DUNN AND SOTO), JOE FIANDRA ACCESS TO
83 HOME INFUSION ACT OF 2023, AS AMENDED;
84 H.R. 6366 (HUDSON), TO AMEND TITLE XVIII OF THE SOCIAL

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85 SECURITY ACT WITH RESPECT TO THE WORK GEOGRAPHIC INDEX FOR
86 PHYSICIAN PAYMENTS UNDER THE MEDICARE PROGRAM AND TO REVISE
87 THE PHASE-IN OF CLINICAL LABORATORY TEST PAYMENT CHANGES
88 UNDER SUCH PROGRAM;
89 H.R. 6369 (SCHRIER AND DUNN), TO AMEND TITLE XVIII OF THE
90 SOCIAL SECURITY ACT TO EXTEND INCENTIVE PAYMENTS FOR
91 PARTICIPATION IN ELIGIBLE ALTERNATIVE PAYMENT MODELS;
92 H.R. 5555 (MILLER-MEEKS AND TONKO), DMEPOS RELIEF ACT OF
93 2023;
94 H.R. 6545 (MILLER-MEEKS, SCHRIER, BUCSHON AND KELLY),
95 PHYSICIAN FEE SCHEDULE UPDATE AND IMPROVEMENTS ACT;
96 H.R. 6364 (BALDERSON, DUNN, SCHWEIKERT AND CAREY) MEDICARE
97 TELEHEALTH PRIVACY ACT OF 2023; AND
98 H.R. 1352 (HUDSON), INCREASING ACCESS TO BIOSIMILARS ACT OF
99 2023
100 WEDNESDAY, DECEMBER 6, 2023
101 House of Representatives,
102 Committee on Energy and Commerce,
103 Washington, D.C.

104

105

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106

107 The Committee met, pursuant to call, at 10:01 a.m. in
108 Room 2123, Rayburn House Office Building, Hon. Cathy McMorris
109 Rodgers [Chair of the Committee] presiding.

110 Present: Representatives Rodgers, Burgess, Latta,
111 Guthrie, Griffith, Bilirakis, Johnson, Bucshon, Hudson,
112 Walberg, Carter, Duncan, Palmer, Curtis, Lesko, Pence,
113 Crenshaw, Joyce, Armstrong, Weber, Allen, Balderson, Fulcher,
114 Pfluger, Harshbarger, Miller-Meeks, Cammack, Obernolte;
115 Pallone, Eshoo, DeGette, Schakowsky, Castor, Sarbanes, Tonko,
116 Clarke, Cardenas, Ruiz, Peters, Dingell, Veasey, Kuster,
117 Kelly, Barragan, Blunt Rochester, Soto, Schrier, and Trahan.

118 Staff Present: Kate Arey, Digital Director; Jolie
119 Brochin, Junior Professional Staff Member; Sarah Burke,
120 Deputy Staff Director; Michael Cameron, Professional Staff
121 Member, CPC; Corey Ensslin, Senior Policy Advisor, Health;
122 Kristin Fritsch, Professional Staff Member; Rebecca Hagigh,
123 Executive Assistant; Jessica Herron, Clerk; Nate Hodson,
124 Staff Director; Tara Hupman, Chief Counsel; Noah Jackson,
125 Clerk, C&T; Lauren Kennedy, Clerk; Alex Khlopin, Staff
126 Assistant; Peter Kielty, General Counsel; Emily King, Member

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127 Services Director; Chris Krepich, Press Secretary; Tim Kurth,
128 Chief Counsel, CPAC; Molly Lolli, Counsel; Carla Rafael,
129 Senior Staff Assistant; Brannon Rains, Professional Staff
130 Member, CPAC; Emma Schultheis, Staff Assistant; Olivia
131 Shields, Communications Director; Michael Taggart, Policy
132 Director; Teddy Tanzer, Senior Counsel, Caitlin Wilson,
133 Counsel; Lydia Abma, Minority Policy Analyst; Hannah Anton,
134 Minority Policy Analyst; Jacquelyn Bolen, Minority Health
135 Counsel; Keegan Cardman, Minority Staff Assistant; Waverley
136 Gordon, Minority Deputy Staff Director and General Counsel;
137 Daniel Greene, Minority Professional Staff Member; Tiffany
138 Guarascio, Minority Staff Director; Perry Hamilton, Minority
139 Member Services and Outreach Manager; Lisa Hone, Minority
140 Chief Counsel, Innovation, Data, and Commerce; Sasha
141 Khaterzai, Minority Professional Staff Member; Una Lee,
142 Minority Chief Health Counsel; Katarina Morgan, Minority
143 Health Fellow; Joe Orlando, Minority Junior Professional
144 Staff Member; Avni Patel, Minority Health Fellow; Emma
145 Roehrig, Minority Staff Assistant; Andrew Souvall, Minority
146 Director of Communications, Outreach, and Member Services;
147 and C.J. Young, Minority Deputy Communications Director.

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149 *The Chair. The committee will come to order.

150 Good morning, everyone. We are going to continue our
151 good work here by calling up H.R. 6571, and I ask the clerk
152 to report.

153 *The Clerk. H.R. 6571, a bill to establish a critical
154 supply chain resiliency and crisis response program _

155 *The Chair. Without objection, the first reading of the
156 bill is dispensed with, and the bill will be open for
157 amendment at any point.

158 So ordered.

159 [The bill follows:]

160

161 *****COMMITTEE INSERT*****

162

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163 *The Chair. Does anyone seek to be recognized?

164 Ms. Blunt Rochester, for what purpose do you seek
165 recognition?

166 *Ms. Blunt Rochester. Madam Chair, I have an amendment
167 at the desk titled ANS_02.

168 *The Chair. The clerk will report.

169 *The Clerk. Amendment in the nature of a substitute to
170 H.R. 6571, offered by Ms. Blunt Rochester. Strike all after
171 the enacting clause and insert the following. Section 1 _

172 *The Chair. Without objection, the reading of the
173 amendment will be dispensed with.

174 [The amendment of Ms. Blunt Rochester follows:]

175

176 *****COMMITTEE INSERT*****

177

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178 *The Chair. And the gentlelady is recognized for five
179 minutes to speak on her amendment.

180 *Ms. Blunt Rochester. Thank you, Chair Rodgers.

181 First I want to thank Mr. Bucshon for working with me to
182 find a bipartisan path forward on supply chains. Together we
183 found a way to create a comprehensive, credible, and robust
184 supply chains package that will strengthen both our economy
185 and our national security.

186 In this committee we have seen the consequence of
187 weakened supply chains. From drug shortages before the
188 pandemic to masks and gowns during the pandemic, from lumber
189 and glass shortages impacting housing affordability and
190 availability to chips and minerals that power our consumer
191 electronics, defense systems, cell phones, and cars, bottom
192 line, supply chains touch the lives of every American,
193 whether they know it or not. And strengthening those supply
194 chains means making our lives better and products cheaper.

195 Today, after months of good-faith bipartisan
196 negotiations, we are considering the bipartisan Promoting
197 Resilient Supply Chains Act that will help us map, monitor,
198 predict, and strengthen supply chains. It will make more

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199 critical goods right here at home, and create good-paying
200 jobs while lowering consumer costs.

201 The legislation I am proudly supporting today
202 incorporates all of the key elements of the Supply Chains
203 Act, legislation that I am proud to have cosponsored with
204 Representatives Dingell, Kelly, and Wild. That legislation
205 garnered the support of over 160 organizations from labor to
206 the chamber.

207 With this amendment, today's bipartisan legislation will
208 support steady government leadership by assigning the
209 responsibility for supply chain and American manufacturing
210 resilience to an assistant secretary in the Department of
211 Commerce. And I want to extend a special note of thanks to
212 Secretary Gina Raimondo, along with the team at the
213 Department of Commerce, for their partnership and leadership
214 on this vital issue.

215 The bill will support American innovation and take back
216 global leadership by setting the rules of the road with
217 robust guidelines and best practices that will ensure
218 American businesses are a step ahead of their competitors.

219 Our bill will no longer position our country as passive

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220 reactionaries to a supply chain crisis or shock by mandating
221 the creation of a national strategy that elevates supply
222 chain resilience to the forefront of U.S. national policy.
223 This comes at a time when events like the war in Ukraine are
224 increasing the price of goods for American families, or
225 American jobs are threatened by foreign actors like China on
226 the other side of the globe.

227 Finally, our bill will ensure important stakeholders are
228 consulted while the Department of Commerce does its important
229 work, and it will ensure sensitive business information is
230 safeguarded while maintaining the normal course of legal and
231 judicial review.

232 Today we are taking action to ensure we win the global
233 competition for our country's economic future, and the surest
234 way to win is to follow a simple premise: If we can make it
235 in America, then we should.

236 Thank you, Madam Chair, and I yield back.

237 *The Chair. The gentlelady yields back. Is there
238 further discussion?

239 Dr. Bucshon, for what purpose do you seek recognition?

240 *Mr. Bucshon. Madam Chair, I would like to speak in

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241 favor of the amendment in the nature of a substitute.

242 *The Chair. The gentleman is recognized for five
243 minutes.

244 *Mr. Bucshon. I thank the chair for including the
245 Promoting Resilient Supply Chains Act today in today's
246 markup. Passing this important bipartisan legislation that I
247 am proud to co-lead with my colleague, Representative Lisa
248 Blunt Rochester, will show this committee's commitment to
249 identifying risks to American supply chains and preventing
250 shocks from occurring, including how emerging technologies
251 can be used to mitigate these shocks.

252 The bill establishes a program within the Department of
253 Commerce that will map and monitor critical supply chains
254 utilized by American producers in a multitude of sectors, a
255 critical step in improving our economic and national
256 security.

257 This program will also develop best practices to advise
258 manufacturers on how to strengthen their supply chains and
259 help governmental and private-sector stakeholders plan for
260 and respond to supply chain shocks.

261 Hoosier manufacturers make some of the best products in

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262 the world, and should not have to rely on inputs with
263 unreliable sources. Having the Department of Commerce study
264 and advise on how to secure supply chains will allow
265 producers to plan appropriately.

266 I wholeheartedly urge support of both this AINS making
267 technical changes, as well as the underlying bill.

268 And with that I yield back.

269 *The Chair. The gentleman yields back. Is there
270 further discussion?

271 Mrs. Dingell, for what purpose do you seek recognition?

272 *Mrs. Dingell. Madam Chair, I move to strike the last
273 word and speak in support of the AINS.

274 *The Chair. The gentlelady is recognized for five
275 minutes.

276 *Mrs. Dingell. Thank you, Madam Chair. I want to thank
277 my colleagues, Representative Blunt Rochester and
278 Representative Bucshon, for working together to craft
279 bipartisan supply chain legislation. I am very grateful for
280 the leadership on this critical issue.

281 The bipartisan Promoting Resilient Supply Chains Act
282 gives the Federal Government the authorities and tools needed

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283 to strengthen our industrial base and support supply chain
284 resilience. And I am just _ it is great to see more
285 bipartisan legislation on this topic move through the
286 committee.

287 Included in this legislation are several provisions
288 found in the Supply Chains Act, a piece of legislation I am
289 co-leading with Representatives Blunt Rochester, Kelly, and
290 Wild, including a provision to make the assistant secretary
291 of commerce responsible for leading a government supply chain
292 resilience effort.

293 We have to address supply chain vulnerabilities
294 proactively to prevent them from escalating into full-blown
295 crises. If nothing taught us _ people saw it, recognized it
296 during COVID and, like my colleague from the Midwest,
297 Detroit, Michigan were devastated with _ when we didn't have
298 chips, and cars were just parked in parking lots.

299 Quite frankly, vulnerable supply chains are a matter of
300 national security. That is why I am glad this legislation
301 also includes extended mapping, monitoring, and proactive
302 measures to address supply chain shocks, a coordination group
303 with input from labor, and a national strategy that provides

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304 for a plan of action to address supply chain resiliency.

305 I urge all of my colleagues to support this important
306 legislation. We need to take action so that we never see the
307 debilitating shortages that we saw during COVID-19 pandemic,
308 avoid the need for significant government intervention to
309 rebuild our national semiconductor capacity and to protect
310 our automobile industry from threats to innovation and
311 manufacturing.

312 Supply chain legislation is vital for the
313 competitiveness of our country, and this piece of legislation
314 is critical, so we are working to get this done.

315 Thank you, Madam Chair, and I yield back.

316 *The Chair. The gentlelady yields back. Is there
317 further discussion?

318 I would like to recognize myself for five minutes to
319 strike the last word.

320 I want to join in thanking Dr. Bucshon and Ms. Blunt
321 Rochester for their continued work to find bipartisan
322 agreement on two important bills before this committee to
323 lead on securing American leadership in emerging technologies
324 and to make our nation's supply chains more resilient. Their

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325 bill, H.R. 6571, the Promoting Resilient Supply Chains Act of
326 2023, builds on the foundation established in the COMPETE
327 Act, American COMPETE Act, which I led with the assistance of
328 members on both sides of the aisle _ thank you, Jan
329 Schakowsky _ in 2020.

330 The American COMPETE Act focused on ensuring America,
331 not China, is leading in the promotion and deployment of
332 critical emerging technologies. And today we are taking
333 another step toward that goal with bipartisan legislation to
334 enhance mapping and monitoring of our supply chains which
335 will help us protect against future vulnerabilities that may
336 hamper our economy.

337 Americans experienced the firsthand the _ experienced
338 firsthand the supply chain issues caused by the pandemic,
339 making it hard for many to find essential products. So I am
340 pleased to see this legislation moving forward. It is going
341 to help us further address these issues.

342 One issue that I just wanted to highlight for the
343 Department of Commerce was improving how we analyze emerging
344 technologies and utilize them to map and monitor supply
345 chains and strengthen chain resiliency.

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346 We are also addressing new technologies like blockchain
347 and other distributed ledger technologies, so this is good
348 news.

349 I urge support, and I yield back, and now recognize _
350 for what purpose does Ms. Kelly seek recognition?

351 *Ms. Kelly. I move to strike the last word.

352 *The Chair. The gentlelady is recognized for five
353 minutes.

354 *Ms. Kelly. I am very pleased that Representatives
355 Blunt Rochester and Bucshon's Promoting Resilient Supply
356 Chain Acts include vital provisions from the Supply Chains
357 Act, legislation that I cosponsored and has garnered the
358 support of over 160 stakeholders.

359 Our nation's manufacturing base and supply chains are
360 critical for supporting our capacity to develop and produce
361 the high-tech revolutions essential for prosperity in the
362 21st century. Yet supply chain vulnerabilities cannot be
363 addressed if they are not identified. We must heed the
364 lessons learned from the last few years when we all witnessed
365 the supply chain crisis. That is why I am proud to support
366 the Promoting Resilient Act _ Resilient Supply Chains Act,

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367 which would, among other things, establish a robust program
368 that includes an expanded mapping and monitoring initiative
369 to address supply chain shocks before they occur, a national
370 strategy that elevates the importance of the issue and
371 provides for a plan of action to address supply chain
372 resiliency.

373 For these reasons I applaud the hard work carried out by
374 Representatives Blunt Rochester, and Bucshon, and I urge my
375 colleagues to support this bill.

376 Thank you, and I yield back.

377 *The Chair. The gentlelady yields back. Is there
378 further discussion?

379 Seeing none, the vote occurs on the amendment in the
380 nature of a substitute.

381 All those in favor, say aye.

382 Those opposed, nay.

383 The ayes have it, the amendment is agreed to.

384 Is there further discussion?

385 Seeing none, the question now occurs on approving H.R.
386 6571, as amended, and a roll call has been requested. The
387 clerk will call the roll.

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388 *The Clerk. Burgess?
389 *Mr. Burgess. Burgess votes aye.
390 *The Clerk. Burgess votes aye.
391 Latta?
392 *Mr. Latta. Aye.
393 *The Clerk. Latta votes aye.
394 Guthrie?
395 [No response.]
396 *The Clerk. Griffith?
397 *Mr. Griffith. Aye.
398 *The Clerk. Griffith votes aye.
399 Bilirakis?
400 *Mr. Bilirakis. Aye.
401 *The Clerk. Bilirakis votes aye.
402 Johnson?
403 *Mr. Johnson. Aye.
404 *The Clerk. Johnson votes aye.
405 Bucshon?
406 *Mr. Bucshon. Aye.
407 *The Clerk. Bucshon votes aye.
408 Hudson?

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409 [No response.]
410 *The Clerk. Walberg?
411 *Mr. Walberg. Aye.
412 *The Clerk. Walberg votes aye.
413 Carter?
414 *Mr. Carter. Aye.
415 *The Clerk. Carter votes aye.
416 Duncan?
417 *Mr. Duncan. Aye.
418 *The Clerk. Duncan votes aye.
419 Palmer?
420 *Mr. Palmer. Aye.
421 *The Clerk. Palmer votes aye.
422 Dunn?
423 [No response.]
424 *The Clerk. Curtis?
425 [No response.]
426 *The Clerk. Lesko?
427 *Mrs. Lesko. Aye.
428 *The Clerk. Lesko votes aye.
429 Pence?

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430 *Mr. Pence. Aye.
431 *The Clerk. Pence votes aye.
432 Crenshaw?
433 [No response.]
434 *The Clerk. Joyce?
435 *Mr. Joyce. Aye.
436 *The Clerk. Joyce votes aye.
437 Armstrong?
438 [No response.]
439 *The Clerk. Weber?
440 *Mr. Weber. Aye.
441 *The Clerk. Weber votes aye.
442 Allen?
443 *Mr. Allen. Aye.
444 *The Clerk. Allen votes aye.
445 Balderson?
446 *Mr. Balderson. Aye.
447 *The Clerk. Balderson votes aye.
448 Fulcher?
449 *Mr. Fulcher. Fulcher is aye.
450 *The Clerk. Fulcher votes aye.

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451 Pfluger?
452 *Mr. Pfluger. Aye.
453 *The Clerk. Pfluger votes aye.
454 Harshbarger?
455 *Mrs. Harshbarger. Aye.
456 *The Clerk. Harshbarger votes aye.
457 Miller-Meeks?
458 *Mrs. Miller-Meeks. Aye.
459 *The Clerk. Miller-Meeks votes aye.
460 Cammack?
461 *Mrs. Cammack. Aye.
462 *The Clerk. Cammack votes aye.
463 Obernolte?
464 *Mr. Obernolte. Aye.
465 *The Clerk. Obernolte votes aye.
466 Pallone?
467 *Mr. Pallone. Aye.
468 *The Clerk. Pallone votes aye.
469 Eshoo?
470 *Ms. Eshoo. Aye.
471 *The Clerk. Eshoo votes aye.

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472 DeGette?
473 *Ms. DeGette. Aye.
474 *The Clerk. DeGette votes aye.
475 Schakowsky?
476 *Ms. Schakowsky. Aye.
477 *The Clerk. Schakowsky votes aye.
478 Matsui?
479 [No response.]
480 *The Clerk. Castor?
481 *Ms. Castor. Aye.
482 *The Clerk. Castor votes aye.
483 Sarbanes?
484 *Mr. Sarbanes. Aye.
485 *The Clerk. Sarbanes votes aye.
486 Tonko?
487 *Mr. Tonko. Aye.
488 *The Clerk. Tonko votes aye.
489 Clarke?
490 *Ms. Clarke. Aye.
491 *The Clerk. Clarke votes aye.
492 Cardenas?

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493 *Mr. Cardenas. Aye.
494 *The Clerk. Cardenas votes aye.
495 Ruiz?
496 [No response.]
497 *The Clerk. Peters?
498 *Mr. Peters. Aye.
499 *The Clerk. Peters votes aye.
500 Dingell?
501 *Mrs. Dingell. Aye.
502 *The Clerk. Dingell votes aye.
503 Veasey?
504 *Mr. Veasey. Aye.
505 *The Clerk. Veasey votes aye.
506 Kuster?
507 *Ms. Kuster. Aye.
508 *The Clerk. Kuster votes aye.
509 Kelly?
510 *Ms. Kelly. Aye.
511 *The Clerk. Kelly votes aye.
512 Barragan?
513 *Ms. Barragan. Aye.

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514 *The Clerk. Barragan votes aye.

515 Blunt Rochester?

516 *Ms. Blunt Rochester. Aye.

517 *The Clerk. Blunt Rochester votes aye.

518 Soto?

519 *Mr. Soto. Aye.

520 *The Clerk. Soto votes aye.

521 Craig?

522 [No response.]

523 *The Clerk. Schrier?

524 *Ms. Schrier. Aye.

525 *The Clerk. Schrier votes aye.

526 Trahan?

527 *Mrs. Trahan. Aye.

528 *The Clerk. Trahan votes aye.

529 Fletcher?

530 [No response.]

531 *The Clerk. Rodgers?

532 *The Chair. Aye.

533 *The Clerk. Rodgers votes aye.

534 *Mr. Guthrie. Madam Chair, Guthrie votes aye.

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535 *The Clerk. Guthrie votes aye.

536 *Mr. Hudson. Hudson.

537 *The Clerk. Hudson votes _

538 *Mr. Hudson. Aye.

539 *The Clerk. _ aye.

540 [Pause.]

541 *The Chair. The clerk will report.

542 *The Clerk. Chair Rodgers, on that vote there were 44
543 ayes and 0 noes.

544 *The Chair. The ayes have it, and the bill is adopted.
545 The chair calls up H.R. 5390, and asks the clerk to
546 report.

547 *The Clerk. H.R. 5390, a bill to direct the Secretary
548 of Commerce to conduct a study on the feasibility of
549 manufacturing in the United States products _

550 *The Chair. Without objection, the first reading of the
551 bill is dispensed with, and the bill will be open for
552 amendment at any point.

553 So ordered.

554 [The bill follows:]

555

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

556 *****COMMITTEE INSERT*****

557

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

558 *The Chair. Does anyone seek to be recognized on the
559 bill?

560 For what purpose does Mrs. Miller-Meeks seek
561 recognition?

562 *Mrs. Miller-Meeks. Madam Chair, I move to strike the
563 last word.

564 *The Chair. The gentlelady is recognized for five
565 minutes.

566 *Mrs. Miller-Meeks. Thank you, Madam Chair. I would
567 like to speak in support of my legislation, H.R. 5390, the
568 Critical Manufacturing Feasibility Act, and I am grateful for
569 the committee's consideration of this important bill.

570 Manufacturing has been hit hard by the global supply
571 chain constraints over the last years, with record-level
572 inflation and supply chain disruptions impacting numerous
573 sectors of our economy.

574 As global competition has increased, control over our
575 supply chains has fallen into the hands of our foreign
576 adversaries, namely the Chinese Communist Party. Such a
577 geographic concentration of supply chains has left many U.S.
578 companies vulnerable to disruption. It is essential now more

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579 than ever for the U.S. to strengthen our domestic supply
580 chain efficiency, especially in infrastructure areas
581 including critical manufacturing, U.S. defense, industrial
582 base, energy, food, agriculture, et cetera.

583 That is why I am pleased this full committee markup
584 includes H.R. 5390, which I introduced with Representatives
585 Larry Bucshon, Abigail Spanberger, Annie Kuster, Bill
586 Johnson, and Kim Schrier. Specifically, this legislation
587 directs the Secretary of Commerce to conduct a study on the
588 feasibility of manufacturing more critical infrastructure
589 goods in the United States _ in particular, manufacturing
590 products in rural communities such as Iowa.

591 I urge your support of this critical legislation, and I
592 yield back the balance of my time.

593 *The Chair. The gentlelady yields back. Is there
594 further discussion?

595 For what purpose does Mr. Johnson seek recognition?

596 *Mr. Johnson. Chair Rodgers, I move to strike the last
597 word.

598 *The Chair. The gentleman is recognized for five
599 minutes.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

600 *Mr. Johnson. I am really proud to co-lead H.R. 5390
601 with my colleagues, Representatives Miller-Meeks, Bucshon,
602 Kuster, Schrier, and Spanberger.

603 This bill requires the Department of Commerce to study
604 and report on products that are in high demand across the
605 critical infrastructure sectors. Importantly, the bill
606 includes feasibility studies for manufacturing products in
607 rural communities.

608 As the representative of several rural counties in
609 eastern Ohio, I know that manufacturing in these communities
610 can and should play an increased role in making products for
611 critical infrastructure sectors and in our nation's supply
612 chain. It is critically important that we tap into American
613 innovation wherever possible to shore up our critical
614 infrastructure supply chains, and this legislation will help
615 America do exactly that.

616 I encourage my colleagues to support it, and I _ would
617 the gentleman like some time?

618 *Mr. Bucshon. Yes.

619 *Mr. Johnson. I yield _

620 *Mr. Bucshon. Would the gentleman yield?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

621 *Mr. Johnson. Absolutely, I yield to Mr. Bucshon.

622 *Mr. Bucshon. Thank you for yielding. I would like to
623 express my support for Dr. Miller-Meeks's bill, the Critical
624 Infrastructure Manufacturing Feasibility Act, which I am a
625 proud _ which I am proud to co-lead with my colleagues, as
626 was mentioned.

627 Indiana is an extremely manufacturing-intense state,
628 home to more than 546,000 manufacturing jobs. This means
629 that the supply chain disruptions caused in recent years by
630 the pandemic and foreign manipulation have been especially
631 damaging for the Hoosier State. Car production lines have
632 been curtailed from lack of semiconductors, drug shortages
633 have arisen when producers can't get necessary precursors,
634 and more.

635 This bipartisan legislation will direct the Department
636 of Commerce to study which products in critical
637 infrastructure sectors are being imported due to
638 manufacturing and supply chain constraints. Based on this
639 study, the Department will then develop recommendations on
640 how to stand up production capabilities in rural areas in the
641 U.S.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

642 Utilizing the resources we have and expanding our
643 manufacturing capabilities in rural areas will help prevent
644 supply chain bottlenecks from occurring, and encourage more
645 of what we use in America to be made in America, not imported
646 from adversaries like China.

647 So I urge all my colleagues to support this important
648 legislation, and I yield back to Mr. Johnson.

649 *Mr. Johnson. Madam Chair, I yield back.

650 *The Chair. The gentleman yields back. Is there
651 further discussion?

652 Seeing none, the question now occurs on approving H.R.
653 5390, and a roll call has been requested. The clerk will
654 call the roll.

655 *The Clerk. Burgess?

656 *Mr. Burgess. Burgess votes aye.

657 *The Clerk. Burgess votes aye.

658 Latta?

659 *Mr. Latta. Aye.

660 *The Clerk. Latta votes aye.

661 Guthrie?

662 *Mr. Guthrie. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

663 *The Clerk. Guthrie votes aye.

664 Griffith?

665 *Mr. Griffith. Aye.

666 *The Clerk. Griffith votes aye.

667 Bilirakis?

668 [No response.]

669 *The Clerk. Bilirakis?

670 *Mr. Bilirakis. Oh, yes, aye.

671 *The Clerk. Bilirakis votes aye.

672 Johnson?

673 *Mr. Johnson. Aye.

674 *The Clerk. Johnson votes aye.

675 Bucshon?

676 *Mr. Bucshon. Aye.

677 *The Clerk. Bucshon votes aye.

678 Hudson?

679 *Mr. Hudson. Aye.

680 *The Clerk. Hudson votes aye.

681 Walberg?

682 *Mr. Walberg. Aye.

683 *The Clerk. Walberg votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

684 Carter?
685 *Mr. Carter. Aye.
686 *The Clerk. Carter votes aye.
687 Duncan?
688 *Mr. Duncan. Aye.
689 *The Clerk. Duncan votes aye.
690 Palmer?
691 *Mr. Palmer. Aye.
692 *The Clerk. Palmer votes aye.
693 Dunn?
694 [No response.]
695 *The Clerk. Curtis?
696 [No response.]
697 *The Clerk. Lesko?
698 *Mrs. Lesko. Aye.
699 *The Clerk. Lesko votes aye.
700 Pence?
701 *Mr. Pence. Aye.
702 *The Clerk. Pence votes aye.
703 Crenshaw?
704 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

705 *The Clerk. Joyce?
706 *Mr. Joyce. Aye.
707 *The Clerk. Joyce votes aye.
708 Armstrong?
709 [No response.]
710 *The Clerk. Weber?
711 *Mr. Weber. Aye.
712 *The Clerk. Weber votes aye.
713 Allen?
714 *Mr. Allen. Aye.
715 *The Clerk. Allen votes aye.
716 Balderson?
717 *Mr. Balderson. Aye.
718 *The Clerk. Balderson votes aye.
719 Fulcher?
720 [No response.]
721 *The Clerk. Pfluger?
722 *Mr. Pfluger. Aye.
723 *The Clerk. Pfluger votes aye.
724 Harshbarger?
725 *Mrs. Harshbarger. Aye.

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726 *The Clerk. Harshbarger votes aye.
727 Miller-Meeks?
728 *Mrs. Miller-Meeks. Aye.
729 *The Clerk. Miller-Meeks votes aye.
730 Cammack?
731 *Mrs. Cammack. Aye.
732 *The Clerk. Cammack votes aye.
733 Oberholte?
734 *Mr. Oberholte. Aye.
735 *The Clerk. Oberholte votes aye.
736 Pallone?
737 *Mr. Pallone. Aye.
738 *The Clerk. Pallone votes aye.
739 Eshoo?
740 *Ms. Eshoo. Aye.
741 *The Clerk. Eshoo votes aye.
742 DeGette?
743 *Ms. DeGette. Aye.
744 *The Clerk. DeGette votes aye.
745 Schakowsky?
746 *Ms. Schakowsky. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

747 *The Clerk. Schakowsky votes aye.

748 Matsui?

749 [No response.]

750 *The Clerk. Castor?

751 *Ms. Castor. Aye.

752 *The Clerk. Castor votes aye.

753 Sarbanes?

754 *Mr. Sarbanes. Aye.

755 *The Clerk. Sarbanes votes aye.

756 Tonko?

757 *Mr. Tonko. Aye.

758 *The Clerk. Tonko votes aye.

759 Clarke?

760 *Ms. Clarke. Aye.

761 *The Clerk. Clarke votes aye.

762 Cardenas?

763 *Mr. Cardenas. Aye.

764 *The Clerk. Cardenas votes aye.

765 Ruiz?

766 *Mr. Ruiz. Aye.

767 *The Clerk. Ruiz votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

768 Peters?

769 *Mr. Peters. Aye.

770 *The Clerk. Peters votes aye.

771 Dingell?

772 *Mrs. Dingell. Aye.

773 *The Clerk. Dingell votes aye.

774 Veasey?

775 *Mr. Veasey. Aye.

776 *The Clerk. Veasey votes aye.

777 Kuster?

778 *Ms. Kuster. Aye.

779 *The Clerk. Kuster votes aye.

780 Kelly?

781 *Ms. Kelly. Aye.

782 *The Clerk. Kelly votes aye.

783 Barragan?

784 *Ms. Barragan. Aye.

785 *The Clerk. Barragan votes aye.

786 Blunt Rochester?

787 *Ms. Blunt Rochester. Aye.

788 *The Clerk. Blunt Rochester votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

789 Soto?

790 *Mr. Soto. Aye.

791 *The Clerk. Soto votes aye.

792 Craig?

793 [No response.]

794 *The Clerk. Schrier?

795 *Ms. Schrier. Aye.

796 *The Clerk. Schrier votes aye.

797 Trahan?

798 *Mrs. Trahan. Aye.

799 *The Clerk. Trahan votes aye.

800 Fletcher?

801 [No response.]

802 *The Clerk. Rodgers?

803 *The Chair. Aye.

804 *The Clerk. Rodgers votes aye.

805 [Pause.]

806 *The Chair. The clerk will report.

807 Oh, Madam Clerk, how is Mr. Curtis recorded?

808 *The Clerk. Mr. Curtis is not recorded.

809 *Mr. Curtis. Curtis votes yes.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

810 *The Clerk. Curtis votes aye.

811 *The Chair. The clerk will report.

812 *The Clerk. Chair Rodgers, on that vote there were 45
813 ayes and 0 noes.

814 *The Chair. The ayes have it, and the bill is adopted.
815 The chair calls up H.R. 5398, and asks the clerk to
816 report.

817 *The Clerk. H.R. 5398, a bill to require the Secretary
818 of Commerce to conduct a study on tech startups, and for
819 other purposes.

820 *The Chair. Without objection, the first reading of the
821 bill is dispensed with. The bill will be open for amendment
822 at any point.

823 So ordered.

824 [The bill follows:]

825

826 *****COMMITTEE INSERT*****

827

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

828 *The Chair. Does anyone seek to be recognized on the
829 bill?

830 For what purpose does Mr. Johnson seek recognition?

831 *Mr. Johnson. Chair Rodgers, I move to strike the last
832 word.

833 *The Chair. The gentleman is recognized for five
834 minutes.

835 *Mr. Johnson. I am very pleased that my legislation,
836 H.R. 5398, the Advancing Tech Startups Act, was included in
837 today's full committee markup. This bipartisan legislation
838 would require the Department of Commerce to study and report
839 on the impact of technology startups on the U.S. economy.

840 It also promotes a national strategy for encouraging
841 more tech-focused startups and small businesses in all parts
842 of the United States. As I have said before, you don't have
843 to be in Silicon Valley to successfully launch a tech
844 startup. The talent, sustainable cost structure, and
845 opportunity are available in many locations across the
846 country.

847 Importantly, the study established by this legislation
848 also requires the development of a comprehensive list of

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849 Federal agencies asserting jurisdiction over entities and
850 industry sectors dedicated to the creation and growth of tech
851 startups, and to also identify all Federal rules and
852 regulations as they relate to states, cities, or geographic
853 areas committed to the creation of technology startup
854 companies. This information can help identify barriers that
855 may hinder technology and small business startups from taking
856 root across the country.

857 The last few years have served as a painful reminder of
858 the importance of creating products, supply chains, and
859 intellectual capital here at home. We can't rely on China or
860 anyone else, and we shouldn't. And we don't need to.

861 While we must ensure our supply chains are resilient in
862 a global economy, we must also be self-sufficient in critical
863 assets _ or critical areas. It is time to fully unleash the
864 American spirit of innovation and entrepreneurship across the
865 entire United States.

866 I encourage my colleagues to support this bipartisan
867 legislation, and I yield back the balance of my time.

868 *The Chair. The gentleman yields back. Is there
869 further discussion?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

870 Seeing none, the question occurs on approving H.R. 5398.

871 A roll call has been requested. The clerk will call the

872 roll.

873 *The Clerk. Burgess?

874 *Mr. Burgess. Burgess votes aye.

875 *The Clerk. Burgess votes aye.

876 Latta?

877 *Mr. Latta. Aye.

878 *The Clerk. Latta votes aye.

879 Guthrie?

880 *Mr. Guthrie. Aye.

881 *The Clerk. Guthrie votes aye.

882 Griffith?

883 *Mr. Griffith. Aye.

884 *The Clerk. Griffith votes aye.

885 Bilirakis?

886 *Mr. Bilirakis. Aye.

887 *The Clerk. Bilirakis votes aye.

888 Johnson?

889 *Mr. Johnson. Aye.

890 *The Clerk. Johnson votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

891 Bucshon?
892 *Mr. Bucshon. Aye.
893 *The Clerk. Bucshon votes aye.
894 Hudson?
895 *Mr. Hudson. Aye.
896 *The Clerk. Hudson votes aye.
897 Walberg?
898 [No response.]
899 *The Clerk. Carter?
900 *Mr. Carter. Aye.
901 *The Clerk. Carter votes aye.
902 Duncan?
903 *Mr. Duncan. Aye.
904 *The Clerk. Duncan votes aye.
905 Palmer?
906 *Mr. Palmer. Aye.
907 *The Clerk. Palmer votes aye.
908 Dunn?
909 [No response.]
910 *The Clerk. Curtis?
911 *Mr. Curtis. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

912 *The Clerk. Curtis votes aye.

913 Lesko?

914 *Mrs. Lesko. Aye.

915 *The Clerk. Lesko votes aye.

916 Pence?

917 *Mr. Pence. Aye.

918 *The Clerk. Pence votes aye.

919 Crenshaw?

920 [No response.]

921 *The Clerk. Joyce?

922 *Mr. Joyce. Aye.

923 *The Clerk. Joyce votes aye.

924 Armstrong?

925 *Mr. Armstrong. Yes.

926 *The Clerk. Armstrong votes aye.

927 Weber?

928 *Mr. Weber. Yes.

929 *The Clerk. Weber votes aye.

930 Allen?

931 *Mr. Allen. Aye.

932 *The Clerk. Allen votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

933 Balderson?
934 *Mr. Balderson. Aye.
935 *The Clerk. Balderson votes aye.
936 Fulcher?
937 [No response.]
938 *The Clerk. Pfluger?
939 *Mr. Pfluger. Aye.
940 *The Clerk. Pfluger votes aye.
941 Harshbarger?
942 *Mrs. Harshbarger. Aye.
943 *The Clerk. Harshbarger votes aye.
944 Miller-Meeks?
945 *Mrs. Miller-Meeks. Aye.
946 *The Clerk. Miller-Meeks votes aye.
947 Cammack?
948 *Mrs. Cammack. Aye.
949 *The Clerk. Cammack votes aye.
950 Obernolte?
951 *Mr. Obernolte. Aye.
952 *The Clerk. Obernolte votes aye.
953 Pallone?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

954 *Mr. Pallone. Aye.
955 *The Clerk. Pallone votes aye.
956 Eshoo?
957 *Ms. Eshoo. Aye.
958 *The Clerk. Eshoo votes aye.
959 DeGette?
960 *Ms. DeGette. Aye.
961 *The Clerk. DeGette votes aye.
962 Schakowsky?
963 *Ms. Schakowsky. Aye.
964 *The Clerk. Schakowsky votes aye.
965 Matsui?
966 [No response.]
967 *The Clerk. Castor?
968 *Ms. Castor. Aye.
969 *The Clerk. Castor votes aye.
970 Sarbanes?
971 *Mr. Sarbanes. Aye.
972 *The Clerk. Sarbanes votes aye.
973 Tonko?
974 *Mr. Tonko. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

975 *The Clerk. Tonko votes aye.
976 Clarke?
977 *Ms. Clarke. Aye.
978 *The Clerk. Clarke votes aye.
979 Cardenas?
980 *Mr. Cardenas. Aye.
981 *The Clerk. Cardenas votes aye.
982 Ruiz?
983 *Mr. Ruiz. Aye.
984 *The Clerk. Ruiz votes aye.
985 Peters?
986 *Mr. Peters. Aye.
987 *The Clerk. Peters votes aye.
988 Dingell?
989 *Mrs. Dingell. Aye.
990 *The Clerk. Dingell votes aye.
991 Veasey?
992 *Mr. Veasey. Aye.
993 *The Clerk. Veasey votes aye.
994 Kuster?
995 *Ms. Kuster. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

996 *The Clerk. Kuster votes aye.
997 Kelly?
998 *Ms. Kelly. Aye.
999 *The Clerk. Kelly votes aye.
1000 Barragan?
1001 *Ms. Barragan. Aye.
1002 *The Clerk. Barragan votes aye.
1003 Blunt Rochester?
1004 *Ms. Blunt Rochester. Aye.
1005 *The Clerk. Blunt Rochester votes aye.
1006 Soto?
1007 *Mr. Soto. Aye.
1008 *The Clerk. Soto votes aye.
1009 Craig?
1010 [No response.]
1011 *The Clerk. Schrier?
1012 *Ms. Schrier. Aye.
1013 *The Clerk. Schrier votes aye.
1014 Trahan?
1015 *Mrs. Trahan. Aye.
1016 *The Clerk. Trahan votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1017 Fletcher?

1018 [No response.]

1019 *The Clerk. Rodgers?

1020 *The Chair. Aye.

1021 *The Clerk. Rodgers votes aye.

1022 *The Chair. Madam Clerk, how is Mr. Walberg recorded?

1023 *The Clerk. Mr. Walberg is not recorded.

1024 *Mr. Walberg. Walberg votes aye.

1025 *The Clerk. Walberg votes aye.

1026 *The Chair. How is Mrs. Lesko recorded?

1027 *The Clerk. Mrs. Lesko is not recorded.

1028 *Mrs. Lesko. Aye.

1029 *The Clerk. Lesko votes aye.

1030 *The Chair. How is Mr. Crenshaw recorded?

1031 *The Clerk. I am sorry.

1032 *The Chair. Crenshaw.

1033 *The Clerk. Mr. Crenshaw is not recorded.

1034 [Pause.]

1035 *The Chair. The clerk will report.

1036 *The Clerk. Chair Rodgers, on that vote there were 46

1037 ayes and 0 noes.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1038 *The Chair. The ayes have it. The bill is adopted.

1039 The chair calls up H.R. 5146, and asks the clerk to
1040 report.

1041 *The Clerk. H.R. 5146, a bill to require the Secretary
1042 of Commerce to conduct a study _

1043 *The Chair. Without objection, the first reading of the
1044 bill is dispensed with, and the bill will be open for
1045 amendment at any point.

1046 So ordered.

1047 [The bill follows:]

1048

1049 *****COMMITTEE INSERT*****

1050

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1051 *The Chair. Does anyone seek to be recognized on the
1052 bill?

1053 For what purpose does Mr. Joyce seek recognition?

1054 *Mr. Joyce. I wish to be recognized to speak in support
1055 of my bill.

1056 *The Chair. The gentleman is recognized for _

1057 *Mr. Joyce. Thank you, Chair Rodgers.

1058 As we all know, the gig economy has become a vital part
1059 of our financial systems. This is especially true as we come
1060 upon the holiday season and more businesses are looking for
1061 part-time workers and ways to staff up during a busy time.
1062 More than ever, we rely on a flexible workforce. It allows
1063 for workers to choose their own schedules, allows for freedom
1064 of choice for freelancers in the projects or jobs that they
1065 pick up, and the ability to potentially make more money than
1066 if they were in a traditional job.

1067 While my Democratic colleagues may say that they have
1068 so-called labor concerns with this bill, I have reached
1069 across the aisle on multiple occasions for their input and
1070 consideration, only to be met with no response or willingness
1071 to come together on this issue.

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1072 This is a common-sense study examining the impact of the
1073 gig economy on businesses and the United States as a whole.
1074 We should be implementing smart and sound economic policies.

1075 I urge my colleagues to all vote in favor of my bill,
1076 and I yield back.

1077 *The Chair. The gentleman yields back. Is there
1078 further discussion?

1079 The chair recognizes the ranking member for five
1080 minutes.

1081 *Mr. Pallone. Thank you, Madam Chair. I don't support
1082 the Advancing Gig Economy Act because there is already an
1083 extensive body of research on the gig economy and no
1084 justification, in my opinion, to spend Federal funds
1085 repeating that work. And at least some of those existing
1086 studies look at the positive and negative impacts of the gig
1087 economy. By contrast, the Advancing Gig Economy Act pre-
1088 supposes that the gig economy is a net positive, ignoring the
1089 harmful effect that this industry has on workers, consumers,
1090 safety, and the environment.

1091 Unlike workers classified as employees, gig workers are
1092 not entitled to minimum wage, overtime pay, unemployment

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1093 insurance, workers compensation, paid sick days, paid family
1094 leave, health and safety protections, the right to unionize,
1095 and discrimination and sexual harassment protections. And
1096 without such core protections, it should be no surprise that
1097 14 percent of gig workers earn less than the Federal minimum
1098 wage, more than 29 percent of gig workers make less than the
1099 state minimum wage, and well over half of gig workers report
1100 that they are seeking a new job.

1101 Now, some studies suggest that ride sharing drivers are
1102 far more likely to be involved in accidents than other
1103 drivers and ride hailing services contribute to more
1104 congestion and carbon emissions. Short-term rentals have
1105 been scrutinized for lacking basic safety features typically
1106 found in traditional hotels like carbon monoxide detectors
1107 and fire safety protections. Directing the Department of
1108 Commerce to study only the benefits of the gig economy is not
1109 sound policy, in my opinion.

1110 And the Advancing Gig Economy Act also fails to provide
1111 the Department of Commerce resources to carry out the study,
1112 which may have been diverted from the agency's other core
1113 functions. House Republicans are advancing legislation that

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1114 would cut the Department of Commerce's funding by 13 percent,
1115 which is nearly \$2.7 billion below the President's budget
1116 request. So can we really expect the Department of Commerce
1117 to do more with less? I don't think so.

1118 And for all these reasons, I oppose the bill and yield
1119 back, Madam Chair.

1120 *The Chair. The gentleman yields back. Is there
1121 further discussion?

1122 Are there _ yes, for what purpose does Ms. Schakowsky
1123 seek recognition?

1124 *Ms. Schakowsky. I move to strike the last word.

1125 *The Chair. The gentlelady is recognized for five
1126 minutes.

1127 *Ms. Schakowsky. So I would like to just amplify a
1128 little bit, or to agree with the remarks of our ranking
1129 member, and so let me be clear.

1130 The American people are the gig economy. Without
1131 workers, the gig economy simply does not exist at all. But
1132 as our ranking member said, there is nothing in this bill
1133 that requires the Department or allows the _ or funds the
1134 Department of Commerce to look at the impact on workers. And

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1135 there are so many issues that do affect workers, the issues
1136 of the low wages, the long hours, and uncertain hours, and
1137 the hazards that they encounter on the job, and many others
1138 that, again, our ranking member had recommended that be
1139 studied.

1140 And this bill would not only not study this, but doesn't
1141 provide any of the resources that would be needed for the
1142 Department of Commerce to do that kind of research. And it
1143 seems to me that the _ not only that the Republicans don't
1144 include that in this legislation, but actually have called on
1145 a diminution of \$3 billion from the funding for the Commerce
1146 Department, and so we really can't expect the Commerce
1147 Department to do anything with more _ with less money.

1148 And so the _ studying the impact of the gig economy
1149 without looking at what workers are doing simply misses the
1150 point. And so, for that reason I will oppose the
1151 legislation.

1152 And with that I yield back.

1153 *The Chair. The gentlelady yields back. Is there
1154 further discussion?

1155 Are there any amendments?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1156 For what purpose does Mr. Joyce seek recognition?

1157 *Mr. Joyce. I have an amendment at the desk titled
1158 JOYCPA_033.

1159 *The Chair. The clerk will report.

1160 *The Clerk. Amendment to H.R. 5146, offered by Mr.
1161 Joyce of Pennsylvania. Page 2, line 15 _

1162 *The Chair. Without objection, the reading of the
1163 amendment is dispensed with.

1164 [The amendment of Mr. Joyce follows:]

1165

1166 *****COMMITTEE INSERT*****

1167

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1168 *The Chair. The gentleman is recognized for five
1169 minutes in support of his _

1170 *Mr. Joyce. Thank you, Madam Chair.

1171 This amendment would require that the Department of
1172 Commerce study the upcoming impact of the new 1099 threshold
1173 included in the so-called American Rescue Plan.

1174 I appreciate our auto workers are back on the job, but
1175 it is important to know that there are other forms of
1176 employment, and some folks work out of their house. They
1177 depend on eBay to conduct commerce while managing a family.

1178 The change in the law that this amendment will review
1179 will take a hard look at how this and other types of gig work
1180 will impact hard-working, independent workers.

1181 The previous and time-tested threshold was \$20,000 and
1182 200 separate transactions. Democrats thought a more
1183 appropriate threshold would be just \$600 and 1 transaction.
1184 While the IRS has delayed implementation on shaky legal
1185 ground to do so, Republicans, led by Representative Carol
1186 Miller from West Virginia, who has legislation to return the
1187 threshold to original levels, have kept the pressure up. The
1188 IRS is not equipped to handle this new volume of reporting,

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1189 and I can't imagine Americans want the IRS in their wallets
1190 examining every transaction that they make under this new
1191 threshold.

1192 In addition to the burden on consumers, we should
1193 examine the new and unnecessary burdens placed on existing
1194 businesses and startups as they have an increased compliance
1195 burden. Government should simply get out of the way and
1196 allow these entrepreneurs to focus on their business model,
1197 not force them to become CPAs.

1198 As we think through the gig economy and its workers,
1199 maybe the first place that we should start is by considering
1200 new tax burdens put on businesses by those masquerading under
1201 the guise of seeking to protect their interests.

1202 I get it. The big labor bosses collecting dues don't
1203 like this type of work because it means less money in their
1204 own pocket, but maybe they need to think about the ways to
1205 grow the economy instead of hurting others who are currently
1206 trying to climb the ladder of success.

1207 Thank you, Madam Chair, and I yield back.

1208 *The Chair. The gentleman yields back. Is there
1209 further discussion?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1210 *Mr. Pallone. Clarke.

1211 *The Chair. For what purpose does Ms. Clarke seek
1212 recognition?

1213 *Ms. Clarke. Madam Chair, I move to strike the last
1214 word.

1215 *The Chair. The gentlelady is recognized for five
1216 minutes.

1217 *Ms. Clarke. Thank you, Madam Chair.

1218 I echo the concerns of Ranking Member Pallone and
1219 Representative Schakowsky. There is already an extensive
1220 body of research on the gig economy, and the underlying
1221 legislation ignores the harmful effect that this industry has
1222 on workers, consumers, safety, and the environment. I fear
1223 that this amendment doubles down on those fundamental flaws.

1224 The American Rescue Plan adopted reform to narrow the
1225 tax gap to the amount of tax that is legally owed but not
1226 paid by making it easier for digital marketplaces, payment
1227 services, and gig platforms to track the income that they
1228 need to report on their tax returns. Crucially, this
1229 information reporting does not affect the amount of tax a
1230 payee owes. It is simply a tool that helps ensure that tax

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1231 filers pay the amount they legally owe. This reform is
1232 projected to save an estimated \$9.7 billion in revenues from
1233 non-compliance from 2023 to 2033, according to the Joint
1234 Committee on Taxation.

1235 The amendment directs the Department of Commerce to
1236 merely focus on the effect of this crucial reform on the gig
1237 economy, not on tax compliance or our efforts to reduce the
1238 Federal deficit. That is just not balanced.

1239 Further, the Treasury Department, after careful study
1240 and evaluation, has recently delayed in the imposition of
1241 rules implementing the reform to reduce any potential
1242 confusion the new gig rules might create. Treasury has
1243 announced that they will phase in the reform to further
1244 reduce confusion and allow more time for taxpayers to prepare
1245 for these rules. Treasury is striking a sensible balance
1246 between supporting taxpayer awareness and compliance with
1247 existing tax law.

1248 I encourage my colleagues to oppose this amendment, and
1249 I yield back the balance of my time.

1250 *The Chair. The gentlelady yields back. Is there
1251 further discussion on the amendment?

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1252 The vote occurs on the Joyce amendment. A roll call has
1253 been requested. The clerk will call the roll.

1254 *The Clerk. Burgess?

1255 *Mr. Burgess. Burgess votes aye.

1256 *The Clerk. Burgess votes aye.

1257 Latta?

1258 *Mr. Latta. Aye.

1259 *The Clerk. Latta votes aye.

1260 Guthrie?

1261 *Mr. Guthrie. Aye.

1262 *The Clerk. Guthrie votes aye.

1263 Griffith?

1264 *Mr. Griffith. Aye.

1265 *The Clerk. Griffith votes aye.

1266 Bilirakis?

1267 *Mr. Bilirakis. Aye.

1268 *The Clerk. Bilirakis votes aye.

1269 Johnson?

1270 *Mr. Johnson. Aye.

1271 *The Clerk. Johnson votes aye.

1272 Bucshon?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1273 *Mr. Bucshon. Aye.
1274 *The Clerk. Bucshon votes aye.
1275 Hudson?
1276 *Mr. Hudson. Aye.
1277 *The Clerk. Hudson votes aye.
1278 Walberg?
1279 *Mr. Walberg. Aye.
1280 *The Clerk. Walberg votes aye.
1281 Carter?
1282 *Mr. Carter. Aye.
1283 *The Clerk. Carter votes aye.
1284 Duncan?
1285 *Mr. Duncan. Aye.
1286 *The Clerk. Duncan votes aye.
1287 Palmer?
1288 *Mr. Palmer. Aye.
1289 *The Clerk. Palmer votes aye.
1290 Dunn?
1291 [No response.]
1292 *The Clerk. Curtis?
1293

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1294 *Mr. Curtis. Aye.
1295 *The Clerk. Curtis votes aye.
1296 Lesko?
1297 *Mrs. Lesko. Aye.
1298 *The Clerk. Lesko votes aye.
1299 Pence?
1300 *Mr. Pence. Aye.
1301 *The Clerk. Pence votes aye.
1302 Crenshaw?
1303 [No response.]
1304 *The Clerk. Joyce?
1305 *Mr. Joyce. Aye.
1306 *The Clerk. Joyce votes aye.
1307 Armstrong?
1308 *Mr. Armstrong. Yes.
1309 *The Clerk. Armstrong votes aye.
1310 Weber?
1311 *Mr. Weber. Yea.
1312 *The Clerk. Weber votes aye.
1313 Allen?
1314 *Mr. Allen. Aye.

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1315 *The Clerk. Allen votes aye.
1316 Balderson?
1317 *Mr. Balderson. Aye.
1318 *The Clerk. Balderson votes aye.
1319 Fulcher?
1320 [No response.]
1321 *The Clerk. Pfluger?
1322 *Mr. Pfluger. Aye.
1323 *The Clerk. Pfluger votes aye.
1324 Harshbarger?
1325 *Mrs. Harshbarger. Aye.
1326 *The Clerk. Harshbarger votes aye.
1327 Miller-Meeks?
1328 *Mrs. Miller-Meeks. Aye.
1329 *The Clerk. Miller-Meeks votes aye.
1330 Cammack?
1331 *Mrs. Cammack. Aye.
1332 *The Clerk. Cammack votes aye.
1333 Oberholte?
1334 *Mr. Oberholte. Aye.
1335 *The Clerk. Oberholte votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1336 Pallone?
1337 *Mr. Pallone. No.
1338 *The Clerk. Pallone votes no.
1339 Eshoo?
1340 *Ms. Eshoo. No.
1341 *The Clerk. Eshoo votes no.
1342 DeGette?
1343 *Ms. DeGette. No.
1344 *The Clerk. DeGette votes no.
1345 Schakowsky?
1346 *Ms. Schakowsky. No.
1347 *The Clerk. Schakowsky votes no.
1348 Matsui?
1349 [No response.]
1350 *The Clerk. Castor?
1351 *Ms. Castor. No.
1352 *The Clerk. Castor votes no.
1353 Sarbanes?
1354 *Mr. Sarbanes. No.
1355 *The Clerk. Sarbanes votes no.
1356 Tonko?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1357 *Mr. Tonko. No.
1358 *The Clerk. Tonko votes no.
1359 Clarke?
1360 *Ms. Clarke. No.
1361 *The Clerk. Clarke votes no.
1362 Cardenas?
1363 *Mr. Cardenas. No.
1364 *The Clerk. Cardenas votes no.
1365 Ruiz?
1366 *Mr. Ruiz. No.
1367 *The Clerk. Ruiz votes no.
1368 Peters?
1369 *Mr. Peters. No.
1370 *The Clerk. Peters votes no.
1371 Dingell?
1372 *Mrs. Dingell. No.
1373 *The Clerk. Dingell votes no.
1374 Veasey?
1375 *Mr. Veasey. No.
1376 *The Clerk. Veasey votes no.
1377 Kuster?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1378 *Ms. Kuster. No.
1379 *The Clerk. Kuster votes no.
1380 Kelly?
1381 *Ms. Kelly. No.
1382 *The Clerk. Kelly votes no.
1383 Barragan?
1384 *Ms. Barragan. No.
1385 *The Clerk. Barragan votes no.
1386 Blunt Rochester?
1387 *Ms. Blunt Rochester. No.
1388 *The Clerk. Blunt Rochester votes no.
1389 Soto?
1390 *Mr. Soto. No.
1391 *The Clerk. Soto votes no.
1392 Craig?
1393 [No response.]
1394 *The Clerk. Schrier?
1395 *Ms. Schrier. No.
1396 *The Clerk. Schrier votes no.
1397 Trahan?
1398 *Mrs. Trahan. No.

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1399 *The Clerk. Trahan votes no.
1400 Fletcher?
1401 [No response.]
1402 *The Clerk. Rodgers?
1403 *The Chair. Aye.
1404 *The Clerk. Rodgers votes aye.
1405 *The Chair. Madam Clerk, how is Mr. Palmer recorded?
1406 *The Clerk. Mr. Palmer is not recorded.
1407 *Mr. Palmer. Aye.
1408 *The Clerk. Palmer votes aye.
1409 [Pause.]
1410 *The Chair. The clerk will report.
1411 *The Clerk. Chair Rodgers, on that vote there were 26
1412 ayes and 20 noes.
1413 *The Chair. The ayes have it. The amendment is
1414 adopted.
1415 Are there any further amendments?
1416 Seeing none, the vote occurs on approving H.R. 5146, as
1417 amended, and a roll call has been requested. The clerk will
1418 call the roll.
1419 *The Clerk. Burgess?

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1420 *Mr. Burgess. Burgess votes aye.
1421 *The Clerk. Burgess votes aye.
1422 Latta?
1423 *Mr. Latta. Aye.
1424 *The Clerk. Latta votes aye.
1425 Guthrie?
1426 *Mr. Guthrie. Aye.
1427 *The Clerk. Guthrie votes aye.
1428 Griffith?
1429 *Mr. Griffith. Aye.
1430 *The Clerk. Griffith votes aye.
1431 Bilirakis?
1432 *Mr. Bilirakis. Aye.
1433 *The Clerk. Bilirakis votes aye.
1434 Johnson?
1435 *Mr. Johnson. Aye.
1436 *The Clerk. Johnson votes aye.
1437 Bucshon?
1438 *Mr. Bucshon. Aye.
1439 *The Clerk. Bucshon votes aye.
1440 Hudson?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1441 *Mr. Hudson. Aye.
1442 *The Clerk. Hudson votes aye.
1443 Walberg?
1444 *Mr. Walberg. Aye.
1445 *The Clerk. Walberg votes aye.
1446 Carter?
1447 *Mr. Carter. Aye.
1448 *The Clerk. Carter votes aye.
1449 Duncan?
1450 *Mr. Duncan. Aye.
1451 *The Clerk. Duncan votes aye.
1452 Palmer?
1453 [No response.]
1454 *The Clerk. Dunn?
1455 [No response.]
1456 *The Clerk. Curtis?
1457 *Mr. Curtis. Aye.
1458 *The Clerk. Curtis votes aye.
1459 Lesko?
1460 [No response.]
1461 *The Clerk. Pence?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1462 *Mr. Pence. Aye.
1463 *The Clerk. Pence votes aye.
1464 Crenshaw?
1465 [No response.]
1466 *The Clerk. Joyce?
1467 *Mr. Joyce. Aye.
1468 *The Clerk. Joyce votes aye.
1469 Armstrong?
1470 *Mr. Armstrong. Yes.
1471 *The Clerk. Armstrong votes aye.
1472 Weber?
1473 *Mr. Weber. Affirmative.
1474 *The Clerk. Weber votes aye.
1475 Allen?
1476 *Mr. Allen. Aye.
1477 *The Clerk. Allen votes aye.
1478 Balderson?
1479 *Mr. Balderson. Aye.
1480 *The Clerk. Balderson votes aye.
1481 Fulcher?
1482 *Mr. Fulcher. Fulcher is aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1483 *The Clerk. Fulcher votes aye.
1484 Pfluger?
1485 *Mr. Pfluger. Aye.
1486 *The Clerk. Pfluger votes aye.
1487 Harshbarger?
1488 *Mrs. Harshbarger. Aye.
1489 *The Clerk. Harshbarger votes aye.
1490 Miller-Meeks?
1491 *Mrs. Miller-Meeks. Aye.
1492 *The Clerk. Miller-Meeks votes aye.
1493 Cammack?
1494 *Mrs. Cammack. Aye.
1495 *The Clerk. Cammack votes aye.
1496 Oberholte?
1497 *Mr. Oberholte. Aye.
1498 *The Clerk. Oberholte votes aye.
1499 Pallone?
1500 *Mr. Pallone. No.
1501 *The Clerk. Pallone votes no.
1502 Eshoo?
1503 *Ms. Eshoo. No.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1504 *The Clerk. Eshoo votes no.
1505 DeGette?
1506 *Ms. DeGette. No.
1507 *The Clerk. DeGette votes no.
1508 Schakowsky?
1509 *Ms. Schakowsky. No.
1510 *The Clerk. Schakowsky votes no.
1511 Matsui?
1512 [No response.]
1513 *The Clerk. Castor?
1514 *Ms. Castor. No.
1515 *The Clerk. Castor votes no.
1516 Sarbanes?
1517 *Mr. Sarbanes. No.
1518 *The Clerk. Sarbanes votes no.
1519 Tonko?
1520 *Mr. Tonko. No.
1521 *The Clerk. Tonko votes no.
1522 Clarke?
1523 *Ms. Clarke. No.
1524 *The Clerk. Clarke votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1525 Cardenas?
1526 *Mr. Cardenas. No.
1527 *The Clerk. Cardenas votes no.
1528 Ruiz?
1529 *Mr. Ruiz. No.
1530 *The Clerk. Ruiz votes no.
1531 Peters?
1532 *Mr. Peters. No.
1533 *The Clerk. Peters votes no.
1534 Dingell?
1535 *Mrs. Dingell. No.
1536 *The Clerk. Dingell votes no.
1537 Veasey?
1538 *Mr. Veasey. No.
1539 *The Clerk. Veasey votes no.
1540 Kuster?
1541 *Ms. Kuster. No.
1542 *The Clerk. Kuster votes no.
1543 Kelly?
1544 *Ms. Kelly. No.
1545 *The Clerk. Kelly votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1546 Barragan?
1547 *Ms. Barragan. No.
1548 *The Clerk. Barragan votes no.
1549 Blunt Rochester?
1550 *Ms. Blunt Rochester. No.
1551 *The Clerk. Blunt Rochester votes no.
1552 Soto?
1553 *Mr. Soto. No.
1554 *The Clerk. Soto votes no.
1555 Craig?
1556 [No response.]
1557 *The Clerk. Schrier?
1558 *Ms. Schrier. No.
1559 *The Clerk. Schrier votes no.
1560 Trahan?
1561 *Mrs. Trahan. No.
1562 *The Clerk. Trahan votes no.
1563 Fletcher?
1564 [No response.]
1565 *The Clerk. Rodgers?
1566 *The Chair. Aye.

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1567 *The Clerk. Rodgers votes aye.

1568 *Mr. Palmer. How is Mr. Palmer _

1569 *The Clerk. Mr. Palmer is not recorded.

1570 *Mr. Palmer. Aye.

1571 *The Clerk. Palmer votes aye.

1572 *The Chair. Madam Clerk, how is Mrs. Lesko recorded?

1573 *The Clerk. Mrs. Lesko is not recorded.

1574 *Mrs. Lesko. I vote aye.

1575 *The Clerk. Lesko votes aye.

1576 [Pause.]

1577 *The Chair. The clerk will report.

1578 *The Clerk. Chair Rodgers, on that vote there were 27

1579 ayes and 20 noes.

1580 *The Chair. The ayes have it, and the bill is adopted.

1581 The chair calls up H.R. 3950, and asks the clerk to

1582 report.

1583 *The Clerk. H.R. 3950, a bill to require sellers of

1584 event tickets to disclose comprehensive information _

1585 *The Chair. Without objection, the first reading of the

1586 bill is dispensed with, and the bill will be open for

1587 amendment at any point.

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1588 So ordered.

1589 [The bill follows:]

1590

1591 *****COMMITTEE INSERT*****

1592

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1593 *The Chair. Does anyone seek recognition?

1594 For what purpose does Mr. Bilirakis _

1595 *Mr. Bilirakis. To strike the last word.

1596 *The Chair. _ seek recognition?

1597 *Mr. Bilirakis. I speak on the underlying bill.

1598 *The Chair. The gentleman is recognized for five
1599 minutes.

1600 *Mr. Bilirakis. Yes, thank you. Thank you. I want to
1601 urge my colleagues to support my legislation, H.R. 3950, the
1602 TICKET Act, under consideration today.

1603 We have an opportunity to pass bipartisan legislation
1604 that addresses price transparency in the live event ticketing
1605 marketplace, which has become inundated with hidden and
1606 confusing fees for consumers.

1607 I want to thank the ranking member of the subcommittee,
1608 my good friend and my co-lead on this piece of legislation,
1609 Representative Jan Schakowsky, for her partnership and
1610 collaboration. We have been able to work closely together on
1611 this issue and negotiate a package that provides consumer
1612 protections for fans nationwide.

1613 As a lifelong baseball fan, a fan of the Tampa Bay Rays

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1614 and Pittsburgh Pirates, I always enjoy going to a ball game.
1615 My hope is that fans of their respective ball clubs can enjoy
1616 a seamless ticket-buying experience and attend games _ of
1617 course, concerts, too _ without hassle.

1618 H.R. 3950 will require ticket issuers, secondary market
1619 issuer and secondary market issuers, to clearly and
1620 conspicuously disclose at the beginning of the transaction
1621 and throughout the ticket purchasing process the total ticket
1622 price for the event. We are ensuring that consumers know
1623 what the price will be of their event up front, preventing
1624 deceptive practices, confusing checkouts.

1625 I want to add also, given the significant support _ and
1626 we do have a letter of support, many letters of support from
1627 stakeholders from across the country and, of course,
1628 different communities _ that I have recommended to Chair
1629 Rodgers, and she has agreed that we combine the TICKETS bill
1630 with the STOP Act. I would like to ask my good friend and
1631 vice chairman of the committee, Mr. Armstrong, to offer the
1632 AINS because he has been working with me very closely on this
1633 particular issue. That would then mean we do not bring up
1634 the STOP Act as a stand-alone bill. So this is an approach I

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1635 have been in touch with _ the minority knows all about this,
1636 and they have agreed.

1637 Stakeholders spanning from consumer groups to businesses
1638 of all sizes agree that this common-sense price transparency
1639 measure addressed in our bill is definitely needed.

1640 In terms of the underlying bill's language that
1641 addresses disclosures related to so-called speculative
1642 tickets, we have heard significant concerns that it may
1643 inadvertently be misinterpreted as legitimizing this
1644 practice. I don't believe that is the case, but we have
1645 heard this. I have worked hard to go further with
1646 stakeholders on prohibiting the questionable practice of
1647 selling tickets that one doesn't possess. In that regard I
1648 am looking forward to the discussion we have on the AINS that
1649 will combine our language with the language of the STOP Act
1650 proposal we worked on, as well, which prohibits this
1651 practice.

1652 I am thankful again for the chair and ranking member for
1653 working with us, as well as Ranking Member Pallone and
1654 Representative Pascrell. I know he has been working on this
1655 for many years.

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1656 I am glad we were able to address some of the priorities
1657 included in the Boss and Swift Act. They have been seeking
1658 such progress, again, for some time now, and I am glad we
1659 could find consensus among Congress and stakeholders on
1660 portions of this bill.

1661 And again, I want to thank my ranking member on the
1662 subcommittee, Jan Schakowsky. She has really been great to
1663 work with.

1664 So let me say this, too. This legislation has shown
1665 this committee can really deliver _ the entire markup, that
1666 is the case. And I hope it demonstrates to my friends across
1667 the aisle on and off the committee _ I have met with again on
1668 the name image likeness bill. I wanted to get that in on
1669 college sports. I think that needs to be done right away in
1670 a bipartisan fashion. I look forward to working with them.

1671 I urge support for the AINS, which will be offered by
1672 Mr. Armstrong, and final passes for the biggest ticket reform
1673 in years. So let's go.

1674 Thank you very much, and I appreciate it very much,
1675 Madam Chair, and I yield back.

1676 *The Chair. Thank you, Mr. Chairman.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1677 Does anyone else seek recognition?

1678 For what purpose does Mr. Armstrong seek recognition?

1679 *Mr. Armstrong. Madam Chair, to offer an amendment in
1680 the nature of a substitute to H.R. 3950, the TICKET Act. It
1681 is AINS_01.

1682 *The Chair. The clerk will report.

1683 *The Clerk. Amendment in the nature of a substitute to
1684 H.R. 3950, offered by Mr. Armstrong.

1685 *The Chair. Without objection, the reading will be
1686 dispensed with.

1687 [The amendment of Mr. Armstrong follows:]

1688

1689 *****COMMITTEE INSERT*****

1690

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1691 *The Chair. The gentleman is recognized for five
1692 minutes.

1693 *Mr. Armstrong. Thank you, Madam Chair, and thanks to
1694 everybody on both sides of the aisle, particularly Chair
1695 Bilirakis, on working to, what he said, bring the most
1696 substantial change to this practice in a very, very long
1697 time.

1698 This amendment in the nature of a substitute makes
1699 conforming changes to the TICKET Act to reflect text that has
1700 passed the Senate's Commerce Committee, as well as inclusion
1701 of the Speculative Ticket Oversight Prohibitions, or the STOP
1702 Act.

1703 This AINS includes the TICKET Act's inclusive ticket
1704 price disclosure provisions that will provide consumers with
1705 clear total price listings for an event ticket.

1706 The AINS also includes the STOP Act, which features a
1707 ban on speculative ticket sales unless the seller has actual
1708 or constructive possession of the ticket. However, the bill
1709 allows for secondary sellers to offer a consumer a service to
1710 obtain an event ticket under certain controls, including
1711 clear disclosures that the service is not a ticket nor

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1712 guaranteed purchase of a ticket; or that the requirements to
1713 separate ticket event sales and the service with a separate
1714 purchasing process; and finally, requirements for a full
1715 refund to the consumer for cost of the service and the ticket
1716 if the specified ticket is not procured or a comparable
1717 ticket is considered insufficient, which is determined by the
1718 consumer.

1719 The bill also requires clear disclosures to guard
1720 against deceptive websites that seek to mislead customers.

1721 Finally, I understand concerns still remain over the
1722 specifics of the itemized disclosure for all-in ticket
1723 pricing. I remain committed as I _ as do other members on
1724 this committee to working toward an agreement on that issue
1725 to ensure that consumers have accurate descriptions of the
1726 total cost of tickets and each associated fee.

1727 And with that I yield back.

1728 *The Chair. The gentleman yields back. Is there
1729 further discussion?

1730 For what purpose does the ranking member seek
1731 recognition?

1732 *Mr. Pallone. To strike the last word, Madam Chair.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1733 *The Chair. The gentleman is recognized for five
1734 minutes.

1735 *Mr. Pallone. Thank you, and I just wanted to start by
1736 applauding Chair Bilirakis, Ranking Member Schakowsky for all
1737 the work that they have done producing a bipartisan ticketing
1738 bill with strong protections for consumers.

1739 And I also commend my friend and colleague,
1740 Representative Pascrell, for his years of leadership on
1741 improving _ in improving the ticketing experience for
1742 consumers and, in particular, all the hard work he has put
1743 into the Boss and Swift Act.

1744 Now, regarding the amendment before us, I am pleased to
1745 see it incorporates my amendment from the subcommittee markup
1746 that mandates refund requirements and provides transparency
1747 for consumers. Consumers should not be left on the hook if
1748 an event is canceled or postponed, and should have the option
1749 to receive a full refund or comparable ticket to a
1750 rescheduled show or game.

1751 Consumers should also know what they _ what the policy
1752 regarding refunds is for an event, and how to obtain a refund
1753 before they purchase a ticket. Both these concerns are

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1754 addressed in the amendment before us today, and I again thank
1755 the Ranking Member Schakowsky, Chair Bilirakis, and
1756 Representative Armstrong for working to ensure that language
1757 is included.

1758 Today the committee is taking an important first step in
1759 restoring fairness and transparency to the event ticket
1760 marketplace by mandating all-in pricing disclosure, banning
1761 speculative ticketing, requiring refunds for cancellations or
1762 postponements, and prohibiting deceptively named websites.
1763 And while I believe there is still more that can be done to
1764 address anti-consumer practices in the ticketing space, this
1765 amendment and the underlying bill before us today will go a
1766 long way in improving the ticket-buying experience for all
1767 fans.

1768 Bipartisan bills like the one before us exemplify how
1769 the members of this committee can work together to deliver
1770 meaning [sic] and impactful legislation for all consumers.
1771 And again, I urge all my colleagues to support this amendment
1772 and the underlying bill.

1773 And I thank the chair.

1774 *The Chair. The gentleman yields back. Is there

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1775 further discussion?

1776 For what purpose does Ms. Schakowsky seek recognition?

1777 *Ms. Schakowsky. I move to strike the last word.

1778 *The Chair. The gentlelady, ranking member, is
1779 recognized for five minutes.

1780 *Ms. Schakowsky. Well, I am very happy to talk about
1781 moving ahead with the TICKET Act, and I want to thank
1782 Congresswoman [sic] Armstrong for making it even better as we
1783 vote on it today. We put a lot of work into this
1784 legislation, as did many of us. This has been a real
1785 bipartisan effort.

1786 I want to especially thank the chair of the
1787 subcommittee, Gus Bilirakis. We have worked together on this
1788 for quite a long time, and I am very happy that we have a
1789 arrived at this moment. I want to thank the _ our ranking
1790 member, Frank Pallone. We also had help from other members,
1791 including Representative Blunt Rochester, on this
1792 legislation. So this has really been an example of what we
1793 can do to protect consumers.

1794 This is one of the most frustrating things that people
1795 encounter. We have heard lots from our constituents who want

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1796 to go to a concert, an event, a sporting event and have found
1797 that just the business of getting the ticket has been
1798 extremely frustrating and costly. And so this legislation
1799 does a number of things that have been mentioned already. I
1800 just want to say that it ends the surprise fees that have
1801 been so common.

1802 Right now, under this legislation, the first price that
1803 you see when you order the ticket is the price that you pay,
1804 not a penny more. And we have seen in the past that there
1805 has been a 60 percent, 40 percent increase at the end of the
1806 day that you didn't expect. That won't happen anymore.

1807 This bill will ban the sale of tickets that a seller
1808 actually doesn't have in hand, and it will certainly restrain
1809 bogus websites that are selling fake tickets. So a lot of
1810 the problems that people have faced will be eliminated.

1811 This is the job of this committee. Our subcommittee has
1812 worked hard on this, and I am just proud to be part of the
1813 process, this bipartisan process to make this happen.

1814 And with that, I yield back.

1815 *The Chair. The gentlelady yields back. Is there
1816 further discussion?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1817 Mr. Tonko, for what purpose do you seek recognition?

1818 *Mr. Tonko. Madam Chair, I move to strike the last
1819 word.

1820 *The Chair. The gentleman is recognized for five
1821 minutes.

1822 *Mr. Tonko. Thank you. Giving American consumers full
1823 transparency in the ticketing marketplace is long overdue. I
1824 commend the work of my colleagues, Ms. Schakowsky and Mr.
1825 Bilirakis, to ensure this through their TICKET Act.

1826 I also commend the inclusion of a study to look at FTC
1827 enforcement in the years following the enactment of my bill,
1828 the Better Online Ticket Sales Act, or the BOTS act. The
1829 BOTS Act prohibits the use or sale of bots software,
1830 empowering consumers to fight back against tech savvy
1831 scalpers and print _ and price manipulators in the ticket
1832 industry.

1833 However, since it was signed into law by President Obama
1834 in 2016, the FTC has settled just one case against defendants
1835 charged with violating the statute. Without enforcement, bot
1836 operators continue to act with impunity. The study is a good
1837 start, but the FTC must get serious about using the full

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1838 force of the BOTS Act to level the online ticket playing
1839 field for our consumers. If they report that they need
1840 better legal tools to stop bots, Congress should step in to
1841 further bolster the authority of the FTC in this fight
1842 against hackers, scalpers, and bots.

1843 I thank my colleagues for their work on this issue, and
1844 yield back, Madam Chair, the remainder of my time.

1845 *The Chair. Thank you. The gentleman yields back. Is
1846 there further discussion?

1847 Mrs. Dingell, for what purpose do you seek recognition?

1848 *Mrs. Dingell. I move to strike the last word.

1849 *The Chair. The gentlelady is recognized for five
1850 minutes.

1851 *Mrs. Dingell. Thank you, Madam Chair. I thank
1852 Representative Bilirakis and Schakowsky for their work on
1853 this bipartisan Transparency in Charges for Key Events
1854 Ticketing Act.

1855 These hidden junk fees are surprise fees added to
1856 customers' bills. They are driving up costs, and we know
1857 they are stifling competition in industries nationwide. And
1858 it is great to be working in a bipartisan way to proactively

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1859 take on junk fees to ensure corporate accountability and
1860 protect consumers.

1861 The TICKET Act was spurred on by President Biden's
1862 initiative to target junk fees in consumer-facing industries.
1863 I would be remiss not to recognize, as the Ranking Member
1864 Pallone has _ did. He worked closely with Representative
1865 Pascrell on legislation to make ticket pricing transparent
1866 and to improve the consumer experience through their
1867 legislation over the last several years.

1868 I know we can all agree that surprise junk fees for live
1869 events are an issue that must be addressed. Live events have
1870 been consistently cited as the source of confusion related to
1871 junk fees. I want to make sure everybody knows what they are
1872 paying for, but I have concerns around whether this bill
1873 should be applied to movie tickets. As the TICKET Act
1874 continues to move through the legislative process, I hope
1875 that we can talk about that, because we don't want to see,
1876 inadvertently, ticketing for movie theaters to rise up in
1877 costs because of this.

1878 So I would ask that and thank you, Madam Chair, and I
1879 yield back.

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1880 *The Chair. The gentlelady yields back. Is there
1881 further discussion?

1882 For what purpose does Blunt Rochester, Ms. Blunt
1883 Rochester, seek recognition?

1884 *Ms. Blunt Rochester. Madam Chair, I move to strike the
1885 last word.

1886 *The Chair. The gentlelady is recognized for five
1887 minutes.

1888 *Ms. Blunt Rochester. Thank you, Madam Chair. I am
1889 very proud of the bipartisan efforts of this committee for
1890 consumers. And I am also proud of the language I introduced
1891 in our subcommittee markup banning the use of deceptive or
1892 misleading website names by ticket sellers. It will be
1893 included in the _ as we move forward with the TICKET Act. I
1894 am grateful to my colleagues, Representatives Schakowsky,
1895 Pallone, Pascrell, Bilirakis, and Armstrong for their work
1896 and leadership on this important issue.

1897 Consumers face many risks online, from dark patterns to
1898 deceptive marketing tactics to insufficient data security.
1899 Many consumers have been taught to protect themselves online
1900 by checking the URL or website to see if it looks legitimate.

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1901 But still, bad actors online will include the unauthorized
1902 use of specific names and trademarks in a URL or website name
1903 in an attempt to mislead consumers looking to purchase event
1904 tickets. This intentionally misleading practice puts
1905 consumers at risk of purchasing an overpriced ticket or,
1906 worse, a fake ticket.

1907 Website names should be helpful to consumers trying to
1908 identify where they are online. They shouldn't cause greater
1909 confusion or deceive consumers into thinking they are buying
1910 a ticket directly from a venue or an arena. I am pleased
1911 that this bill will help ensure that this is the case.

1912 Thank you, and I yield back, Madam Chair.

1913 *Mr. Bilirakis. [Presiding] Does anyone seek
1914 recognition on the AINS?

1915 Okay, the clerk will call the roll on the AINS.

1916 *Voice. We are going to do a voice vote on the AINS.

1917 *Mr. Bilirakis. Oh, I believe we are going to do a
1918 voice vote.

1919 So all in favor, say aye.

1920 All opposed?

1921 Very good. So the clerk will call the roll on the bill,

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1922 the final passage.

1923 *The Clerk. Burgess?

1924 *Mr. Burgess. Votes aye.

1925 *The Clerk. Burgess votes aye.

1926 Latta?

1927 *Mr. Latta. Aye.

1928 *The Clerk. Latta votes aye.

1929 Guthrie?

1930 *Mr. Guthrie. Aye.

1931 *The Clerk. Guthrie votes aye.

1932 Griffith?

1933 *Mr. Griffith. Aye.

1934 *The Clerk. Griffith votes aye.

1935 Bilirakis?

1936 *Mr. Bilirakis. Aye.

1937 *The Clerk. Bilirakis votes aye.

1938 Johnson?

1939 [No response.]

1940 *The Clerk. Bucshon?

1941 *Mr. Bucshon. Aye.

1942 *The Clerk. Bucshon votes aye.

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1943 Hudson?
1944 *Mr. Hudson. Aye.
1945 *The Clerk. Hudson votes aye.
1946 Walberg?
1947 *Mr. Walberg. Aye.
1948 *The Clerk. Walberg votes aye.
1949 Carter?
1950 [No response.]
1951 *The Clerk. Duncan?
1952 *Mr. Duncan. Aye.
1953 *The Clerk. Duncan votes aye.
1954 Palmer?
1955 *Mr. Palmer. Aye.
1956 *The Clerk. Palmer votes aye.
1957 Dunn?
1958 [No response.]
1959 *The Clerk. Curtis?
1960 *Mr. Curtis. Aye.
1961 *The Clerk. Curtis votes aye.
1962 Lesko?
1963 *Mrs. Lesko. Aye.

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1964 *The Clerk. Lesko votes aye.
1965 Pence?
1966 [No response.]
1967 *The Clerk. Crenshaw?
1968 [No response.]
1969 *The Clerk. Joyce?
1970 *Mr. Joyce. Aye.
1971 *The Clerk. Joyce votes aye.
1972 Armstrong?
1973 *Mr. Armstrong. Yes.
1974 *The Clerk. Armstrong votes aye.
1975 Weber?
1976 *Mr. Weber. Yes.
1977 *The Clerk. Weber votes aye.
1978 Allen?
1979 *Mr. Allen. Aye.
1980 *The Clerk. Allen votes aye.
1981 Balderson?
1982 *Mr. Balderson. Aye.
1983 *The Clerk. Balderson votes aye.
1984 Fulcher?

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1985 *Mr. Fulcher. Fulcher is aye.
1986 *The Clerk. Fulcher votes aye.
1987 Pfluger?
1988 *Mr. Pfluger. Aye.
1989 *The Clerk. Pfluger votes aye.
1990 Harshbarger?
1991 *Mrs. Harshbarger. Aye.
1992 *The Clerk. Harshbarger votes aye.
1993 Miller-Meeks?
1994 *Mrs. Miller-Meeks. Aye.
1995 *The Clerk. Miller-Meeks votes aye.
1996 Cammack?
1997 [No response.]
1998 *The Clerk. Obernolte?
1999 *Mr. Obernolte. Aye.
2000 *The Clerk. Obernolte votes aye.
2001 Pallone?
2002 *Mr. Pallone. Aye.
2003 *The Clerk. Pallone votes aye.
2004 Eshoo?
2005 *Ms. Eshoo. Aye.

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2006 *The Clerk. Eshoo votes aye.
2007 DeGette?
2008 *Ms. DeGette. Aye.
2009 *The Clerk. DeGette votes aye.
2010 Schakowsky?
2011 *Ms. Schakowsky. Aye.
2012 *The Clerk. Schakowsky votes aye.
2013 Matsui?
2014 [No response.]
2015 *The Clerk. Castor?
2016 *Ms. Castor. Aye.
2017 *The Clerk. Castor votes aye.
2018 Sarbanes?
2019 *Mr. Sarbanes. Aye.
2020 *The Clerk. Sarbanes votes aye.
2021 Tonko?
2022 *Mr. Tonko. Aye.
2023 *The Clerk. Tonko votes aye.
2024 Clarke?
2025 *Ms. Clarke. Aye.
2026 *The Clerk. Clarke votes aye.

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2027 Cardenas?
2028 *Mr. Cardenas. Aye.
2029 *The Clerk. Cardenas votes aye.
2030 Ruiz?
2031 [No response.]
2032 *The Clerk. Peters?
2033 *Mr. Peters. Aye.
2034 *The Clerk. Peters votes aye.
2035 Dingell?
2036 *Mrs. Dingell. Aye.
2037 *The Clerk. Dingell votes aye.
2038 Veasey?
2039 *Mr. Veasey. Aye.
2040 *The Clerk. Veasey votes aye.
2041 Kuster?
2042 *Ms. Kuster. Aye.
2043 *The Clerk. Kuster votes aye.
2044 Kelly?
2045 *Ms. Kelly. Aye.
2046 *The Clerk. Kelly votes aye.
2047 Barragan?

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2048 [No response.]
2049 *The Clerk. Blunt Rochester?
2050 [No response.]
2051 *The Clerk. Soto?
2052 *Mr. Soto. Aye.
2053 *The Clerk. Soto votes aye.
2054 Craig?
2055 [No response.]
2056 *The Clerk. Schrier?
2057 *Ms. Schrier. Aye.
2058 *The Clerk. Schrier votes aye.
2059 Trahan?
2060 *Mrs. Trahan. Aye.
2061 *The Clerk. Trahan votes aye.
2062 Fletcher?
2063 [No response.]
2064 *The Clerk. Rodgers?
2065 *The Chair. Aye.
2066 *The Clerk. Rodgers votes aye.
2067 *Mr. Bilirakis. Oh, we have got a couple of others.
2068 Okay.

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2069 For what purpose, sir?

2070 *Mr. Pence. How is Pence recorded?

2071 *The Clerk. Pence is not recorded.

2072 *Mr. Pence. Pence votes aye.

2073 *The Clerk. Pence votes aye.

2074 *Mrs. Cammack. Cammack votes aye.

2075 *The Clerk. Cammack votes aye.

2076 *Ms. Blunt Rochester. Blunt Rochester votes aye.

2077 *The Clerk. Blunt Rochester votes aye.

2078 *Mr. Bilirakis. Anyone else?

2079 *Mr. Ruiz. Mr. Chair?

2080 *Voice. Mr. Ruiz.

2081 *Mr. Bilirakis. Mr. _ Dr. Ruiz?

2082 *The Clerk. Ruiz is not recorded.

2083 *Mr. Ruiz. Aye.

2084 *The Clerk. Ruiz votes aye.

2085 *Mr. Bilirakis. How is Ms. Barragan recorded?

2086 *Ms. Barragan. Barragan votes aye.

2087 *The Clerk. Barragan votes aye.

2088 *Mr. Bilirakis. Anyone else?

2089 Are we good?

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2090 All right, very good. The clerk will report.

2091 [Pause.]

2092 *The Clerk. Chair Bilirakis, on that vote there were 45
2093 ayes and 0 noes.

2094 *Mr. Bilirakis. Excellent. The ayes have it, and the
2095 bill is adopted.

2096 The chair calls up H.R. 6125, and asks the clerk to
2097 report.

2098 *The Clerk. H.R. 6125, a bill to require online dating
2099 service providers to provide fraud band notifications to
2100 online dating service members, and for other purposes.

2101 Be it enacted by the Senate and the House of
2102 Representatives of the United States of America in Congress
2103 assembled. This act may be cited as the Online Safety Act of
2104 2023.

2105 *Mr. Bilirakis. Without objection, the first reading of
2106 the bill is dispensed with, and the bill will be open for
2107 amendment at any point.

2108 [The bill follows:]

2109

2110 *****COMMITTEE INSERT*****

2111

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2112 *Mr. Bilirakis. Does anyone seek recognition on the
2113 bill?

2114 You are recognized.

2115 *Ms. Kuster. Thank you, Mr. Chair. I move to strike
2116 the last word.

2117 *Mr. Bilirakis. You are recognized for five minutes.

2118 *Ms. Kuster. I am pleased that the committee is moving
2119 legislation to help prevent financial harm on dating
2120 platforms. More than 30 percent of Americans have used
2121 dating platforms to find connections. Congress has an
2122 important role to play in ensuring there are adequate
2123 guardrails to keep people safe online and on these platforms.

2124 One issue that we have yet to address, but must, is
2125 pervasive sexual violence on online dating platforms.
2126 Research has shown that dating apps facilitate sexual
2127 harassment and serve as hunting grounds for predators. When
2128 survivors report acts of sexual violence on these platforms,
2129 we have heard firsthand that dating apps are slow to respond,
2130 and sometimes don't remove perpetrators from their platforms.
2131 This is simply unacceptable.

2132 As the co-chair of the Bipartisan Task Force to End

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2133 Sexual Violence, I am committed to ensuring that Congress
2134 holds platforms accountable and keeps all Americans safe.

2135 I look forward to working with my colleagues on this
2136 important issue, and I yield back.

2137 *Mr. Bilirakis. Thank you. The gentlelady yields back.
2138 For what purpose does Mrs. Cammack seek recognition?

2139 *Mrs. Cammack. I move to strike the last word, Mr.
2140 Chairman.

2141 *Mr. Bilirakis. You are recognized for five minutes.

2142 *Mrs. Cammack. I have an amendment at the desk labeled
2143 H6125, amendment No. 1.

2144 *Mr. Bilirakis. The clerk will report.

2145 *The Clerk. Amendment in the nature of a substitute to
2146 H.R. 6125, offered by Mrs. Cammack.

2147 *Mr. Bilirakis. Without objection, the reading of the
2148 amendment is dispensed with.

2149 [The amendment of Mrs. Cammack follows:]

2150

2151 *****COMMITTEE INSERT*****

2152

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2153 *Mr. Bilirakis. And the gentlelady is recognized for
2154 five minutes in support of her amendment.

2155 *Mrs. Cammack. Wonderful. Thank you, Mr. Chair.

2156 I extend my support to the Online Dating Safety Act of
2157 2023 by Representative Petersen and Representative Valadao.
2158 This bill would require the online dating service providers
2159 to issue a fraud ban notification to their members who have
2160 received or responded to a message from a banned member on
2161 the online dating service.

2162 And I know you may be surprised, I know I certainly was,
2163 but a lot of our senior citizens have sadly fallen prey to
2164 fraudulent actors that participate on these platforms, and it
2165 is just an absurd assumption that we can't protect users on
2166 these apps. So the fact that naive users send money or
2167 personal financial information to these fraudsters on these
2168 sites necessitates the need for this legislation.

2169 The fraud ban notification would include information
2170 about the banned member that they have interacted with, and
2171 some information regarding ways that they can avoid future
2172 online fraud. So it is very important to inform users and to
2173 protect them from bad actors, especially as communication

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2174 from the online dating service moves to other platforms over
2175 time.

2176 I urge my colleagues to support this bill to protect
2177 consumers of online dating services from fraudsters. And
2178 with that I yield back.

2179 *Mr. Bilirakis. Very good, the gentlelady yields back.
2180 Is there any further discussion on this particular amendment?

2181 *Mr. Pallone. I have an amendment to the amendment.

2182 *Mr. Bilirakis. Okay, I will recognize Chairman Pallone
2183 for his purpose of offering an amendment.

2184 *Mr. Pallone. Thank you, Chairman Bilirakis. My
2185 amendment to the AINS is labeled CO_02. You have it?

2186 *Mr. Bilirakis. The clerk will report.

2187 *The Clerk. Amendment to the amendment in the nature of
2188 a substitute to H.R. 6125, offered by Mr. Pallone. Page 2,
2189 line 3, insert as applicable after a statement _

2190 *Mr. Bilirakis. The gentleman is recognized to explain
2191 his amendment.

2192 *Mr. Pallone. Thank you, Mr. Chairman.

2193 First I want to thank Chairman Bilirakis and the
2194 majority staff for all their hard work on this legislation

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2195 and their willingness to work with Democratic Committee
2196 staff. I also want to thank the cosponsors of the bill,
2197 Representative Petersen and Valadao, for their leadership on
2198 this issue of online dating safety.

2199 My amendment and Mrs. Cammack's underlying AINS address
2200 many of the minorities concerns, and goes a long way in
2201 ensuring users of online dating apps who may fall victim to
2202 fraudsters looking to extort money are notified when they
2203 have been in contact with such a fraudster.

2204 As more and more consumers report using online dating
2205 services, it is important that we are proactive in preventing
2206 harm, especially on online dating apps and other online
2207 platforms. And while there is more to be done to address
2208 harms that have arisen in the online dating space, this bill
2209 and the AINS are important first steps.

2210 So I urge my colleagues to support this amendment, the
2211 underlying _ the AINS, and the underlying text.

2212 And I yield back, Mr. Chairman.

2213 [The amendment of Mr. Pallone follows:]

2214

2215 *****COMMITTEE INSERT*****

2216

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2217 *Mr. Bilirakis. Thank you. Does anyone wish to speak
2218 on the amendment, any discussion?

2219 We are going to vote on the amendment. I understand it
2220 will be a voice vote.

2221 So all in favor, say aye.

2222 All opposed?

2223 The amendment passes, the amendment to the amendment
2224 passes.

2225 And now we will go to the _ the question now occurs on
2226 approving H.R. 6125, as amended.

2227 *Voice. We have to vote on the Cammack amendment first.

2228 *Mr. Bilirakis. Okay, all right. I am sorry. We are
2229 going to vote on the Cammack amendment prior to final
2230 passage.

2231 All in favor of the Cammack amendment, say aye.

2232 All opposed?

2233 Okay, the amendment passes.

2234 And we will vote now on the entire amendment, which is
2235 the Pallone amendment along with the Cammack amendment.

2236 All in favor, say aye.

2237 All opposed?

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2238 The amendment passes, and the question now occurs _
2239 *Voice. We will call for roll.
2240 *Mr. Bilirakis. Yes, we are going to go ahead and call
2241 the roll on H.R. 6125.
2242 *The Clerk. Burgess?
2243 *Mr. Burgess. Votes aye.
2244 *The Clerk. Burgess votes aye.
2245 Latta?
2246 *Mr. Latta. Aye.
2247 *The Clerk. Latta votes aye.
2248 Guthrie?
2249 *Mr. Guthrie. Aye.
2250 *The Clerk. Guthrie votes aye.
2251 Griffith?
2252 *Mr. Griffith. Aye.
2253 *The Clerk. Griffith votes aye.
2254 Bilirakis?
2255 *Mr. Bilirakis. Aye.
2256 *The Clerk. Bilirakis votes aye.
2257 Johnson?
2258 [No response.]

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2259 *The Clerk. Bucshon?
2260 *Mr. Bucshon. Aye.
2261 *The Clerk. Bucshon votes aye.
2262 Hudson?
2263 *Mr. Hudson. Aye.
2264 *The Clerk. Hudson votes aye.
2265 Walberg?
2266 [No response.]
2267 *The Clerk. Carter?
2268 *Mr. Carter. Aye.
2269 *The Clerk. Carter votes aye.
2270 Duncan?
2271 *Mr. Duncan. Aye.
2272 *The Clerk. Duncan votes aye.
2273 Palmer?
2274 *Mr. Palmer. Aye.
2275 *The Clerk. Palmer votes aye.
2276 Dunn?
2277 [No response.]
2278 *The Clerk. Curtis?
2279 *Mr. Curtis. Aye.

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2280 *The Clerk. Curtis votes aye.

2281 Lesko?

2282 *Mrs. Lesko. Aye.

2283 *The Clerk. Lesko votes aye.

2284 Pence?

2285 *Mr. Pence. Aye.

2286 *The Clerk. Pence votes aye.

2287 Crenshaw?

2288 [No response.]

2289 *The Clerk. Joyce?

2290 *Mr. Joyce. Aye.

2291 *The Clerk. Joyce votes aye.

2292 Armstrong?

2293 [No response.]

2294 *The Clerk. Weber?

2295 *Mr. Weber. Yes.

2296 *The Clerk. Weber votes aye.

2297 Allen?

2298 *Mr. Allen. Aye.

2299 *The Clerk. Allen votes aye.

2300 Balderson?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2301 *Mr. Balderson. Aye.
2302 *The Clerk. Balderson votes aye.
2303 Fulcher?
2304 *Mr. Fulcher. Fulcher is aye.
2305 *The Clerk. Fulcher votes aye.
2306 Pflugger?
2307 *Mr. Pflugger. Aye.
2308 *The Clerk. Pflugger votes aye.
2309 Harshbarger?
2310 *Mrs. Harshbarger. Aye.
2311 *The Clerk. Harshbarger votes aye.
2312 Miller-Meeks?
2313 *Mrs. Miller-Meeks. Aye.
2314 *The Clerk. Miller-Meeks votes aye.
2315 Cammack?
2316 *Mrs. Cammack. Aye.
2317 *The Clerk. Cammack votes aye.
2318 Oberholte?
2319 *Mr. Oberholte. Aye.
2320 *The Clerk. Oberholte votes aye.
2321 Pallone?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2322 *Mr. Pallone. Aye.
2323 *The Clerk. Pallone votes aye.
2324 Eshoo?
2325 *Ms. Eshoo. Aye.
2326 *The Clerk. Eshoo votes aye.
2327 DeGette?
2328 *Ms. DeGette. Aye.
2329 *The Clerk. DeGette votes aye.
2330 Schakowsky?
2331 *Ms. Schakowsky. Aye.
2332 *The Clerk. Schakowsky votes aye.
2333 Matsui?
2334 [No response.]
2335 *The Clerk. Castor?
2336 *Ms. Castor. Aye.
2337 *The Clerk. Castor votes aye.
2338 Sarbanes?
2339 *Mr. Sarbanes. Aye.
2340 *The Clerk. Sarbanes votes aye.
2341 Tonko?
2342 *Mr. Tonko. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2343 *The Clerk. Tonko votes aye.
2344 Clarke?
2345 *Ms. Clarke. Aye.
2346 *The Clerk. Clarke votes aye.
2347 Cardenas?
2348 *Mr. Cardenas. Aye.
2349 *The Clerk. Cardenas votes aye.
2350 Ruiz?
2351 *Mr. Ruiz. Aye.
2352 *The Clerk. Ruiz votes aye.
2353 Peters?
2354 *Mr. Peters. Aye.
2355 *The Clerk. Peters votes aye.
2356 Dingell?
2357 *Mrs. Dingell. Aye.
2358 *The Clerk. Dingell votes aye.
2359 Veasey?
2360 *Mr. Veasey. Aye.
2361 *The Clerk. Veasey votes aye.
2362 Kuster?
2363 *Ms. Kuster. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2364 *The Clerk. Kuster votes aye.
2365 Kelly?
2366 *Ms. Kelly. Aye.
2367 *The Clerk. Kelly votes aye.
2368 Barragan?
2369 *Ms. Barragan. Aye.
2370 *The Clerk. Barragan votes aye.
2371 Blunt Rochester?
2372 *Ms. Blunt Rochester. Aye.
2373 *The Clerk. Blunt Rochester votes aye.
2374 Soto?
2375 *Mr. Soto. Aye.
2376 *The Clerk. Soto votes aye.
2377 Craig?
2378 [No response.]
2379 *The Clerk. Schrier?
2380 *Ms. Schrier. Aye.
2381 *The Clerk. Schrier votes aye.
2382 Trahan?
2383 *Mrs. Trahan. Aye.
2384 *The Clerk. Trahan votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2385 Fletcher?

2386 [No response.]

2387 *The Clerk. Rodgers?

2388 *The Chair. Aye.

2389 *The Clerk. Rodgers votes aye.

2390 *Mr. Walberg. How is Walberg _

2391 *The Clerk. Walberg is not recorded.

2392 *Mr. Walberg. Aye.

2393 *The Clerk. Walberg votes aye.

2394 *The Chair. Does anyone else _ report.

2395 [Pause.]

2396 *The Clerk. Chair Bilirakis, on that vote there were 44
2397 ayes and 0 noes.

2398 *Mr. Bilirakis. The ayes have it, and the bill is _ as
2399 amended _ is adopted.

2400 The chair calls up H.R. 6543, and asks the clerk to
2401 report.

2402 *The Clerk. H.R. 6543, a bill to prohibit unfair and
2403 deceptive advertising _

2404 *Mr. Bilirakis. Without objection, the first reading of
2405 the bill is dispensed with, and the bill will be open for

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2406 amendment at any point.

2407 So ordered.

2408 [The bill follows:]

2409

2410 *****COMMITTEE INSERT*****

2411

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2412 *Mr. Bilirakis. Does anyone seek recognition on the
2413 bill?

2414 *Mrs. Cammack. Mr. Chairman?

2415 *Mr. Bilirakis. Yes, Mrs. Cammack, you are recognized.
2416 For what purpose?

2417 *Mrs. Cammack. Thank you, Mr. Chairman. I move to
2418 strike the last word.

2419 *Mr. Bilirakis. You are recognized for five minutes.

2420 *Mrs. Cammack. I would like to extend support to
2421 Representatives Kim and Castor's No Fees on Extra Expenses
2422 for Stays legislation. This bill is common sense, and will
2423 help consumers understand what they pay _ what they will pay
2424 at the time they book the reservation and check out of a
2425 hotel.

2426 Sometimes consumers are hit with hidden charges at the
2427 time of checkout, and guests will never see those charges
2428 coming. And certainly, as a representative of one of the
2429 largest states for tourism, the Sunshine State, we see guests
2430 from all over the world. In the hospitality business you
2431 want to make people feel good and have a good time, and there
2432 is nothing worse for ruining a vacation or a stay than

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2433 unexpected charges at the end. So it is time that Americans
2434 don't have to wait until checkout to know exactly what they
2435 owe for their stay.

2436 I would like to thank all of our stakeholders in this in
2437 the lodging industry, specifically the American Hotel and
2438 Lodging Association, for all of their work on this bill.

2439 It is a common-sense piece of legislation that I
2440 encourage all of my colleagues to support.

2441 I also ask for unanimous consent to submit two documents
2442 for the record, a letter of support for the bill from the
2443 American Hotel and Lodging Association, as well as a
2444 statement of support from Airbnb.

2445 *Mr. Bilirakis. Without objection, so ordered.

2446 [The information follows:]

2447

2448 *****COMMITTEE INSERT*****

2449

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2450 *Mrs. Cammack. Wonderful. Thank you, Mr. Chairman.

2451 And with that I yield back.

2452 *Mr. Bilirakis. Very good. The gentlelady yields back.

2453 Does anyone seek recognition on the Democrat side?

2454 Representative Castor, you are recognized for five
2455 minutes.

2456 *Ms. Castor. Thank you, Mr. Chairman. I move to strike
2457 the last word.

2458 *Mr. Bilirakis. You are recognized.

2459 *Ms. Castor. Members, when families set their budget
2460 for their family vacation and they go shop online for their
2461 accommodations, they expect that the hotel price they see
2462 will be the price that they pay. But many travelers
2463 experience resort or destination fees. Sometimes these are
2464 tacked on at the time you check out or at the end of that
2465 lengthy online reservation process.

2466 So I am very gratified that _ to offer the No Hidden
2467 Fees Act with my friend, Congresswoman Young Kim of
2468 California. This bill will require the clear and conspicuous
2469 display of all fees associated with reserving short-term
2470 lodging. So when you visit the beautiful Tampa Bay area, or

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2471 the beautiful beaches of Florida, or fantastic destinations
2472 all across America, people will understand exactly what they
2473 are going to pay.

2474 Visitors are often lured into hotel or motel rooms or
2475 lodgings that do not disclose all the fees online. It is a
2476 real trap for consumers, and it is really not fair. They
2477 work hard to plan their vacations. They really deserve to
2478 understand what they are going to pay.

2479 I also have supporting documents to offer for the
2480 record, and I ask unanimous consent to accept the
2481 endorsements from the Florida Restaurant and Lodging
2482 Association, along with the California Hotel and Lodging
2483 Association.

2484 *Mr. Bilirakis. Without objection, so ordered.

2485 [The information follows:]

2486

2487 *****COMMITTEE INSERT*****

2488

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2489 *Ms. Castor. And I also just wanted to submit an
2490 example of the kind of comments being received by the Federal
2491 Trade Commission on these, so I offer that for the record, as
2492 well.

2493 It says that on October 15 David Portnoy submitted a
2494 public comment to the FTC. He and his wife traveled to Fort
2495 Lauderdale to attend a wedding, making lodging reservations
2496 nine months in advance. The hotel informed him just a week
2497 before his trip that he would be charged a \$44 resort fee for
2498 each day, despite arriving late in the evening and leaving
2499 directly after the wedding ceremony. David and his wife were
2500 consequently charged for services that they did not and could
2501 not use. The couple could have better budgeted their time
2502 and finances, had these fees been disclosed at the time of
2503 booking.

2504 These kind of surprise fees are deceptive, and they are
2505 unfair, so I urge the committee to move swiftly so that we
2506 can work with our Senate counterparts to bring this
2507 initiative into law.

2508 Thank you, and I yield back my time.

2509 *Mr. Bilirakis. The gentlelady yields back. Does

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2510 anybody on the Republican side wish to speak?

2511 Is there any further discussion?

2512 Yes, yes, Representative Soto, you are recognized for
2513 five minutes, sir. Thank you.

2514 *Mr. Soto. Thank you, Chairman. I move to strike the
2515 last word. I am _

2516 *Mr. Bilirakis. You are recognized.

2517 *Mr. Soto. _ honored to represent Orlando, a tourism
2518 Mecca, a place that so many folks come from around the
2519 country and around the world to visit our world-class theme
2520 parks. This is what we do in Orlando. This is what our
2521 constituents do, work hard every day to create memories for
2522 families that can last a lifetime.

2523 And we also see millions of families coming to central
2524 Florida every year, and they work hard. They are saving
2525 money for years to be able to have these amazing trips. And
2526 so we need transparency. People need to know what the price
2527 is that they can expect at the beginning of the trip so that
2528 they could budget, so that they could plan. Hidden fees
2529 tacked on at the end of their stay is particularly disturbing
2530 to me.

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2531 And so, with this bill, we are going to make sure that
2532 the advertised price is the price, that we have great
2533 memories for families, and people can save and know what they
2534 are getting into, and have a great trip. For that and more I
2535 am excited to support this bill, and I yield back.

2536 *Mr. Bilirakis. Thank you, Representative Soto. Does
2537 anyone on the Republican side wish to speak on the bill?

2538 Okay, the question now occurs on approving 6568. A roll
2539 call vote is requested, so the clerk will call the roll.

2540 *Voice. We are on bill numbered 6543.

2541 *Mr. Bilirakis. Oh, okay, 6543. Is that right? Okay,
2542 I was reading the wrong one, I apologize. The clerk will
2543 call the roll on bill 6543.

2544 *The Clerk. Burgess?

2545 *Mr. Burgess. Burgess votes aye.

2546 *The Clerk. Burgess votes aye.

2547 Latta?

2548 *Mr. Latta. Aye.

2549 *The Clerk. Latta votes aye.

2550 Guthrie?

2551 *Mr. Guthrie. Aye.

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2552 *The Clerk. Guthrie votes aye.

2553 Griffith?

2554 *Mr. Griffith. Aye.

2555 *The Clerk. Griffith votes aye.

2556 Bilirakis?

2557 *Mr. Bilirakis. Aye.

2558 *The Clerk. Bilirakis votes aye.

2559 Johnson?

2560 [No response.]

2561 *The Clerk. Bucshon?

2562 *Mr. Bucshon. Aye.

2563 *The Clerk. Bucshon votes aye.

2564 Hudson?

2565 [No response.]

2566 *The Clerk. Hudson votes aye.

2567 Walberg?

2568 [No response.]

2569 *The Clerk. Carter?

2570 *Mr. Carter. Aye.

2571 *The Clerk. Carter votes aye.

2572 Duncan?

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2573 *Mr. Duncan. Aye.
2574 *The Clerk. Duncan votes aye.
2575 Palmer?
2576 *Mr. Palmer. Aye.
2577 *The Clerk. Palmer votes aye.
2578 Dunn?
2579 [No response.]
2580 *The Clerk. Curtis?
2581 [No response.]
2582 *The Clerk. Lesko?
2583 *Mrs. Lesko. Aye.
2584 *The Clerk. Lesko votes aye.
2585 Pence?
2586 *Mr. Pence. Aye.
2587 *The Clerk. Pence votes aye.
2588 Crenshaw?
2589 [No response.]
2590 *The Clerk. Joyce?
2591 [No response.]
2592 *The Clerk. Armstrong?
2593 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2594 *The Clerk. Weber?
2595 *Mr. Weber. Aye.
2596 *The Clerk. Weber votes aye.
2597 Allen?
2598 *Mr. Allen. Aye.
2599 *The Clerk. Allen votes aye.
2600 Balderson?
2601 *Mr. Balderson. Aye.
2602 *The Clerk. Balderson votes aye.
2603 Fulcher?
2604 *Mr. Fulcher. Fulcher is aye.
2605 *The Clerk. Fulcher votes aye.
2606 Pfluger?
2607 [No response.]
2608 *The Clerk. Harshbarger?
2609 *Mrs. Harshbarger. Aye.
2610 *The Clerk. Harshbarger votes aye.
2611 Miller-Meeks?
2612 *Mrs. Miller-Meeks. Aye.
2613 *The Clerk. Miller-Meeks votes aye.
2614 Cammack?

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2615 *Mrs. Cammack. Aye.
2616 *The Clerk. Cammack votes aye.
2617 Obernolte?
2618 *Mr. Obernolte. Aye.
2619 *The Clerk. Obernolte votes aye.
2620 Pallone?
2621 *Mr. Pallone. Aye.
2622 *The Clerk. Pallone votes aye.
2623 Eshoo?
2624 *Ms. Eshoo. Aye.
2625 *The Clerk. Eshoo votes aye.
2626 DeGette?
2627 *Ms. DeGette. Aye.
2628 *The Clerk. DeGette votes aye.
2629 Schakowsky?
2630 *Ms. Schakowsky. Aye.
2631 *The Clerk. Schakowsky votes aye.
2632 Matsui?
2633 [No response.]
2634 *The Clerk. Castor?
2635 *Ms. Castor. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2636 *The Clerk. Castor votes aye.
2637 Sarbanes?
2638 *Mr. Sarbanes. Aye.
2639 *The Clerk. Sarbanes votes aye.
2640 Tonko?
2641 *Mr. Tonko. Aye.
2642 *The Clerk. Tonko votes aye.
2643 Clarke?
2644 *Ms. Clarke. Aye.
2645 *The Clerk. Clarke votes aye.
2646 Cardenas?
2647 *Mr. Cardenas. Aye.
2648 *The Clerk. Cardenas votes aye.
2649 Ruiz?
2650 *Mr. Ruiz. Aye.
2651 *The Clerk. Ruiz votes aye.
2652 Peters?
2653 *Mr. Peters. Aye.
2654 *The Clerk. Peters votes aye.
2655 Dingell?
2656 *Mrs. Dingell. Aye.

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2657 *The Clerk. Dingell votes aye.
2658 Veasey?
2659 *Mr. Veasey. Aye.
2660 *The Clerk. Veasey votes aye.
2661 Kuster?
2662 *Ms. Kuster. Aye.
2663 *The Clerk. Kuster votes aye.
2664 Kelly?
2665 *Ms. Kelly. Aye.
2666 *The Clerk. Kelly votes aye.
2667 Barragan?
2668 *Ms. Barragan. Aye.
2669 *The Clerk. Barragan votes aye.
2670 Blunt Rochester?
2671 *Ms. Blunt Rochester. Aye.
2672 *The Clerk. Blunt Rochester votes aye.
2673 Soto?
2674 *Mr. Soto. Aye.
2675 *The Clerk. Soto votes aye.
2676 Craig?
2677 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2678 *The Clerk. Schrier?
2679 *Ms. Schrier. Aye.
2680 *The Clerk. Schrier votes aye.
2681 Trahan?
2682 *Mrs. Trahan. Aye.
2683 *The Clerk. Trahan votes aye.
2684 Fletcher?
2685 [No response.]
2686 *The Clerk. Rodgers?
2687 *The Chair. Aye.
2688 *The Clerk. Rodgers votes aye.
2689
2690 *Mr. Joyce. How is Joyce recorded?
2691 *The Clerk. Joyce is not recorded.
2692 *Mr. Joyce. Aye.
2693 *The Clerk. Joyce votes aye.
2694 *Mr. Bilirakis. Is there anyone else?
2695 *Mr. Walberg. How is Walberg recorded?
2696 *The Clerk. Walberg is not recorded.
2697 *Mr. Walberg. Aye.
2698 *The Clerk. Walberg votes aye.

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2699 *Mr. Bilirakis. Is there anyone else?

2700 Okay, the clerk will report.

2701 [Pause.]

2702 *The Clerk. Chair Bilirakis, on that vote there were 43
2703 ayes and 0 noes.

2704 *Mr. Bilirakis. The ayes have it, and the bill is
2705 adopted.

2706 The chair calls up H.R. 5202, as amended by the
2707 Subcommittee on Innovation, Data, and Commerce, and asks the
2708 clerk to report.

2709 *The Clerk. H.R. 5202, a bill to reauthorize the
2710 Virginia Graeme Baker Pool and Spa Safety Act, and for other
2711 purposes.

2712 *Mr. Bilirakis. Without objection, the first reading of
2713 the bill is dispensed with, and the bill will be open for
2714 amendment _

2715 *Mr. Burgess. Mr. Chairman?

2716 *Mr. Bilirakis. _ at any point.

2717 *Mr. Burgess. Mr. Chairman?

2718 *Mr. Bilirakis. So ordered.

2719 [The bill follows:]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2720

2721 *****COMMITTEE INSERT*****

2722

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2723 *Mr. Burgess. I have an amendment at the desk.

2724 *Mr. Bilirakis. Yes, the gentleman has the _ you are
2725 recognized for your _ to explain your amendment, but we have
2726 to, of course, report the amendment first. So the clerk will
2727 report the amendment.

2728 *The Clerk. Amendment in the nature of a substitute to
2729 H.R. 5202, offered by Mr. Burgess.

2730 *Mr. Bilirakis. Without objection, the first reading of
2731 the amendment is dispensed with, and the amendment will be
2732 open.

2733 [The amendment of Mr. Burgess follows:]

2734

2735 *****COMMITTEE INSERT*****

2736

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2737 *Mr. Bilirakis. Again, an amendment is requested, so I
2738 am going to recognize the gentleman for five minutes to
2739 explain his AINS.

2740 *Mr. Burgess. Thank you. This makes a technical fix by
2741 reducing the authorization levels from 5 million to 2.5
2742 million.

2743 This was an agreement reached at the end of last year on
2744 a straight reauthorization. The bill, underlying bill,
2745 required all pool drain covers manufactured or sold in the
2746 United States to comply with new entrapment standards. It
2747 also required owners of all new and existing public swimming
2748 pools and _ to install new safety equipment.

2749 This legislation will continue to strengthen pool safety
2750 standards for public swimming pools and spas, and promote
2751 awareness to prevent pool-related injuries and deaths.

2752 I want to thank Ms. Wasserman Schultz for her commitment
2753 to the issue, and urge an aye vote on the amendment, and
2754 yield back. Thank you.

2755 *Mr. Bilirakis. The gentleman yields back. Is there
2756 any further discussion on the AINS?

2757 *Ms. Castor. Mr. Chairman?

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2758 *Mr. Bilirakis. Yes, Ms. Castor, you are recognized.

2759 *Ms. Castor. Thank you, Mr. Chairman.

2760 *Mr. Bilirakis. For what purpose?

2761 *Ms. Castor. I move to strike the last word _

2762 *Mr. Bilirakis. All right.

2763 *Ms. Castor. _ to speak in favor of the bill.

2764 *Mr. Bilirakis. You are recognized.

2765 *Ms. Castor. Thank you so much, Mr. Chairman. Thank
2766 you to Congressman Burgess, as well.

2767 H.R. 5202 is a bipartisan bill that would amend and
2768 reauthorize the Virginia Graeme Baker Pool and Spa Safety Act
2769 to improve the safety of pools and spas, and help prevent
2770 drowning.

2771 The original law had three components: provides for a
2772 grant program that incentivizes states and municipalities to
2773 adopt their own pool and spa safety laws; support education
2774 efforts _ these grants provide critical support for folks
2775 back home to enforce their safety requirements and educate
2776 communities about drowning prevention _ it also directs the
2777 Consumer Product Safety Commission to launch Pool Safely, a
2778 national drowning prevention education campaign; and it

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2779 requires every public pool in America to install safe drain
2780 covers that prevent that suction entrapment.

2781 Drowning is a leading cause of death in America. It can
2782 happen in seconds anywhere there is access to water. About
2783 11 people die each day from drowning in the United States,
2784 and drowning kills about 4,000 Americans each year. More
2785 than 2,000 people drowned in swimming pools from 2018 to
2786 2020, and it is the leading cause of unintentional death for
2787 children ages 1 to 4, and the second leading cause of death
2788 for children 5 to 14.

2789 There are significant disparities, as well, in drowning
2790 deaths, with higher rates of drowning for people of color and
2791 for those living in tribal and rural areas. So it is vital
2792 that the grant awards take into account those many factors,
2793 including the areas with the highest drowning incidents and
2794 entities targeting diverse minority or rural populations to
2795 address and target racial, ethnic, and rural disparities.

2796 I want to thank Representative Wasserman Schultz,
2797 Congressman Burgess, Congressman Carter on this committee for
2798 their dedication and commitment to preventing drowning and
2799 protecting our kids.

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2800 So please support the bill, and I yield back.

2801 *Mr. Bilirakis. The gentlelady yields back. I
2802 appreciate it. Is there any more further discussion on the
2803 Republican side on the AINS?

2804 No further discussion? How about on the Democrat side,
2805 anyone further?

2806 Okay, if there is no further discussion, the vote occurs
2807 on the amendment.

2808 All in favor, signify by saying aye.

2809 All opposed?

2810 The ayes have it, and the amendment is agreed to.

2811 The question now occurs on approving H.R. 5202, as
2812 amended. A roll call vote has been requested. The clerk
2813 will call the roll.

2814 *The Clerk. Burgess?

2815 *Mr. Burgess. Burgess votes aye.

2816 *The Clerk. Burgess votes aye.

2817 Latta?

2818 *Mr. Latta. Aye.

2819 *The Clerk. Latta votes aye.

2820 Guthrie?

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2821 [No response.]
2822 *The Clerk. Griffith?
2823 *Mr. Griffith. Abstain.
2824 *The Clerk. Bilirakis?
2825 *Mr. Bilirakis. Aye.
2826 *The Clerk. Bilirakis votes aye.
2827 Johnson?
2828 *Mr. Johnson. Aye.
2829 *The Clerk. Johnson votes aye.
2830 Bucshon?
2831 *Mr. Bucshon. Aye.
2832 *The Clerk. Bucshon votes aye.
2833 Hudson?
2834 [No response.]
2835 *The Clerk. Walberg?
2836 *Mr. Walberg. Aye.
2837 *The Clerk. Walberg votes aye.
2838 Carter?
2839 *Mr. Carter. Aye.
2840 *The Clerk. Carter votes aye.
2841 Duncan?

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2842 [No response.]

2843 *The Clerk. Palmer?

2844 *Mr. Palmer. Aye.

2845 *The Clerk. Palmer votes aye.

2846 Dunn?

2847 [No response.]

2848 *The Clerk. Curtis?

2849 [No response.]

2850 *The Clerk. Lesko?

2851 *Mrs. Lesko. Aye.

2852 *The Clerk. Lesko votes aye.

2853 Pence?

2854 *Mr. Pence. Aye.

2855 *The Clerk. Pence votes aye.

2856 Crenshaw?

2857 [No response.]

2858 *The Clerk. Joyce?

2859 *Mr. Joyce. Aye.

2860 *The Clerk. Joyce votes aye.

2861 Armstrong?

2862 [No response.]

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2863 *The Clerk. Weber?
2864 *Mr. Weber. Aye.
2865 *The Clerk. Weber votes aye.
2866 Allen?
2867 *Mr. Allen. Aye.
2868 *The Clerk. Allen votes aye.
2869 Balderson?
2870 *Mr. Balderson. Aye.
2871 *The Clerk. Balderson votes aye.
2872 Fulcher?
2873 [No response.]
2874 *The Clerk. Pflugger?
2875 [No response.]
2876 *The Clerk. Harshbarger?
2877 [No response.]
2878 *The Clerk. Miller-Meeks?
2879 *Mrs. Miller-Meeks. Aye.
2880 *The Clerk. Miller-Meeks votes aye.
2881 Cammack?
2882 *Mrs. Cammack. Aye.
2883 *The Clerk. Cammack votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2884 Obernolte?
2885 *Mr. Obernolte. Aye.
2886 *The Clerk. Obernolte votes aye.
2887 Pallone?
2888 *Mr. Pallone. Aye.
2889 *The Clerk. Pallone votes aye.
2890 Eshoo?
2891 *Ms. Eshoo. Aye.
2892 *The Clerk. Eshoo votes aye.
2893 DeGette?
2894 [No response.]
2895 *The Clerk. Schakowsky?
2896 *Ms. Schakowsky. Aye.
2897 *The Clerk. Schakowsky votes aye.
2898 Matsui?
2899 [No response.]
2900 *The Clerk. Castor?
2901 *Ms. Castor. Aye.
2902 *The Clerk. Castor votes aye.
2903 Sarbanes?
2904 *Mr. Sarbanes. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2905 *The Clerk. Sarbanes votes aye.
2906 Tonko?
2907 *Mr. Tonko. Aye.
2908 *The Clerk. Tonko votes aye.
2909 Clarke?
2910 *Ms. Clarke. Aye.
2911 *The Clerk. Clarke votes aye.
2912 Cardenas?
2913 *Mr. Cardenas. Aye.
2914 *The Clerk. Cardenas votes aye.
2915 Ruiz?
2916 *Mr. Ruiz. Aye.
2917 *The Clerk. Ruiz votes aye.
2918 Peters?
2919 *Mr. Peters. Aye.
2920 *The Clerk. Peters votes aye.
2921 Dingell?
2922 [No response.]
2923 *The Clerk. Veasey?
2924 *Mr. Veasey. Aye.
2925 *The Clerk. Veasey votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2926 Kuster?
2927 *Ms. Kuster. Aye.
2928 *The Clerk. Kuster votes aye.
2929 Kelly?
2930 *Ms. Kelly. Aye.
2931 *The Clerk. Kelly votes aye.
2932 Barragan?
2933 *Ms. Barragan. Aye.
2934 *The Clerk. Barragan votes aye.
2935 Blunt Rochester?
2936 *Ms. Blunt Rochester. Aye.
2937 *The Clerk. Blunt Rochester votes aye.
2938 Soto?
2939 *Mr. Soto. Aye.
2940 *The Clerk. Soto votes aye.
2941 Craig?
2942 [No response.]
2943 *The Clerk. Schrier?
2944 *Ms. Schrier. Aye.
2945 *The Clerk. Schrier votes aye.
2946 Trahan?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2947 *Mrs. Trahan. Aye.

2948 *The Clerk. Trahan votes aye.

2949 Fletcher?

2950 [No response.]

2951 *The Clerk. Rodgers?

2952 *The Chair. Aye.

2953 *The Clerk. Rodgers votes aye.

2954 *Mr. Guthrie. Mr. Chair, Guthrie votes aye.

2955 *The Clerk. Guthrie votes aye.

2956 *Mr. Bilirakis. For what purpose _ yes, yes, yes, I

2957 recognize Representative Harshbarger.

2958 *Mrs. Harshbarger. I vote aye.

2959 *Mr. Bilirakis. Okay, very good.

2960 How about _

2961 *The Clerk. Harshbarger votes aye.

2962 *Mr. Bilirakis. _ Representative Duncan?

2963 *The Clerk. Duncan is not recorded.

2964 *Mr. Duncan. Aye.

2965 *The Clerk. Duncan votes aye.

2966 *Mr. Bilirakis. Yes, Representative Hudson.

2967 *The Clerk. Hudson is not recorded.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2968 *Mr. Hudson. Aye.

2969 *The Clerk. Hudson votes aye.

2970 *Mr. Bilirakis. Is there anyone else?

2971 Anyone on the Democrat side?

2972 All right, the question now occurs on approval of H.R.
2973 5202, as amended. A roll call vote has been requested. Oh,
2974 we have already done that. So the clerk will report, yes.

2975 [Pause.]

2976 *The Clerk. Chair Bilirakis, on that vote there were 40
2977 ayes, 0 noes, and 1 abstain.

2978 *Mr. Bilirakis. The ayes have it, and the bill is
2979 adopted.

2980 Next the chair calls up H.R. 2964, and asks the clerk to
2981 report.

2982 *The Clerk. H.R. 2964, a bill to require the Federal
2983 Trade Commission to issue regulations requiring certain
2984 products to have "Do Not Flush" labeling, and for other
2985 purposes.

2986 *Mr. Bilirakis. Without objection, the first reading of
2987 the bill is dispensed with, and the bill will be open for
2988 amendment at any point.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2989 So ordered.

2990 [The bill follows:]

2991

2992 *****COMMITTEE INSERT*****

2993

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2994 *Mr. Bilirakis. Does anyone seek recognition on the
2995 bill, discussion of the bill.

2996 All right. Otherwise, is anyone seeking recognition?

2997 Does anyone have an amendment?

2998 Yes, Representative Walberg, you are recognized for the
2999 purpose of offering your AINS. You are recognized, sir, for
3000 five minutes.

3001 *Mr. Walberg. Thank you, Mr. Chair. I have an
3002 amendment in the nature of substitute at the desk, and I wish
3003 to offer that.

3004 *Mr. Bilirakis. We recognize the clerk for _

3005 *Mr. Walberg. Thank you, Mr. Chairman. I rise in
3006 support of the WIPPES Act _

3007 *Mr. Bilirakis. We have to _ first.

3008 *The Clerk. Amendment in the nature _

3009 *Mr. Bilirakis. The clerk will report the amendment
3010 first. Thank you.

3011 *The Clerk. Amendment in the nature of a substitute to
3012 H.R. 2964.

3013 *Mr. Bilirakis. Without objection, the reading of the
3014 amendment is dispensed with.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3015 [The amendment of Mr. Walberg follows:]

3016

3017 *****COMMITTEE INSERT*****

3018

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3019 *Mr. Bilirakis. And the gentleman is recognized for
3020 five minutes in support of his particular amendment.

3021 You are recognized, sir.

3022 *Mr. Walberg. Thank you, Mr. Chair. I rise in support
3023 of the WIPPES Act introduced by Representative McClain and
3024 Representative Peltola.

3025 This will _ bill will help consumers know from the label
3026 on the packaging of certain wipes that they are not
3027 flushable. Consumers have terrible plumbing issues when they
3028 unknowingly flush some of these wipes which cost them a lot
3029 of money. To protect unnecessary costs of consumers in
3030 fixing their pipes, adding a clear label of "Do Not Flush"
3031 on the packaging of such wipes will be helpful.

3032 I want to thank my friends on the other side of the
3033 aisle for working with us to get the language in a good spot.
3034 The amendment in the nature of a substitute removes
3035 unnecessary rulemaking and consultation with other agencies,
3036 makes a tweak to the proximity of the symbol and the label
3037 notice, and some minor definition changes.

3038 I urge my colleagues to support the AINS and the
3039 underlying common-sense bill to add the required labeling in

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3040 the packaging of these wipes.

3041 Thank you, I yield back.

3042 *Mr. Bilirakis. Thank you. The gentleman yields back.

3043 Is there any further discussion on the amendment?

3044 Ranking Member Pallone, you are recognized for five
3045 minutes to discuss the amendment.

3046 *Mr. Pallone. Thank you, Chairman Bilirakis, and I am
3047 supporting the amendment.

3048 The improper disposal of non-flushable wipes can damage
3049 critical wastewater infrastructure, as well as lead to
3050 environmental contamination, and I am pleased that my
3051 Republican colleagues are willing to work with Democrats to
3052 reach bipartisan agreement on this bill.

3053 At the subcommittee I expressed concerns with how the
3054 underlying language posed challenges for the agencies tasked
3055 with implementing the legislation, and that such challenges
3056 could lead to confusion for both consumers and industry. So
3057 the amendment before us today would ensure that the FTC has
3058 the authority it needs to regulate non-flushable wipes, while
3059 requiring industry stakeholders to follow nationally and
3060 internationally recognized best practices and standards.

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3061 I want to thank the sponsors of the bill, Congresswoman
3062 Peltola and McClain, for all their hard work, as well as,
3063 obviously, Chairman Bilirakis, Representative Walberg, and
3064 the majority staff. And I, obviously, ask that we support
3065 the AINS as well as the underlying bill.

3066 And with that I yield back. Thanks. Thank you, Mr.
3067 Chairman.

3068 *Mr. Bilirakis. Very good. The gentleman yields back.
3069 Is there any further discussion on the Republican side with
3070 regard to the amendment?

3071 Okay, no further discussion.

3072 All those in favor, signify _ of the amendments, signify
3073 by saying aye.

3074 All those opposed?

3075 The ayes have it. The ayes have it, and the amendment
3076 is agreed to.

3077 And I understand that the gentleman requests a recorded
3078 vote. The question now occurs on the approval of H.R. 2964,
3079 as amended, and a roll call vote has been requested. The
3080 clerk will call the roll.

3081 *The Clerk. Burgess?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3082 *Mr. Burgess. Burgess votes aye.

3083 *The Clerk. Burgess votes aye.

3084 Latta?

3085 *Mr. Latta. Aye.

3086 *The Clerk. Latta votes aye.

3087 Guthrie?

3088 [No response.]

3089 *The Clerk. Griffith?

3090 *Mr. Griffith. Aye.

3091 *The Clerk. Griffith votes aye.

3092 Bilirakis?

3093 *Mr. Bilirakis. Aye.

3094 *The Clerk. Bilirakis votes aye.

3095 Johnson?

3096 *Mr. Johnson. Aye.

3097 *The Clerk. Johnson votes aye.

3098 Bucshon?

3099 *Mr. Bucshon. Aye.

3100 *The Clerk. Bucshon votes aye.

3101 Hudson?

3102 *Mr. Hudson. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3103 *The Clerk. Hudson votes aye.
3104 Walberg?
3105 *Mr. Walberg. Aye.
3106 *The Clerk. Walberg votes aye.
3107 Carter?
3108 *Mr. Carter. Aye.
3109 *The Clerk. Carter votes aye.
3110 Duncan?
3111 *Mr. Duncan. Aye.
3112 *The Clerk. Duncan votes aye.
3113 Palmer?
3114 [No response.]
3115 *The Clerk. Dunn?
3116 [No response.]
3117 *The Clerk. Curtis?
3118 [No response.]
3119 *The Clerk. Lesko?
3120 *Mrs. Lesko. Aye.
3121 *The Clerk. Lesko votes aye.
3122 Pence?
3123 *Mr. Pence. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3124 *The Clerk. Pence votes aye.
3125 Crenshaw?
3126 [No response.]
3127 *The Clerk. Joyce?
3128 *Mr. Joyce. Aye.
3129 *The Clerk. Joyce votes aye.
3130 Armstrong?
3131 [No response.]
3132 *The Clerk. Weber?
3133 *Mr. Weber. Aye.
3134 *The Clerk. Weber votes aye.
3135 Allen?
3136 *Mr. Allen. Aye.
3137 *The Clerk. Allen votes aye.
3138 Balderson?
3139 *Mr. Balderson. Aye.
3140 *The Clerk. Balderson votes aye.
3141 Fulcher?
3142 [No response.]
3143 *The Clerk. Pfluger?
3144 *Mr. Pfluger. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3145 *The Clerk. Pfluger votes aye.
3146 Harshbarger?
3147 *Mrs. Harshbarger. Aye.
3148 *The Clerk. Harshbarger votes aye.
3149 Miller-Meeks?
3150 *Mrs. Miller-Meeks. Aye.
3151 *The Clerk. Miller-Meeks votes aye.
3152 Cammack?
3153 *Mrs. Cammack. Aye.
3154 *The Clerk. Cammack votes aye.
3155 Oberholte?
3156 *Mr. Oberholte. Aye.
3157 *The Clerk. Oberholte votes aye.
3158 Pallone?
3159 *Mr. Pallone. Aye.
3160 *The Clerk. Pallone votes aye.
3161 Eshoo?
3162 *Ms. Eshoo. Aye.
3163 *The Clerk. Eshoo votes aye.
3164 DeGette?
3165 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3166 *The Clerk. Schakowsky?
3167 *Ms. Schakowsky. Aye.
3168 *The Clerk. Schakowsky votes aye.
3169 Matsui?
3170 [No response.]
3171 *The Clerk. Castor?
3172 *Ms. Castor. Aye.
3173 *The Clerk. Castor votes aye.
3174 Sarbanes?
3175 [No response.]
3176 *The Clerk. Tonko?
3177 *Mr. Tonko. Aye.
3178 *The Clerk. Tonko votes aye.
3179 Clarke?
3180 *Ms. Clarke. Aye.
3181 *The Clerk. Clarke votes aye.
3182 Cardenas?
3183 *Mr. Cardenas. Aye.
3184 *The Clerk. Cardenas votes aye.
3185 Ruiz?
3186 *Mr. Ruiz. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3187 *The Clerk. Ruiz votes aye.
3188 Peters?
3189 *Mr. Peters. Aye.
3190 *The Clerk. Peters votes aye.
3191 Dingell?
3192 [No response.]
3193 *The Clerk. Veasey?
3194 *Mr. Veasey. Aye.
3195 *The Clerk. Veasey votes aye.
3196 Kuster?
3197 *Ms. Kuster. Aye.
3198 *The Clerk. Kuster votes aye.
3199 Kelly?
3200 *Ms. Kelly. Aye.
3201 *The Clerk. Kelly votes aye.
3202 Barragan?
3203 *Ms. Barragan. Aye.
3204 *The Clerk. Barragan votes aye.
3205 Blunt Rochester?
3206 *Ms. Blunt Rochester. Aye.
3207 *The Clerk. Blunt Rochester votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3208 Soto?

3209 *Mr. Soto. Aye.

3210 *The Clerk. Soto votes aye.

3211 Craig?

3212 [No response.]

3213 *The Clerk. Schrier?

3214 *Ms. Schrier. Aye.

3215 *The Clerk. Schrier votes aye.

3216 Trahan?

3217 *Mrs. Trahan. Aye.

3218 *The Clerk. Trahan votes aye.

3219 Fletcher?

3220 [No response.]

3221 *The Clerk. Rodgers?

3222 *The Chair. Aye.

3223 *The Clerk. Rodgers votes aye.

3224 *Mr. Sarbanes. Madam Chair, how is Sarbanes _

3225 *The Clerk. Mr. Sarbanes is not recorded.

3226 *Mr. Sarbanes. Aye.

3227 *The Clerk. Sarbanes votes aye.

3228 *The Chair. [Presiding] How is Mr. Palmer recorded?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3229 *The Clerk. Mr. Palmer is not recorded.

3230 *Mr. Palmer. Aye.

3231 *The Clerk. Palmer votes aye.

3232 *The Chair. Mr. Guthrie?

3233 *Mr. Guthrie. Aye.

3234 *The Clerk. Guthrie votes aye.

3235 [Pause.]

3236 *The Chair. The clerk will report.

3237 *The Clerk. Chair Rodgers, on that vote there were 42
3238 ayes and 0 noes.

3239 *The Chair. The ayes have it, and the bill is adopted.
3240 The chair calls up H.R. 1797, as amended by the Subcommittee
3241 on Innovation, Data, and Commerce, and asks the clerk to
3242 report.

3243 *The Clerk. H.R. 1797, a bill to require the Consumer
3244 Product Safety Commission to promulgate a consumer product
3245 safety _

3246 *The Chair. Without objection, the first reading of the
3247 bill is dispensed with, and the bill will be open for
3248 amendment at any point.

3249 So ordered.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3250 [The bill follows:]

3251

3252 *****COMMITTEE INSERT*****

3253

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3254 *The Chair. Does anyone seek recognition on the bill?

3255 Mr. Joyce, for what purpose do you seek recognition?

3256 *Mr. Joyce. Madam Chair, I wish to speak in support of
3257 the legislation.

3258 *The Chair. The gentleman is recognized for five
3259 minutes.

3260 *Mr. Joyce. Thank you, Madam Chair. I rise in support
3261 of Setting Consumer Standards for Lithium Ion Batteries Act.

3262 This legislation will ensure that there is a consumer
3263 standard for rechargeable lithium ion batteries used in
3264 personal mobility devices such as electric scooters, bikes.
3265 This will protect against the risk of fires caused by these
3266 batteries and any associated charging devices. Putting a
3267 standard in place for these highly combustible products will
3268 ultimately save lives.

3269 This legislation came about in the aftermath of a string
3270 of fires caused by these batteries in New York. Over the
3271 past five years the Fire Department of New York has opened
3272 651 investigations related to 395 injuries and 28 deaths. On
3273 March 11, 2017, the Harrisburg Bureau of Fire lost a
3274 firefighter due to a fire caused by a lithium ion battery in

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3275 a micromobility device.

3276 There have been multiple fires related to this in
3277 Harrisburg, Pennsylvania, especially due to defective
3278 batteries in hoverboards. These hoverboards were sold
3279 improperly without going through any testing by underwriter
3280 laboratories. There were two fires tied to this incident.
3281 The batteries were not compatible with the chargers that were
3282 included with the hoverboards.

3283 It is important that we not only protect consumers, but
3284 also the first responders who are now being burdened by
3285 increased calls and the risk of death to put out fires
3286 related to these products. I urge my colleagues to help
3287 protect consumers and first responders with this legislation.

3288 Thank you, Madam Chair, and I yield back.

3289 *The Chair. The gentleman yields back. Is there
3290 further discussion?

3291 The chair _ for what purpose does Ms. Clarke seek
3292 recognition?

3293 *Ms. Clarke. Madam Chair, I move to strike the last
3294 word.

3295 *The Chair. The gentlelady is recognized for five

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3296 minutes.

3297 *Ms. Clarke. Thank you, Madam Chair. I am glad to see
3298 this committee take up this meaningful legislation to protect
3299 consumers from faulty batteries in e-bikes and scooters. I
3300 am proud to support the Setting Consumer Standards of Lithium
3301 Ion Batteries, and urge my colleagues to do the same.

3302 Introduced with my colleagues from New York,
3303 Representatives Torres, Garbarino, Ryan, Bowman, D'Esposito,
3304 Espaillat, and Goldman, this bill, which advanced unanimously
3305 at the subcommittee level, directs the Consumer Product
3306 Safety Commission to set a mandatory safety standard for
3307 lithium ion batteries in personal mobility devices such as
3308 electric bikes and scooters.

3309 Fires caused by lithium ion batteries in e-bikes and
3310 other devices have already killed 18 people and injured a 133
3311 others in New York City this year. And we can add to that,
3312 unfortunately, this past Sunday another individual was killed
3313 and six others injured. Since 2021 unsafe micromobility
3314 devices have been linked to hundreds of fires and over two
3315 dozen fatalities. By advancing this legislation we can
3316 protect consumers from fires caused by micromobility devices

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3317 by requiring them to meet certain mandatory safety standards.

3318 This bill is supported by industry stakeholders and fire
3319 chiefs alike, and I urge my colleagues to support H.R. 1797.

3320 I thank you, Madam Chair, and I yield back the balance
3321 of _

3322 *The Chair. The gentlelady yields back.

3323 *Ms. Clarke. _ my time.

3324 *The Chair. Is there further discussion?

3325 Are there any amendments?

3326 The question occurs on approving H.R. 1797, as amended,
3327 and a roll call has been requested. The clerk will call the
3328 roll.

3329

3330 *The Clerk. Burgess?

3331 *Mr. Burgess. Burgess votes aye.

3332 *The Clerk. Burgess votes aye.

3333 Latta?

3334 *Mr. Latta. Aye.

3335 *The Clerk. Latta votes aye.

3336 Guthrie?

3337 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3338 *The Clerk. Griffith?
3339 *Mr. Griffith. Aye.
3340 *The Clerk. Griffith votes aye.
3341 Bilirakis?
3342 [No response.]
3343 *The Clerk. Johnson?
3344 *Mr. Johnson. Aye.
3345 *The Clerk. Johnson votes aye.
3346 Bucshon?
3347 *Mr. Bucshon. Aye.
3348 *The Clerk. Bucshon votes aye.
3349 Hudson?
3350 *Mr. Hudson. Aye.
3351 *The Clerk. Hudson votes aye.
3352 Walberg?
3353 *Mr. Walberg. Aye.
3354 *The Clerk. Walberg votes aye.
3355 Carter?
3356 [No response.]
3357 *The Clerk. Duncan?
3358 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3359 *The Clerk. Palmer?
3360 *Mr. Palmer. Aye.
3361 *The Clerk. Palmer votes aye.
3362 Dunn?
3363 [No response.]
3364 *The Clerk. Curtis?
3365 [No response.]
3366 *The Clerk. Lesko?
3367 *Mrs. Lesko. Aye.
3368 *The Clerk. Lesko votes aye.
3369 Pence?
3370 *Mr. Pence. Aye.
3371 *The Clerk. Pence votes aye.
3372 Crenshaw?
3373 [No response.]
3374 *The Clerk. Joyce?
3375 *Mr. Joyce. Aye.
3376 *The Clerk. Joyce votes aye.
3377 Armstrong?
3378 [No response.]
3379 *The Clerk. Weber?

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3380 *Mr. Weber. Yes.

3381 *The Clerk. Weber votes aye.

3382 Allen?

3383 *Mr. Allen. Aye.

3384 *The Clerk. Allen votes aye.

3385 Balderson?

3386 *Mr. Balderson. Aye.

3387 *The Clerk. Balderson votes aye.

3388 Fulcher?

3389 [No response.]

3390 *The Clerk. Pflugger?

3391 *Mr. Pflugger. Aye.

3392 *The Clerk. Pflugger votes aye.

3393 Harshbarger?

3394 *Mrs. Harshbarger. Aye.

3395 *The Clerk. Harshbarger votes aye.

3396 Miller-Meeks?

3397 *Mrs. Miller-Meeks. Aye.

3398 *The Clerk. Miller-Meeks votes aye.

3399 Cammack?

3400 *Mrs. Cammack. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3401 *The Clerk. Cammack votes aye.
3402 Oberholte?
3403 *Mr. Oberholte. Aye.
3404 *The Clerk. Oberholte votes aye.
3405 Pallone?
3406 *Mr. Pallone. Aye.
3407 *The Clerk. Pallone votes aye.
3408 Eshoo?
3409 *Ms. Eshoo. Aye.
3410 *The Clerk. Eshoo votes aye.
3411 DeGette?
3412 [No response.]
3413 *The Clerk. Schakowsky?
3414 *Ms. Schakowsky. Aye.
3415 *The Clerk. Schakowsky votes aye.
3416 Matsui?
3417 [No response.]
3418 *The Clerk. Castor?
3419 *Ms. Castor. Aye.
3420 *The Clerk. Castor votes aye.
3421 Sarbanes?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3422 [No response.]

3423 *The Clerk. Tonko?

3424 *Mr. Tonko. Aye.

3425 *The Clerk. Tonko votes aye.

3426 Clarke?

3427 *Mr. Sarbanes. Aye.

3428 *The Clerk. Sarbanes votes aye.

3429 Clarke?

3430 *Ms. Clarke. Aye.

3431 *The Clerk. Clarke votes aye.

3432 Cardenas?

3433 *Mr. Cardenas. Aye.

3434 *The Clerk. Cardenas votes aye.

3435 Ruiz?

3436 [No response.]

3437 *The Clerk. Ruiz votes aye.

3438 Peters?

3439 *Mr. Peters. Aye.

3440 *The Clerk. Peters votes aye.

3441 Dingell?

3442 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3443 *The Clerk. Veasey?
3444 *Mr. Veasey. Aye.
3445 *The Clerk. Veasey votes aye.
3446 Kuster?
3447 *Ms. Kuster. Aye.
3448 *The Clerk. Kuster votes aye.
3449 Kelly?
3450 *Ms. Kelly. Aye.
3451 *The Clerk. Kelly votes aye.
3452 Barragan?
3453 *Ms. Barragan. Aye.
3454 *The Clerk. Barragan votes aye.
3455 Blunt Rochester?
3456 *Ms. Blunt Rochester. Aye.
3457 *The Clerk. Blunt Rochester votes aye.
3458 Soto?
3459 *Mr. Soto. Aye.
3460 *The Clerk. Soto votes aye.
3461 Craig?
3462 [No response.]
3463 *The Clerk. Schrier?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3464 *Ms. Schrier. Aye.
3465 *The Clerk. Schrier votes aye.
3466 Trahan?
3467 *Mrs. Trahan. Aye.
3468 *The Clerk. Trahan votes aye.
3469 Fletcher?
3470 [No response.]
3471 *The Clerk. Rodgers?
3472 *The Chair. Aye.
3473 *The Clerk. Rodgers votes aye.
3474 *The Chair. Madam Clerk, how is Mr. Duncan recorded?
3475 *The Clerk. Mr. Duncan is not recorded.
3476 *Mr. Duncan. Aye.
3477 *The Clerk. Duncan votes aye.
3478 *The Chair. Mr. Guthrie?
3479 *Mr. Guthrie. Aye.
3480 *The Clerk. Guthrie votes aye.
3481 *The Chair. Mr. Bilirakis?
3482 *The Clerk. Bilirakis is not recorded.
3483 *Mr. Bilirakis. Bilirakis votes aye.
3484 *The Clerk. Bilirakis votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3485 *The Chair. Mr. Carter?

3486 *The Clerk. Carter is not recorded.

3487 *Mr. Carter. Aye.

3488 *The Clerk. Carter votes aye.

3489 [Pause.]

3490 *The Chair. The clerk will report.

3491 *The Clerk. Chair Rodgers, on that vote there were 42
3492 ayes and 0 noes.

3493 *The Chair. The ayes have it, and the bill is adopted.

3494 The chair calls up H.R. 6132, and asks the clerk to
3495 report.

3496 *The Clerk. H.R. 6132, a bill to require the Consumer
3497 Product Safety Commission to promulgate a mandatory consumer
3498 product safety standard with respect to retractable awnings.

3499 *The Chair. Without objection, the first reading of the
3500 bill is dispensed with, and the bill will be open for
3501 amendment at any point.

3502 So ordered.

3503

3504

3505 [The bill follows:]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3506

3507 *****COMMITTEE INSERT*****

3508

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3509 *The Chair. Does anyone seek to be recognized on the
3510 bill?

3511 For what purpose does Mr. Balderson seek recognition?

3512 *Mr. Balderson. Madam Chair, I move to strike the last
3513 word and speak on the bill.

3514 *The Chair. The gentleman is recognized for five
3515 minutes.

3516 *Mr. Balderson. Thank you, Madam Chair.

3517 The awning, I say that all the time, "yawning" _Awning
3518 Safety Act will add critical protections to these potential
3519 hazardous products. The bill requires the Consumer
3520 Protective Product Safety Commission, or CPSC, to develop a
3521 standard related to the fixed or freestanding awnings
3522 commonly seen in homes. This safety standard will prevent
3523 unexpected injuries and deaths.

3524 This past August the State of Ohio and this committee
3525 were struck tragically when Michael Nat, Olivia Shields's
3526 father, began a seemingly mundane home project: taking down
3527 the retractable awning from the one-story home he and his
3528 beloved wife, Jill, had just purchased in 2022. Michael was
3529 on the ladder when the spring-loaded arm of the awning

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3530 unexpectedly shot out at him, forcing his ladder to tip and
3531 to fall. Upon impact he suffered a severe spinal cord injury
3532 and lost consciousness nearly immediately.

3533 Jill, his wife, rushed to call 911, and she performed
3534 CPR on her husband for six minutes until the police and the
3535 paramedics arrived and took over. Michael was taken to
3536 Kettering Health's main campus, the same hospital where he
3537 worked as a physician, and where he was surrounded by all his
3538 five children and son-in-laws within hours. He also received
3539 his last rites from a Catholic priest.

3540 After several agonizing days on life support, Michael
3541 was pronounced dead, passing away at age 62.

3542 The owner's manual passed along to him by the home's
3543 previous owners did not include any warnings about the
3544 awning's retractable arms or safe ladder placement.

3545 I want to take a moment to speak about what an
3546 extraordinary person Michael was.

3547 On August 9, a day after Michael passed, his colleagues,
3548 residents, and fellows lined the hallways of the hospital
3549 honoring Michael as he was taken to donate his organs to
3550 people in need of a second chance in life.

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3551 Following Michael's death, news spread throughout the
3552 many communities Michael impacted. As a physician in
3553 maternal fetal medicine, Michael cared for and loved all
3554 people before they were even born. Michael was a faithful
3555 man and a devout Catholic. He was humble, calm, nurturing,
3556 and ready to jump into action to help those around him.

3557 Olivia, who is with us here today, showed me some of the
3558 many Facebook posts where people shared her father's acts of
3559 kindness, many of which his family had never heard about. In
3560 fact, one woman described him as having a heart of gold. On
3561 many occasions, Michael gave his patients money for gas,
3562 meals, and warm clothes in the winter. He even bought one
3563 woman a microwave.

3564 Olivia recalls one instance when he brought a mom her
3565 newborn baby and two other children into their home for a few
3566 days until he found them a safe and stable place to live, and
3567 another when he took his family to an Amish farm to pick up
3568 eight children so they could spend Christmas with their
3569 mother who was battling cancer and just delivered a newborn
3570 boy.

3571 Michael's community and his patients were important to

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3572 him. But first and foremost came Michael's family,
3573 especially his loving wife, Jill, of 35 years and their
3574 children Annalise, Olivia, Abby, Seamus, and Emma. Michael
3575 wanted his children to dream big and fulfill those dreams,
3576 telling his children life is too short to go to work without
3577 a positive attitude.

3578 As Michael and Jill's family began to grow to include
3579 in-laws and grandchildren, they were on cloud nine. Guided
3580 by his faith in all things, Michael was ready to share his
3581 values: humility, honesty, kindness, and his contagious
3582 sense _ continuous sense of humor with the next generation
3583 before his life was tragically cut short.

3584 Michael Nat should be alive today. By passing this
3585 important legislation we can help the Nat family honor
3586 Michael's memory by making these household products safer
3587 and, hopefully, prevent future tragedy.

3588 I yield back, Madam Chair.

3589 *The Chair. Yes, the gentleman yields back, and I just
3590 would like to say thank you to the gentleman for a beautiful
3591 tribute to Dr. Michael Nat, and I appreciate your leadership
3592 on this legislation to raise awareness so that other families

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3593 do not have to endure similar pain and loss.

3594 I also want to recognize Olivia Nat, who works for the
3595 Republicans on the House Energy and Commerce Committee, and
3596 her family. We appreciate them sharing their story in hopes
3597 that others will be spared the similar loss and pain.

3598 So thank you, Mr. Balderson, for your leadership on this
3599 legislation.

3600 The chair recognizes Ms. Castor for five minutes.

3601 *Ms. Castor. Well, thank you, Madam Chair, and I want
3602 to thank Representative Balderson for introducing the Awning
3603 Safety Act with me. It is an important consumer protection
3604 bill which will prompt the Consumer Product Safety Commission
3605 to promulgate a safety standard for fixed and freestanding
3606 motorized retractable awnings.

3607 Awnings are a necessary part of our lives. They shield
3608 us from the hot sun and the elements. The last thing a
3609 person should be worried about is a defective awning. But
3610 too many _ there are too many cases of awnings opening
3611 unexpectedly with great force.

3612 In 2019 a motorized awning product was recalled after 14
3613 incidents, including one fatal injury. The CPSC worked

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3614 quickly with the manufacturer to recall the product and
3615 provide a remedy for consumers, but we have got to do more.
3616 It is vital that the Consumer Product Safety Commission
3617 continue this work to save lives and keep families safe to
3618 prevent tragedies like what happened to Olivia's dad and _
3619 dad, Michael.

3620 That is why Representative Balderson was wise to
3621 introduce this important bill. It will provide adequate
3622 resources to the CPSC so it can continue to educate the
3623 public and identify dangerous products. All Americans
3624 deserve to enjoy the great outdoors without the fear of
3625 injury or death from products they presume to be safe.

3626 And with that I yield back my time and urge adoption of
3627 the bill.

3628 *The Chair. The gentlelady yields back. Is there
3629 further discussion?

3630 Any amendments?

3631 Seeing none, the question now occurs on approving H.R.
3632 6132, and a roll call has been requested.

3633 *The Clerk. Burgess?

3634 *Mr. Burgess. Burgess votes aye.

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3635 *The Clerk. Burgess votes aye.
3636 Latta?
3637 *Mr. Latta. Aye.
3638 *The Clerk. Latta votes aye.
3639 Guthrie?
3640 *Mr. Guthrie. Aye.
3641 *The Clerk. Guthrie votes aye.
3642 Griffith?
3643 *Mr. Griffith. Aye.
3644 *The Clerk. Griffith votes aye.
3645 Bilirakis?
3646 *Mr. Bilirakis. Aye.
3647 *The Clerk. Bilirakis votes aye.
3648 Johnson?
3649 *Mr. Johnson. Aye.
3650 *The Clerk. Johnson votes aye.
3651 Bucshon?
3652 *Mr. Bucshon. Aye.
3653 *The Clerk. Bucshon votes aye.
3654 Hudson?
3655 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3656 *The Clerk. Walberg?
3657 *Mr. Walberg. Aye.
3658 *The Clerk. Walberg votes aye.
3659 Carter?
3660 *Mr. Carter. Aye.
3661 *The Clerk. Carter votes aye.
3662 Duncan?
3663 *Mr. Duncan. Aye.
3664 *The Clerk. Duncan votes aye.
3665 Palmer?
3666 *Mr. Palmer. Aye.
3667 *The Clerk. Palmer votes aye.
3668 Dunn?
3669 [No response.]
3670 *The Clerk. Curtis?
3671 [No response.]
3672 *The Clerk. Lesko?
3673 *Mrs. Lesko. Aye.
3674 *The Clerk. Lesko votes aye.
3675 Pence?
3676 *Mr. Pence. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3677 *The Clerk. Pence votes aye.
3678 Crenshaw?
3679 [No response.]
3680 *The Clerk. Joyce?
3681 *Mr. Joyce. Aye.
3682 *The Clerk. Joyce votes aye.
3683 Armstrong?
3684 [No response.]
3685 *The Clerk. Weber?
3686 *Mr. Weber. Aye.
3687 *The Clerk. Weber votes aye.
3688 Allen?
3689 *Mr. Allen. Aye.
3690 *The Clerk. Allen votes aye.
3691 Balderson?
3692 *Mr. Balderson. Aye.
3693 *The Clerk. Balderson votes aye.
3694 Fulcher?
3695 *Mr. Fulcher. Fulcher is aye.
3696 *The Clerk. Fulcher votes aye.
3697 Pfluger?

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3698 *Mr. Pfluger. Aye.
3699 *The Clerk. Pfluger votes aye.
3700 Harshbarger?
3701 *Mrs. Harshbarger. Aye.
3702 *The Clerk. Harshbarger votes aye.
3703 Miller-Meeks?
3704 *Mrs. Miller-Meeks. Aye.
3705 *The Clerk. Miller-Meeks votes aye.
3706 Cammack?
3707 *Mrs. Cammack. Aye.
3708 *The Clerk. Cammack votes aye.
3709 Obernolte?
3710 *Mr. Obernolte. Aye.
3711 *The Clerk. Obernolte votes aye.
3712 Pallone?
3713 *Mr. Pallone. Aye.
3714 *The Clerk. Pallone votes aye.
3715 Eshoo?
3716 *Ms. Eshoo. Aye.
3717 *The Clerk. Eshoo votes aye.
3718 DeGette?

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3719 [No response.]
3720 *The Clerk. Schakowsky?
3721 *Ms. Schakowsky. Aye.
3722 *The Clerk. Schakowsky votes aye.
3723 Matsui?
3724 [No response.]
3725 *The Clerk. Castor?
3726 *Ms. Castor. Aye.
3727 *The Clerk. Castor votes aye.
3728 Sarbanes?
3729 *Mr. Sarbanes. Aye.
3730 *The Clerk. Sarbanes votes aye.
3731 Tonko?
3732 *Mr. Tonko. Aye.
3733 *The Clerk. Tonko votes aye.
3734 Clarke?
3735 *Ms. Clarke. Aye.
3736 *The Clerk. Clarke votes aye.
3737 Cardenas?
3738 *Mr. Cardenas. Aye.
3739 *The Clerk. Cardenas votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3740 Ruiz?
3741 *Mr. Ruiz. Aye.
3742 *The Clerk. Ruiz votes aye.
3743 Peters?
3744 *Mr. Peters. Aye.
3745 *The Clerk. Peters votes aye.
3746 Dingell?
3747 *Mrs. Dingell. Aye.
3748 *The Clerk. Dingell votes aye.
3749 Veasey?
3750 *Mr. Veasey. Aye.
3751 *The Clerk. Veasey votes aye.
3752 Kuster?
3753 *Ms. Kuster. Aye.
3754 *The Clerk. Kuster votes aye.
3755 Kelly?
3756 *Ms. Kelly. Aye.
3757 *The Clerk. Kelly votes aye.
3758 Barragan?
3759 *Ms. Barragan. Aye.
3760 *The Clerk. Barragan votes aye.

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3761 Blunt Rochester?
3762 *Ms. Blunt Rochester. Aye.
3763 *The Clerk. Blunt Rochester votes aye.
3764 Soto?
3765 *Mr. Soto. Aye.
3766 *The Clerk. Soto votes aye.
3767 Craig?
3768 [No response.]
3769 *The Clerk. Schrier?
3770 *Ms. Schrier. Aye.
3771 *The Clerk. Schrier votes aye.
3772 Trahan?
3773 *Mrs. Trahan. Aye.
3774 *The Clerk. Trahan votes aye.
3775 Fletcher?
3776 [No response.]
3777 *The Clerk. Rodgers?
3778 *The Chair. Aye.
3779 *The Clerk. Rodgers votes aye.
3780 [Pause.]
3781 *The Chair. The clerk will report.

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3782 *The Clerk. Chair Rodgers, on that vote there were 43
3783 ayes and 0 noes.

3784 *The Chair. The ayes have it, and the bill is adopted.
3785 The chair calls up H.R. 4310, and asks the clerk to
3786 report.

3787 *The Clerk. H.R. 4310, a bill to ban the sale of
3788 products with a high concentration of sodium nitrate to
3789 individuals, and for other purposes.

3790 *The Chair. Without objection, the first reading of the
3791 bill is dispensed with, and the bill will be open for
3792 amendment at any point.

3793 So ordered.

3794 [The bill follows:]

3795

3796 *****COMMITTEE INSERT*****

3797

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3798 *The Chair. Does anyone seek recognition on the bill?

3799 For what purpose does Mr. Carter seek recognition?

3800 *Mr. Carter. Me?

3801 *The Chair. Do you want _ no?

3802 *Mr. Carter. I do, I do, please. I move to strike the
3803 last word.

3804 *The Chair. The gentleman is recognized for five
3805 minutes.

3806 *Mr. Carter. Thank you, Madam Chair. I want to thank
3807 Representatives Trahan, Carey, Porter, and Stewart, along
3808 with Senators Duckworth and Vance, for their leadership on
3809 this bill.

3810 As described in this bill, it will work to keep this
3811 dangerous substance out of the hands of those who are most at
3812 risk, especially our youth. Two years ago this committee
3813 conducted a bipartisan investigation of sites that only _
3814 that not only made sodium nitrate accessible to anyone, but
3815 promoted it as a means for suicide.

3816 I want to thank Mrs. Trahan and her staff for their
3817 years of work on this topic, and specifically for bringing
3818 this bill forward to ensure this lethal substance is not

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3819 available to consumers.

3820 I encourage my colleagues to support this bipartisan
3821 legislation, and I yield back.

3822 *The Chair. Is there further discussion?

3823 For what purpose does Mrs. Trahan seek recognition?

3824 *Mrs. Trahan. Madam Chair, I move to strike the last
3825 word.

3826 *The Chair. The gentlelady is recognized for five
3827 minutes.

3828 *Mrs. Trahan. I thank the chair for yielding. I am
3829 grateful that the committee is marking up the Youth Poisoning
3830 Protection Act today.

3831 This bipartisan, bicameral legislation is urgently
3832 needed to limit consumer access to high concentrations of a
3833 dangerous, toxic chemical that is being promoted online as a
3834 method to die by suicide. Two years ago The New York Times
3835 revealed how online suicide assistance forums, websites that
3836 operate in the shadows of the Internet, encourage and
3837 facilitate suicide. Their activities have contributed to a
3838 rise in suicides using this chemical, sodium nitrite, which
3839 in low concentrations is safe and often used to cure meat and

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3840 fish. However, in high concentrations sodium nitrite is
3841 toxic, at levels comparable to cyanide.

3842 If that is not bad enough, it gets worse. While
3843 anonymous users promote the poison as a painless way to die
3844 by suicide, survivors tell a different story, detailing
3845 experiences of nausea, vomiting, intense stomach pains, heart
3846 palpitations as the substance chokes off oxygen delivery to
3847 critical organs.

3848 When notified by my office of the product's
3849 popularization as a suicide method, many websites, including
3850 Amazon, that sold the product have taken down their listings
3851 or limited sales only to other businesses with a proven use
3852 for it. But there are bad actors out there looking to
3853 capitalize on people experiencing suicidal ideation by
3854 creating websites for the sole purpose of selling this
3855 chemical as a suicide kit. And right now there is no law on
3856 the books to stop them from doing so. Madam Chair, the Youth
3857 Poisoning Protection Act changes that by prohibiting the
3858 consumer sale of sodium nitrite products with a concentration
3859 higher than 10 percent, the usefulness threshold agreed upon
3860 by independent experts.

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3861 I will note for my colleagues that this bill solely
3862 limits the sale of this product to consumers. There are some
3863 businesses that cure meat and fish in bulk, and need to
3864 purchase sodium nitrite in high concentrations as part of
3865 that process. This bill will not affect them. It solely
3866 seeks to end the straight-to-consumer sale of highly
3867 concentrated sodium nitrite that is helping fuel the efforts
3868 of anonymous suicide forum users pushing each other to end
3869 their lives.

3870 It is simple. It is straightforward. It has the
3871 potential to save lives, our kids' lives. That is why I am
3872 so grateful to my colleagues on both sides of the aisle and
3873 in both chambers who were instrumental in drafting this
3874 legislation: Representatives Mike Carey, Katie Porter, and
3875 Chris Stewart, Buddy Carter, as well as Senators Tammy
3876 Duckworth and J.D. Vance. And I urge members of the
3877 committee to join us in supporting this strong bipartisan
3878 legislation.

3879 Thank you, I yield back.

3880 *The Chair. The gentlelady yields back. Is there
3881 further discussion?

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3882 Seeing none, the question now occurs _ oh, we are
3883 recessing before?

3884 Okay, we will now recess for floor activity, and return
3885 in 15 minutes following floor debate on H.R. 4468.

3886 The committee stands in recess.

3887 [Recess.]

3888 *The Chair. The committee will come to order. The
3889 question now occurs on approving H.R. 4310, and a roll call
3890 has been requested. The clerk will call the roll.

3891 *The Clerk. Burgess?

3892 [No response.]

3893 *The Clerk. Latta?

3894 *Mr. Latta. Aye.

3895 *The Clerk. Latta votes aye.

3896 Guthrie?

3897 [No response.]

3898 *The Clerk. Griffith?

3899 [No response.]

3900 *The Clerk. Bilirakis?

3901 [No response.]

3902 *The Clerk. Johnson?

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3903 [No response.]
3904 *The Clerk. Bucshon?
3905 *Mr. Bucshon. Aye.
3906 *The Clerk. Bucshon votes aye.
3907 Hudson?
3908 [No response.]
3909 *The Clerk. Walberg?
3910 [No response.]
3911 *The Clerk. Carter?
3912 [No response.]
3913 *The Clerk. Duncan?
3914 *Mr. Duncan. Aye.
3915 *The Clerk. Duncan votes aye.
3916 Palmer?
3917 *Mr. Palmer. Aye.
3918 *The Clerk. Palmer votes aye.
3919 Dunn?
3920 [No response.]
3921 *The Clerk. Curtis?
3922 [No response.]
3923 *The Clerk. Lesko?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3924 [No response.]
3925 *The Clerk. Pence?
3926 *Mr. Pence. Aye.
3927 *The Clerk. Pence votes aye.
3928 Crenshaw?
3929 [No response.]
3930 *The Clerk. Joyce?
3931 *Mr. Joyce. Aye.
3932 *The Clerk. Joyce votes aye.
3933 Armstrong?
3934 [No response.]
3935 *The Clerk. Weber?
3936 *Mr. Weber. Yes.
3937 *The Clerk. Weber votes aye.
3938 Allen?
3939 *Mr. Allen. Aye.
3940 *The Clerk. Allen votes aye.
3941 Balderson?
3942 *Mr. Balderson. Aye.
3943 *The Clerk. Balderson votes aye.
3944 Fulcher?

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3945 [No response.]
3946 *The Clerk. Pfluger?
3947 *Mr. Pfluger. Aye.
3948 *The Clerk. Pfluger votes aye.
3949 Harshbarger?
3950 *Mrs. Harshbarger. Aye.
3951 *The Clerk. Harshbarger votes aye.
3952 Miller-Meeks?
3953 *Mrs. Miller-Meeks. Aye.
3954 *The Clerk. Miller-Meeks votes aye.
3955 Cammack?
3956 [No response.]
3957 *The Clerk. Obernolte?
3958 *Mr. Obernolte. Aye.
3959 *The Clerk. Obernolte votes aye.
3960 Pallone?
3961 *Mr. Pallone. Aye.
3962 *The Clerk. Pallone votes aye.
3963 Eshoo?
3964 *Ms. Eshoo. Aye.
3965 *The Clerk. Eshoo votes aye.

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3966 DeGette?
3967 [No response.]
3968 *The Clerk. Schakowsky?
3969 [No response.]
3970 *The Clerk. Schakowsky?
3971 *Ms. Schakowsky. Yes.
3972 *The Clerk. Schakowsky votes aye.
3973 Matsui?
3974 [No response.]
3975 *The Clerk. Castor?
3976 *Ms. Castor. Aye.
3977 *The Clerk. Castor votes aye.
3978 Sarbanes?
3979 [No response.]
3980 *The Clerk. Tonko?
3981 [No response.]
3982 *The Clerk. Clarke?
3983 [No response.]
3984 *The Clerk. Cardenas?
3985 [No response.]
3986 *The Clerk. Ruiz?

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3987 [No response.]
3988 *The Clerk. Peters?
3989 *Mr. Peters. Aye.
3990 *The Clerk. Peters votes aye.
3991 Dingell?
3992 *Mrs. Dingell. Aye.
3993 *The Clerk. Dingell votes aye.
3994 Veasey?
3995 *Mr. Veasey. Aye.
3996 *The Clerk. Veasey votes aye.
3997 Kuster?
3998 [No response.]
3999 *The Clerk. Kelly?
4000 [No response.]
4001 *The Clerk. Barragan?
4002 [No response.]
4003 *The Clerk. Blunt Rochester?
4004 [No response.]
4005 *The Clerk. Soto?
4006 [No response.]
4007 *The Clerk. Craig?

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4008 [No response.]

4009 *The Clerk. Schrier?

4010 [No response.]

4011 *The Clerk. Trahan?

4012 [No response.]

4013 *The Clerk. Fletcher?

4014 [No response.]

4015 *The Clerk. Chair Rodgers?

4016 *The Chair. Aye.

4017 *The Clerk. Rodgers votes aye.

4018 [Pause.]

4019 *The Chair. Clerk, would you call the roll of those who
4020 did not vote on the first round, please?

4021 *The Clerk. Burgess is not recorded.

4022 *Mr. Burgess. Votes aye.

4023 *The Clerk. Burgess votes aye.

4024 Guthrie is not recorded.

4025 *Mr. Guthrie. Aye.

4026 *The Clerk. Guthrie votes aye.

4027 Griffith is not recorded.

4028 *Mr. Griffith. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4029 *The Clerk. Griffith votes aye.
4030 Bilirakis is not recorded.
4031 *Mr. Bilirakis. Bilirakis votes aye.
4032 *The Clerk. Bilirakis votes aye.
4033 Johnson is not recorded.
4034 *Mr. Johnson. Aye.
4035 *The Clerk. Johnson votes aye.
4036 Hudson is not recorded.
4037 *Mr. Hudson. Aye.
4038 *The Clerk. Hudson votes aye.
4039 Walberg is not recorded.
4040 *Mr. Walberg. Aye.
4041 *The Clerk. Walberg votes aye.
4042 Carter is not recorded.
4043 *Mr. Carter. Aye.
4044 *The Clerk. Carter votes aye.
4045 Dunn is not recorded.
4046 Curtis is not recorded.
4047 *Mr. Curtis. Aye.
4048 *The Clerk. Curtis votes aye.
4049 Lesko is not recorded.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4050 *Mrs. Lesko. Aye.

4051 *The Clerk. Lesko votes aye.

4052 Crenshaw is not recorded.

4053 Armstrong is not recorded.

4054 *Mr. Armstrong. Yes.

4055 *The Clerk. Armstrong votes aye.

4056 Fulcher is not recorded.

4057 *Mr. Palmer. Palmer?

4058 *The Clerk. Mr. Palmer, you are recorded as aye.

4059 Cammack is not recorded.

4060 *The Chair. Cammack?

4061 *Mrs. Cammack. Aye.

4062 *The Clerk. Mrs. Cammack votes aye.

4063 DeGette is not recorded.

4064 *The Chair. DeGette?

4065 *Ms. DeGette. DeGette votes aye.

4066 *The Clerk. DeGette votes aye.

4067 Matsui is not recorded.

4068 Sarbanes is not recorded.

4069 *Mr. Sarbanes. Aye.

4070 *The Clerk. Sarbanes votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4071 *Mr. Ruiz. Ruiz?
4072 *The Clerk. Ruiz, you are not recorded.
4073 *Mr. Ruiz. Aye.
4074 *The Clerk. Ruiz votes aye.
4075 *Mr. Cardenas. Cardenas?
4076 *The Clerk. Cardenas is not recorded.
4077 *Mr. Cardenas. Aye.
4078 *The Clerk. Cardenas votes aye.
4079 Trahan is not recorded.
4080 *Mrs. Trahan. Aye.
4081 *The Clerk. Trahan votes aye.
4082 *The Chair. Mr. Soto?
4083 *Mr. Soto. Soto is aye.
4084 *The Clerk. Soto votes aye.
4085 *Mr. Pallone. Is Dingell recorded?
4086 *Voice. She is.
4087 *The Chair. Clerk, how is Mr. Fulcher recorded?
4088 *The Clerk. Mr. Fulcher is not recorded.
4089 *Mr. Fulcher. Votes aye.
4090 *The Clerk. Fulcher votes aye.
4091 *The Chair. How is Ms. Blunt Rochester recorded?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4092 *The Clerk. Ms. Blunt Rochester is not recorded.

4093 *Ms. Blunt Rochester. Aye.

4094 *The Clerk. Blunt Rochester votes aye.

4095 *The Chair. How is Ms. Kelly recorded?

4096 *The Clerk. Kelly is not recorded.

4097 *Ms. Kelly. Kelly votes aye.

4098 *The Clerk. Kelly votes aye.

4099 *The Chair. I think we did pretty good.

4100 *Mr. Pallone. That is it?

4101 *The Chair. Good.

4102 [Pause.]

4103 *The Chair. The clerk will report.

4104 *The Clerk. Chair Rodgers, on that vote there were 42
4105 ayes and 0 noes.

4106 *The Chair. The ayes have it, and the bill is adopted.
4107 The chair calls up H.R. 4814, and asks the clerk to
4108 report.

4109 *The Clerk. H.R. 4814, a bill to direct the Consumer
4110 Product Safety Commission to establish a pilot program to
4111 explore the use of artificial intelligence in support of the
4112 mission _

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4113 *The Chair. Without objection, the first reading of the
4114 bill is dispensed with. The bill will be open for amendment
4115 at any point.

4116 So ordered.

4117 [The bill follows:]

4118

4119 *****COMMITTEE INSERT*****

4120

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4121 *The Chair. Does anyone seek to be recognized on the
4122 bill?

4123 *Mr. Burgess. I thought Soto had an AINS. I was going
4124 to speak on it.

4125 *Voice. He has an AINS.

4126 *The Chair. For what purpose does Mr. Soto seek
4127 recognition?

4128 *Mr. Soto. To present an amendment.

4129 *The Chair. The clerk will report.

4130 *The Clerk. Amendment in the nature of a substitute to
4131 H.R. 4814, offered by Mr. Soto.

4132 *The Chair. Without _

4133 *The Clerk. Strike all after _

4134 *The Chair. Without objection, the reading of the clerk
4135 on the amendment will be dispensed with.

4136 [The amendment of Mr. Soto follows:]

4137

4138 *****COMMITTEE INSERT*****

4139

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4140 *The Chair. The gentleman is recognized for five
4141 minutes on the amendment.

4142 *Mr. Soto. Thank you, Madam Chair.

4143 I am thrilled to be able to introduce the Consumer
4144 Safety Technology Act, along with my dear friend from Texas,
4145 Representative Burgess, as well as Representatives Trahan,
4146 Guthrie, and Castor.

4147 As technology continues to improve, we need to make sure
4148 our agencies are embracing new technologies. In short, the
4149 bad guys, they already have AI and other technologies that
4150 they are using. And so it is important that cops on the beat
4151 have these technologies as well.

4152 We are excited to see that FTC will be able to _ will be
4153 doing studies on digital tokens. We will see the _ both
4154 consumer protection be enhanced by using artificial
4155 intelligence through the Consumer Product Safety Commission,
4156 and also to look at the application of blockchain technology
4157 to prevent and mitigate fraud. For that and more, I am
4158 excited to be able to introduce this.

4159 And the AINS makes technical and conforming changes such
4160 as to the word "token," and conforms to other bills that are

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4161 up on this _ in the committee today. And I move for the
4162 AINS.

4163 *The Chair. The gentleman yields back. Is there
4164 further discussion?

4165 For what purpose does Mr. Burgess seek recognition?

4166 *Mr. Burgess. To speak on the amendment in the nature
4167 of a substitute.

4168 *The Chair. The gentleman is recognized for five
4169 minutes.

4170 *Mr. Burgess. Well, I want to thank Mr. Soto for the
4171 amendment in the nature of a substitute to make the technical
4172 and conforming changes that were delivered to us by the
4173 request for technical assistance from the agencies.

4174 So the underlying bill requires the Department of
4175 Commerce, the Consumer Product Safety Commission, and the
4176 Federal Trade Commission to explore the use of emerging
4177 technologies in evaluating consumer products and safety.

4178 Specifically, this bill requires the CPSC to use
4179 artificial intelligence in a pilot program to do at least one
4180 of the following: track trends and injuries involving
4181 consumer products; identify consumer product hazards; monitor

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4182 the sale of recalled consumer products; or identify consumer
4183 products that do not meet specified importation requirements
4184 related to product safety.

4185 Fifteen years ago in this committee we heard testimony
4186 from a manufacturer, a major toy manufacturer, right before
4187 the Christmas buying season, that some of his toys had been
4188 painted with lead paint that _ painted with green paint that
4189 was contaminated by lead. These were products that were made
4190 in China. Although he admitted that these products should be
4191 recalled, there was no plan to turn the boats around in the
4192 ocean and take them back to China. They were delivered to
4193 this country, and unloaded and stored in warehouses.

4194 Bobby Rush, who at the time was chairman of the
4195 Commerce, Trade, and Consumer Protection Subcommittee, was
4196 concerned that these products would find their way into
4197 discount houses in his low-income neighborhoods. And I think
4198 it was a valid concern. The problem was there was no real
4199 way to deal with that. But now, 15 years later, using this
4200 new artificial intelligence technology, there will be a way
4201 to identify those products, isolate them, and keep them out
4202 of the stream of commerce, and to identify them in resale

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4203 shops should they show up there.

4204 So it is an extremely valuable, legislative change that
4205 we are undertaking here. I want to thank Mr. Soto for
4206 recognizing the fact that the agencies had offered us
4207 technical assistance in the language. And adopting their
4208 technical assistance as part of the underlying bill is the
4209 purpose of the AINS. But I do urge support of the underlying
4210 bill. It is important. It is time we did this.

4211 And I will yield back.

4212 *The Chair. The gentleman yields back. Is there
4213 further discussion?

4214 Seeing none, the vote occurs on the AINS.

4215 All those in favor, say aye.

4216 All those opposed, no.

4217 The ayes have it, the AINS is adopted.

4218 Is there any further discussion?

4219 Seeing none, the vote occurs on approving H.R. 4814, as
4220 amended. A roll call has been requested. The clerk will
4221 call the roll.

4222 *The Clerk. Burgess?

4223 *Mr. Burgess. Burgess votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4224 *The Clerk. Burgess votes aye.
4225 Latta?
4226 *Mr. Latta. Aye.
4227 *The Clerk. Latta votes aye.
4228 Guthrie?
4229 *Mr. Guthrie. Aye.
4230 *The Clerk. Guthrie votes aye.
4231 Griffith?
4232 *Mr. Griffith. Aye.
4233 *The Clerk. Griffith votes aye.
4234 Bilirakis?
4235 *Mr. Bilirakis. Aye.
4236 *The Clerk. Bilirakis votes aye.
4237 Johnson?
4238 *Mr. Johnson. Aye.
4239 *The Clerk. Johnson votes aye.
4240 Bucshon?
4241 *Mr. Bucshon. Aye.
4242 *The Clerk. Bucshon votes aye.
4243 Hudson?
4244 *Mr. Hudson. Aye.

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4245 *The Clerk. Hudson votes aye.

4246 Walberg?

4247 *Mr. Walberg. Aye.

4248 *The Clerk. Walberg votes aye.

4249 Carter?

4250 [No response.]

4251 *The Clerk. Duncan?

4252 *Mr. Duncan. Aye.

4253 *The Clerk. Duncan votes aye.

4254 Palmer?

4255 [No response.]

4256 *The Clerk. Dunn?

4257 [No response.]

4258 *The Clerk. Curtis?

4259 [No response.]

4260 *The Clerk. Lesko?

4261 *Mrs. Lesko. Aye.

4262 *The Clerk. Lesko votes aye.

4263 Pence?

4264 *Mr. Pence. Aye.

4265 *The Clerk. Pence votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4266 Crenshaw?

4267 *Mr. Crenshaw. Aye.

4268 *The Clerk. Crenshaw votes aye.

4269 Joyce?

4270 *Mr. Joyce. Aye.

4271 *The Clerk. Joyce votes aye.

4272 Armstrong?

4273 *Mr. Armstrong. Yes.

4274 *The Clerk. Armstrong votes aye.

4275 Weber?

4276 *Mr. Weber. Aye.

4277 *The Clerk. Weber votes aye.

4278 Allen?

4279 *Mr. Allen. Aye.

4280 *The Clerk. Allen votes aye.

4281 Balderson?

4282 *Mr. Balderson. Aye.

4283 *The Clerk. Balderson votes aye.

4284 Fulcher?

4285 *Mr. Fulcher. Fulcher is aye.

4286 *The Clerk. Fulcher votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4287 Pfluger?
4288 *Mr. Pfluger. Aye.
4289 *The Clerk. Pfluger votes aye.
4290 Harshbarger?
4291 *Mrs. Harshbarger. Aye.
4292 *The Clerk. Harshbarger votes aye.
4293 Miller-Meeks?
4294 *Mrs. Miller-Meeks. Aye.
4295 *The Clerk. Miller-Meeks votes aye.
4296 Cammack?
4297 *Mrs. Cammack. Aye.
4298 *The Clerk. Cammack votes aye.
4299 Obernolte?
4300 *Mr. Obernolte. Aye.
4301 *The Clerk. Obernolte votes aye.
4302 Pallone?
4303 *Mr. Pallone. Aye.
4304 *The Clerk. Pallone votes aye.
4305 Eshoo?
4306 [No response.]
4307 *The Clerk. DeGette?

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4308 *Ms. DeGette. Aye.
4309 *The Clerk. DeGette votes aye.
4310 Schakowsky?
4311 *Ms. Schakowsky. Aye.
4312 *The Clerk. Schakowsky votes aye.
4313 Matsui?
4314 [No response.]
4315 *The Clerk. Castor?
4316 [No response.]
4317 *The Clerk. Sarbanes?
4318 *Mr. Sarbanes. Aye.
4319 *The Clerk. Sarbanes votes aye.
4320 Tonko?
4321 *Mr. Tonko. Aye.
4322 *The Clerk. Tonko votes aye.
4323 Clarke?
4324 *Ms. Clarke. Aye.
4325 *The Clerk. Clarke votes aye.
4326 Cardenas?
4327 *Mr. Cardenas. Aye.
4328 *The Clerk. Cardenas votes aye.

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4329 Ruiz?
4330 *Mr. Ruiz. Aye.
4331 *The Clerk. Ruiz votes aye.
4332 Peters?
4333 *Mr. Peters. Aye.
4334 *The Clerk. Peters votes aye.
4335 Dingell?
4336 *Mrs. Dingell. Aye.
4337 *The Clerk. Dingell votes aye.
4338 Veasey?
4339 *Mr. Veasey. Aye.
4340 *The Clerk. Veasey votes aye.
4341 Kuster?
4342 *Ms. Kuster. Aye.
4343 *The Clerk. Kuster votes aye.
4344 Kelly?
4345 *Ms. Kelly. Aye.
4346 *The Clerk. Kelly votes aye.
4347 Barragan?
4348 *Ms. Barragan. Aye.
4349 *The Clerk. Barragan votes aye.

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4350 Blunt Rochester?
4351 *Ms. Blunt Rochester. Aye.
4352 *The Clerk. Blunt Rochester votes aye.
4353 Soto?
4354 *Mr. Soto. Aye.
4355 *The Clerk. Soto votes aye.
4356 Craig?
4357 [No response.]
4358 *The Clerk. Schrier?
4359 *Ms. Schrier. Aye.
4360 *The Clerk. Schrier votes aye.
4361 Trahan?
4362 *Mrs. Trahan. Aye.
4363 *The Clerk. Trahan votes aye.
4364 Fletcher?
4365 [No response.]
4366 *The Clerk. Chair Rodgers?
4367 *The Chair. Aye.
4368 *The Clerk. Chair Rodgers votes aye.
4369 *The Chair. Mr. Clerk, how is Castor recorded?
4370 *The Clerk. Ms. Castor is not recorded.

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4371 *Ms. Castor. Castor is aye.

4372 *The Clerk. Castor votes aye.

4373 *The Chair. How is Ms. Eshoo recorded?

4374 *The Clerk. Eshoo is not recorded.

4375 *Ms. Eshoo. Aye.

4376 *The Clerk. Eshoo votes aye.

4377 [Pause.]

4378 *The Chair. The clerk will report.

4379 *The Clerk. Chair Rodgers, on that vote there were 45
4380 ayes and 0 noes.

4381 *The Chair. The ayes have it, and the bill is adopted.

4382 The chair calls up H.R. 5372, and asks the clerk to
4383 report.

4384 *The Clerk. H.R. 5372, a bill to amend title 18 of the
4385 Social Security Act to facilitate mid-year formulary changes
4386 for biosimilars.

4387 *The Chair. Without objection, the first reading of the
4388 bill is dispensed with, and the bill will be open for
4389 amendment at any point.

4390 So ordered.

4391 [The bill follows:]

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4392

4393 *****COMMITTEE INSERT*****

4394

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4395 *The Chair. Does anyone seek to be recognized on the
4396 bill?

4397 For what purpose does Mr. Joyce seek recognition?

4398 *Mr. Joyce. Chair Rodgers, I have an amendment at the
4399 desk.

4400 *The Chair. The clerk will report.

4401 *The Clerk. Amendment in the nature of a substitute to
4402 H.R. 5372, offered by Mr. Joyce. Strike all the _

4403 *The Chair. Without objection, the reading of the
4404 amendment is dispensed with.

4405 Mr. Joyce is recognized for five minutes in support of
4406 his amendment.

4407 *Mr. Joyce. Thank you, Chair Rodgers.

4408 I briefly want to offer my support for the amendment to
4409 Expanding Seniors' Access to Lower Cost Medicines Act of
4410 2023. This bipartisan legislation would enable greater
4411 patient access to biosimilar products by allowing for
4412 mid-year changes in Medicare Part D insurance plans that _
4413 for specific biosimilar products.

4414 Today our nation's seniors are facing an uphill cost
4415 battle by allowing biosimilars inclusion through mid-year

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4416 formulary adjustments. This piece of legislation will drive
4417 down costs for seniors who are eligible for these
4418 medications. In fact, the cost estimates for this bill have
4419 shown significant savings for patients and beneficiaries.
4420 Medicare alone estimated it could save over \$2 billion if it
4421 had access to these biosimilars.

4422 When at home and I am speaking to seniors, the cost of
4423 prescription drugs is one of the most common concerns that I
4424 hear. By expanding access to biosimilar drugs for certain
4425 conditions we will be able to lower costs and ensure quality
4426 health care and treatments for our nation's seniors.

4427 We should be seizing every opportunity that we can to
4428 ensure that health care is more affordable, that treatments
4429 are more accessible, and that patients and beneficiaries are
4430 not subject to any undue burden exclusions. This bill will
4431 go a long way to ensure more rapid biosimilar access that
4432 will save both patients and taxpayer money.

4433 I would like to thank my friend, Mr. Peters of
4434 California, for working with me on introducing this important
4435 legislation, and I urge my colleagues to support it as well
4436 with this amendment, and to support the critical bipartisan

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4437 legislation.

4438 Thank you, Madam Chair, and I yield back.

4439 *The Chair. The gentleman yields back. The chair
4440 recognizes Mr. Peters to strike the last word for five
4441 minutes.

4442 *Mr. Peters. Thank you, Madam Chair.

4443 The Expanding Seniors' Access to Lower Cost Medicines
4444 Act, my bill with Congressman John Joyce, stems from a
4445 bipartisan letter we sent in January to the Department of
4446 Health and Human Services. In the letter we urged the agency
4447 to do what it can to make FDA-approved generic biological
4448 medicines, or biosimilars, more accessible to seniors.

4449 A Health and Human Services inspector general report
4450 found that Medicare Part D beneficiaries could enjoy
4451 significant out-of-pocket savings if biosimilar use
4452 increases. But that same report showed that the lack of
4453 biosimilar coverage on part D formularies could prevent us
4454 from achieving these access gains, and that is unacceptable.

4455 Seniors in San Diego and across the country should have
4456 access to lower-cost prescriptions when they become
4457 available. They shouldn't be forced to wait until the

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4458 beginning of the next coverage year as they do under current
4459 law. Our bill will fix that.

4460 It will also help increase access to biosimilars by
4461 curbing prescription drug plans' incentives to preference
4462 more expensive medicines over cheaper alternatives that are
4463 just as effective.

4464 The Senate Finance Committee marked up a similar policy
4465 this year, and I urge my colleagues to vote yes on this bill.

4466 Thank you, and I yield back.

4467 *The Chair. The gentleman yields back. Is there
4468 further discussion?

4469 For what purpose does the ranking member seek
4470 recognition?

4471 *Mr. Pallone. To strike the last word in support of the
4472 bill and the AINS.

4473 *The Chair. Okay, you are recognized for five minutes.

4474 *Mr. Pallone. Thank you, Madam Chair, I am just pleased
4475 we are considering the bill today, and I believe that
4476 providing more flexibility to substitute biosimilars on Part
4477 D formularies will help get lower-cost products to
4478 beneficiaries more quickly.

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4479 Allowing Part D plans to enact mid-year formulary
4480 changes to when new biosimilars come to market increases
4481 competition, drives down prices, and encourages greater
4482 utilization of these drugs now and in the future. And there
4483 is bipartisan support for strengthening our biosimilar
4484 marketplace, and I believe this policy will help.

4485 However, the Centers for Medicare and Medicaid Services
4486 have also put forward a similar proposed regulation for plan
4487 year 2025 that would permit Part D sponsors to substitute
4488 biosimilar products on their formularies and consider them
4489 maintenance changes that could take effect within 30 days.
4490 It is important that we align the statutory policy with CMS's
4491 proposed regulatory policy to ensure that biosimilars can be
4492 substituted for the referenced products in a streamlined,
4493 efficient manner.

4494 And while I support the policy as drafted today for the
4495 purposes of committee consideration, I believe the policy
4496 must continue to be refined before it is considered on the
4497 floor to make clear that any changes to the Part D statute to
4498 permit biosimilar formulary substitutions should be in line
4499 with CMS's proposed rule.

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4500 So I appreciate the chair's willingness to continue to
4501 work on this. I support both the AINS, as well as the
4502 underlying bill.

4503 And with that, I yield back, Madam Chair.

4504 *The Chair. The gentleman yields back. Is there
4505 further discussion?

4506 Seeing none, the vote _ a vote occurs on the AINS.

4507 All those in favor, say aye.

4508 Those opposed, no.

4509 The ayes have it. The amendment is adopted.

4510 Is there further discussion?

4511 Seeing none, the question now occurs on approving H.R.
4512 5372, as amended, and a roll call has been requested. The
4513 clerk will call the roll.

4514 *The Clerk. Burgess?

4515 *Mr. Burgess. Burgess votes aye.

4516 *The Clerk. Burgess votes aye.

4517 Latta?

4518 *Mr. Latta. Aye.

4519 *The Clerk. Latta votes aye.

4520 Guthrie?

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4521 *Mr. Guthrie. Aye.
4522 *The Clerk. Guthrie votes aye.
4523 Griffith?
4524 *Mr. Griffith. Aye.
4525 *The Clerk. Griffith votes aye.
4526 Bilirakis?
4527 *Mr. Bilirakis. Aye.
4528 *The Clerk. Bilirakis votes aye.
4529 Johnson?
4530 *Mr. Johnson. Aye.
4531 *The Clerk. Johnson votes aye.
4532 Bucshon?
4533 *Mr. Bucshon. Aye.
4534 *The Clerk. Bucshon votes aye.
4535 Hudson?
4536 [No response.]
4537 *The Clerk. Walberg?
4538 *Mr. Walberg. Aye.
4539 *The Clerk. Walberg votes aye.
4540 Carter?
4541 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4542 *The Clerk. Duncan?
4543 *Mr. Duncan. Aye.
4544 *The Clerk. Duncan votes aye.
4545 Palmer?
4546 [No response.]
4547 *The Clerk. Dunn?
4548 [No response.]
4549 *The Clerk. Curtis?
4550 [No response.]
4551 *The Clerk. Lesko?
4552 *Mrs. Lesko. Aye.
4553 *The Clerk. Lesko votes aye.
4554 Pence?
4555 *Mr. Pence. Aye.
4556 *The Clerk. Pence votes aye.
4557 Crenshaw?
4558 *Mr. Crenshaw. Aye.
4559 *The Clerk. Crenshaw votes aye.
4560 Joyce?
4561 *Mr. Joyce. Aye.
4562 *The Clerk. Joyce votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4563 Armstrong?
4564 *Mr. Armstrong. Yes.
4565 *The Clerk. Armstrong votes aye.
4566 Weber?
4567 *Mr. Weber. Yes.
4568 *The Clerk. Weber votes aye.
4569 Allen?
4570 *Mr. Allen. Aye.
4571 *The Clerk. Allen votes aye.
4572 Balderson?
4573 *Mr. Balderson. Aye.
4574 *The Clerk. Balderson votes aye.
4575 Fulcher?
4576 *Mr. Fulcher. Fulcher is aye.
4577 *The Clerk. Fulcher votes aye.
4578 Pfluger?
4579 *Mr. Pfluger. Aye.
4580 *The Clerk. Pfluger votes aye.
4581 Harshbarger?
4582 *Mrs. Harshbarger. Aye.
4583 *The Clerk. Harshbarger votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4584 Miller-Meeks?
4585 *Mrs. Miller-Meeks. Yes.
4586 *The Clerk. Miller-Meeks votes aye.
4587 Cammack?
4588 *Mrs. Cammack. Aye.
4589 *The Clerk. Cammack votes aye.
4590 Obernolte?
4591 *Mr. Obernolte. Aye.
4592 *The Clerk. Obernolte votes aye.
4593 Pallone?
4594 *Mr. Pallone. Aye.
4595 *The Clerk. Pallone votes aye.
4596 Eshoo?
4597 *Ms. Eshoo. Aye.
4598 *The Clerk. Eshoo votes aye.
4599 DeGette?
4600 *Ms. DeGette. Aye.
4601 *The Clerk. DeGette votes aye.
4602 Schakowsky?
4603 *Ms. Schakowsky. Aye.
4604 *The Clerk. Schakowsky votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4605 Matsui?

4606 [No response.]

4607 *The Clerk. Castor?

4608 *Ms. Castor. Aye.

4609 *The Clerk. Castor votes aye.

4610 Sarbanes?

4611 *Mr. Sarbanes. Aye.

4612 *The Clerk. Sarbanes votes aye.

4613 Tonko?

4614 *Mr. Tonko. Aye.

4615 *The Clerk. Tonko votes aye.

4616 Clarke?

4617 *Ms. Clarke. Aye.

4618 *The Clerk. Clarke votes aye.

4619 Cardenas?

4620 *Mr. Cardenas. Aye.

4621 *The Clerk. Cardenas votes aye.

4622 Ruiz?

4623 *Mr. Ruiz. Aye.

4624 *The Clerk. Ruiz votes aye.

4625 Peters?

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4626 *Mr. Peters. Aye.
4627 *The Clerk. Peters votes aye.
4628 Dingell?
4629 *Mrs. Dingell. Aye.
4630 *The Clerk. Dingell votes aye.
4631 Veasey?
4632 *Mr. Veasey. Aye.
4633 *The Clerk. Veasey votes aye.
4634 Kuster?
4635 *Ms. Kuster. Aye.
4636 *The Clerk. Kuster votes aye.
4637 Kelly?
4638 *Ms. Kelly. Aye.
4639 *The Clerk. Kelly votes aye.
4640 Barragan?
4641 *Ms. Barragan. Aye.
4642 *The Clerk. Barragan votes aye.
4643 Blunt Rochester?
4644 *Ms. Blunt Rochester. Aye.
4645 *The Clerk. Blunt Rochester votes aye.
4646 Soto?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4647 *Mr. Soto. Aye.
4648 *The Clerk. Soto votes aye.
4649 Craig?
4650 [No response.]
4651 *The Clerk. Schrier?
4652 *Ms. Schrier. Aye.
4653 *The Clerk. Schrier votes aye.
4654 Trahan?
4655 *Mrs. Trahan. Aye.
4656 *The Clerk. Trahan votes aye.
4657 Fletcher?
4658 [No response.]
4659 *The Clerk. Chair Rodgers?
4660 *The Chair. Aye.
4661 *The Clerk. Chair Rodgers votes aye.
4662 *The Chair. Mr. Clerk, how is Mr. Palmer recorded?
4663 *The Clerk. Mr. Palmer is not recorded.
4664 *Mr. Palmer. Aye.
4665 *The Clerk. Mr. Palmer votes aye.
4666 *The Chair. Mr. Curtis?
4667 *The Clerk. Curtis is not recorded.

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4668 *Mr. Curtis. Aye.

4669 *The Clerk. Curtis votes aye.

4670 *The Chair. Mr. Carter?

4671 *The Clerk. Carter is not recorded.

4672 *Mr. Carter. Carter votes aye.

4673 *The Clerk. Carter votes aye.

4674 *The Chair. Mr. Hudson?

4675 *The Clerk. Hudson is not recorded.

4676 *Mr. Hudson. Aye.

4677 *The Clerk. Hudson votes aye.

4678 *Mr. Pallone. I think that is it.

4679 *The Chair. Great. The clerk will report.

4680 *The Clerk. Chair Rodgers, on that vote there were 48
4681 ayes and 0 noes.

4682 *The Chair. The ayes have it, and the bill is adopted.
4683 The chair calls up H.R. 2880, and asks the clerk to
4684 report.

4685 *The Clerk. H.R. 2880, a bill to amend title 18 of the
4686 Social Security Act to establish certain requirements for
4687 pharmacy benefit managers under Part D of the _

4688 *The Chair. Without objection, the first reading of the

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4689 bill is dispensed with, and the bill will be open for
4690 amendment at any point.

4691 So ordered.

4692

4693

4694

4695 [The bill follows:]

4696

4697 *****COMMITTEE INSERT*****

4698

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4699 *The Chair. Does anyone seek recognition on the bill?

4700 For what purpose does Mr. Carter seek recognition?

4701 *Mr. Carter. Madam Chair, I seek recognition to offer

4702 an amendment to H.R. 2880, the Protecting Patients Against

4703 PBM Abuses Act.

4704 *The Chair. The clerk will report.

4705 *The Clerk. Amendment in the nature of a substitute to

4706 H.R. 2880, offered by Mr. Carter. Strike all after the

4707 enacting clause, and insert the following. Section 1 _

4708 *The Chair. Without objection, the reading of the

4709 amendment is dispensed with.

4710 [The amendment of Mr. Carter follows:]

4711

4712 *****COMMITTEE INSERT*****

4713

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4714 *The Chair. The gentleman is recognized for five
4715 minutes in support of the amendment.

4716 *Mr. Carter. Madam Chair, I would like to offer this
4717 bipartisan amendment that I am leading with Representative
4718 Lisa Blunt Rochester.

4719 This legislation will protect seniors from harmful PBM
4720 practices that are making health care inaccessible and
4721 unaffordable for millions of Americans. PBMs currently get
4722 compensated by charging fees calculated as a percentage of
4723 the cost of medicine. When PBMs have misaligned incentives
4724 to favor medicines with higher list prices, it can lead to
4725 higher costs for patients who face cost-sharing and
4726 deductibles and co-insurance that is typically based on list
4727 price.

4728 The Wall Street Journal recently reported that across a
4729 selection of so-called specialty generic drugs, Cigna and
4730 CVS's prices were at least 24 times higher on average than
4731 roughly what the medicine's manufacturers charge. It can
4732 also mean patients have fewer and higher cost choices when
4733 PBMs disfavor generic or lower priced brand competitors. For
4734 example, the 3 largest PBMs continue to block more than 1,150

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4735 treatments from their formularies, including a low-cost
4736 insulin alternative.

4737 We know that patients are being deprived of billions and
4738 discounts at the pharmacy counter. According to a recent
4739 report from the GAO, Part D beneficiaries pay more than their
4740 insurers for 79 of the 100 most highly rebated drugs under
4741 the program. Delaying action any longer on this bill will
4742 result in increased costs for patients.

4743 You know, my patients never asked me to dispense them a
4744 medication with the highest-priced medicine. Why do the PBMs
4745 think that is what is best for our patients?

4746 Our bill would only allow PBMs to earn income from
4747 selling services their clients value at transparent, flat
4748 dollar prices their clients are willing to pay. That is how
4749 a free, competitive market works, and that is the kind of
4750 affordable marketplace taxpayers and patients deserve.

4751 And our bill would prohibit PBMs from taking earnings
4752 from secret and opaque schemes to manipulate drug prices,
4753 retain rebates, and link patient costs to high-list drug
4754 prices that PBMs never pay. Taxpayers and patients don't
4755 deserve that. They deserve access to lifesaving prescription

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4756 drugs at fair market prices. Our bill would restore that to
4757 them.

4758 By delinking administration fees paid to PBMs from the
4759 price of medicines, this proposal will help to correct this _
4760 these misaligned incentives and bring relief to the patients
4761 at the pharmacy counter. The Congressional Budget Office
4762 estimates that delinking in Part D will save more than \$200
4763 million in Federal spending.

4764 Representative Lisa Blunt Rochester and I are proposing
4765 this bipartisan bill that will help patients afford their
4766 medicine and protect them from harmful PBM practices. I
4767 greatly appreciate the work of this committee.

4768 Let me repeat that. I greatly appreciate the work of
4769 this committee and so many of my colleagues to start to rein
4770 in these PBM tactics and put patients first. But we must
4771 continue to do more. That is why I urge my colleagues to
4772 support this bill, the Protecting Patients Against PBM Abuses
4773 Act.

4774 Thank you, Madam Chair, and I would like to yield the
4775 remainder of my time to you.

4776 *The Chair. I thank the gentleman for yielding.

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4777 I want to thank Representative Carter for his hard work,
4778 his leadership on this critically important issue.

4779 Today we are moving forward on numerous policies to
4780 lower drug costs for seniors and the Medicare program, as
4781 well as ensure that those seniors have access to independent
4782 pharmacies. This legislation includes a critically important
4783 reform to ensure that PBM compensation in Medicare Part D is
4784 transparent, accountable, and does not come with a
4785 consequence of higher drug costs.

4786 I am grateful for the work of Representatives Carter and
4787 Blunt Rochester on these important reforms, and I also agree
4788 with them that more needs to be done.

4789 Earlier this year this committee banned spread pricing
4790 in Medicaid, and it only makes sense that we would take this
4791 step in Medicare too. There is also language from the
4792 underlying bill that we hope to move forward with more work
4793 to address reimbursement disparities between vertically
4794 integrated pharmacies and independent, in-network pharmacies.
4795 This committee has worked hard to highlight the effects
4796 vertical integration can have on the cost in the health care
4797 system. We have and will continue to work hard towards

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4798 reversing consolidation across the board. I commit to
4799 working to advance both provisions as we reconcile PBM
4800 legislation in hopes of bringing it to the House floor.

4801 I thank, once again, Representative Carter, for your
4802 tremendous leadership, and I yield back.

4803 *Mr. Carter. Madam Chair, I want to thank you for
4804 making those commitments. They are important. As you heard
4805 me say earlier, I appreciate staff and I appreciate they work
4806 on this.

4807 But I have to tell you that I am disappointed with how
4808 this process played out. As you pointed out, we have got _
4809 we did ban spread pricing in Medicaid, and there is no reason
4810 why we shouldn't ban it in Medicare, as well.

4811 And to my colleagues across the aisle who may not be
4812 listening at this time, I hope you will listen because this
4813 is bipartisan. This impacts Democrats, Republicans,
4814 independents. It impacts patients. And we will be guilty if
4815 we do not _ if we don't do something.

4816 Madam Chair, I am disappointed how the process played
4817 out, but I am pleased to hear that you are committed to
4818 working with me to advance both provisions as we reconcile

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4819 PBM legislation. As you know, pharmacists are some of the
4820 most accessible health care professionals in America.
4821 Ninety-five percent of Americans live within five miles of a
4822 pharmacy.

4823 *The Chair. Buddy _

4824 *Mr. Carter. Okay.

4825 *The Chair. The gentleman's time has expired.

4826 *Mr. Carter. And I will yield back.

4827 *The Chair. Is there further discussion on the AINS?

4828 The chair recognizes _ for what purpose does Ms. Blunt
4829 Rochester seek recognition?

4830 *Ms. Blunt Rochester. Madam Chair, I move to strike the
4831 last word.

4832 *The Chair. The gentlelady is recognized for five
4833 minutes.

4834 *Ms. Blunt Rochester. Thank you, Madam Chair, for your
4835 commitment to continue this important work.

4836 And I especially want to recognize and thank my
4837 colleague, Representative Buddy Carter, for your leadership
4838 and your partnership on this bill. It is one of the things
4839 that I hear about from my constituents, and I know we all do.

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4840 While I am grateful that this committee is moving
4841 forward with key PBM reforms from our bill that will reduce
4842 perverse incentives to ensure that PBM business models
4843 benefit patients, I want to echo the concern of
4844 Representative Carter and call on our committee to continue
4845 working on the policies that will better support the pharmacy
4846 community, particularly independent pharmacies.

4847 Pharmacies are a pivotal part of our communities, and
4848 play a vital role in the management of chronic diseases,
4849 delivering resources to those with social needs, and
4850 educating us in amplifying public health initiatives. Almost
4851 90 percent of the U.S. population lives within 5 miles of a
4852 community pharmacy, which demonstrates the enormous reach and
4853 potential that pharmacies can have in increasing access to
4854 health care and improving public health.

4855 Unfortunately, a number of community pharmacies have
4856 been dwindling and going away due to unfair reimbursement
4857 arrangements that sometimes don't even cover the cost of
4858 pharmacy ingredients or operational costs.

4859 I will continue working with my colleague, Mr. Carter,
4860 on furthering policies that protect independent pharmacies

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4861 and curb adverse PBM practices, and I hope that the committee
4862 will commit to doing so, as well. We will specifically
4863 focuses on policies _ focus on policies that preserve patient
4864 access to the pharmacists of their choice _ I am going to say
4865 that again: focusing on the pharmacy of their choice; number
4866 two, to prevent PBMs from paying affiliated pharmacies more
4867 than unaffiliated pharmacies; and number three, ban spread
4868 pricing in Medicare Part D.

4869 These are bipartisan, bicameral, and, in my opinion,
4870 common-sense policies that will help ensure that PBMs are
4871 lowering the cost of medications at the pharmacy counter and
4872 working in the best interest of their clients, Delawareans,
4873 and the American people.

4874 Thank you, Madam Chair, and I yield back.

4875 *The Chair. Okay, the gentlelady yields back. For what
4876 purpose does Mr. Palmer seek recognition?

4877 *Mr. Palmer. I would like to strike the last word.

4878 *The Chair. The gentleman is recognized for five
4879 minutes.

4880 *Mr. Palmer. Thank you, Madam Chairman.

4881 Having grown up in a small town in northwest Alabama in

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4882 what I call dirt poor circumstances, having a mom who
4883 suffered from adult diabetes, I understand the importance of
4884 putting the patient first, particularly in trying to afford
4885 very expensive drugs. And I am very grateful for the work
4886 that this committee is doing on this bill, and particularly
4887 of the work that Mr. Carter, the gentleman from Georgia, is
4888 doing.

4889 And with that, I would like to yield such time as he may
4890 consume.

4891 *Mr. Carter. Thank you. I appreciate the gentleman
4892 yielding.

4893 Madam Chair, I want to thank you for your commitments
4894 that you made earlier. I appreciate that very much. You
4895 have been a friend to us and on this committee, and to
4896 patients throughout the country, and we all appreciate that.

4897 Pharmacists are among the most highly trusted health
4898 care professionals in America. Patients count on our
4899 training and expertise to stay healthy and informed. Yet
4900 PBMs' anti-competitive practices are putting independent
4901 pharmacies out of business and removing patients' access to
4902 care _ you just heard Representative Blunt Rochester say that

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4903 90 percent of Americans live within 5 miles of a pharmacy _
4904 the most accessible health care professionals in America.

4905 All of us, whether you are a Republican or Democrat or
4906 independent, you want the same thing. You want accessible,
4907 affordable, quality health care. Accessibility is going to
4908 continue to decrease if we don't keep independent pharmacies
4909 in business. We have now got pharmacy deserts in rural and
4910 underserved communities where the neighborhood pharmacy may
4911 be the only health care provider for miles.

4912 We know that four percent _ four percent _ of all
4913 independent retail pharmacies go out of business every year.
4914 We also know that up to 1,300 pharmacies are going to close
4915 next year. That is affecting the accessibility and
4916 affordability and the quality of health care, which is
4917 exactly what this committee should be striving to improve.
4918 That is why it is so important that we work to reinstate our
4919 language that protects pharmacies from some of the most
4920 egregious practices of PBMs, which are spread pricing and
4921 patient steering.

4922 A recent MedPAC report indicated that vertically
4923 integrated PBMs in Medicare Part D are benefiting from higher

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4924 reimbursements to their own pharmacies, while increasing
4925 costs to the Part D program. That is our program, that is
4926 what we are responsible for. We know it is happening, and
4927 yet we are not doing anything about it. That is
4928 irresponsible. This is corruption. How can we claim to be
4929 serving our constituents if we turn a blind eye to this issue
4930 that is directly harming their health?

4931 That is why we must have language that bans spread
4932 pricing in Medicare and prohibits PBMs from reimbursing non-
4933 affiliated pharmacies at a rate less than they reimburse
4934 their own pharmacies. Medicare is allowing that to happen,
4935 especially since CVS announced yesterday _ just yesterday _
4936 that they plan to reimburse their PBM-affiliated pharmacies
4937 more than independent pharmacies.

4938 I look forward to working with you, Chair Rodgers, and
4939 with this committee to advance these important provisions. I
4940 thank the gentleman for yielding, and I yield back.

4941 *The Chair. Would the gentleman yield?

4942 *Mr. Palmer. The gentleman would yield.

4943 *The Chair. I appreciate the gentleman for yielding.

4944 Mr. Carter, and to all the members of this committee,

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4945 you have my support. Before you were elected to Congress I
4946 started the Independent Community Pharmacy Caucus to raise
4947 awareness on these very issues. They need some more work,
4948 but you have my commitment. These are very important. I
4949 share the concern that independent and community pharmacies
4950 are closing. I believe that these issues must be addressed.

4951 This is our last full committee markup of the year, and
4952 we are moving forward where we do have an agreement, where we
4953 figured out how we can pay for the provisions. And you have
4954 my commitment to continue moving forward before this
4955 legislation is brought to the floor. But just know that.

4956 I yield back.

4957 *Mr. Bucshon. Will the gentleman yield?

4958 *Mr. Palmer. I thank _

4959 *Mr. Bucshon. Up here, Bucshon.

4960 *Mr. Palmer. I will yield to the gentleman from
4961 Indiana.

4962

4963 *Mr. Bucshon. Thanks. I just _ thank you, Chair
4964 Rodgers, for that statement.

4965 I just want to reiterate I am disappointed that spread

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4966 pricing and steering were, unfortunately, not able to stay in
4967 this legislation. I mean, it just doesn't make any sense to
4968 allow a PBM to charge a sponsor a different amount for a
4969 drug's ingredient or dispensing fee than the amount they
4970 reimburse the pharmacy for such an ingredient cost or
4971 dispensing fee, or to allow vertically integrated PBMs to
4972 direct patients only to their corporate partners at the
4973 expense of other pharmacies.

4974 So I am glad to hear that we are going to work on this,
4975 but this needs to happen. Spread pricing and steering need
4976 to be banned.

4977 Thank you, I yield.

4978 *Mr. Palmer. I yield back.

4979 *The Chair. Is there further discussion?

4980 For what purpose does Ms. Kuster seek recognition?

4981 *Ms. Kuster. Madam Chairwoman, I move to strike the
4982 last word.

4983 *The Chair. The gentlelady is recognized for five
4984 minutes.

4985 *Ms. Kuster. Thank you so much, Madam Chair. I
4986 appreciate the number of bills this committee is considering

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4987 to lower prescription drug costs for the American people.

4988 For years, Americans, especially our seniors, have been
4989 taken advantage of at the pharmacy counter for medications
4990 they need. Now, thanks to the Inflation Reduction Act,
4991 millions of Americans will benefit from negotiated drug
4992 prices on medications used to treat common diseases like
4993 diabetes, heart disease, and cancer.

4994 Seniors are already seeing reduced co-pays, thanks to a
4995 provision in the law that requires drug companies to pay a
4996 rebate to Medicare if they increase the drug prices _ price
4997 faster than inflation. Despite these wins, more must be done
4998 to lower the cost of prescription drugs for the American
4999 people. Transparency can help Americans understand what they
5000 are paying for and what their health care plan covers.

5001 I look forward to working with my colleagues on this
5002 committee to better understand the relationships between
5003 pharmaceutical manufacturers, health insurance plans, and
5004 pharmacy benefit managers, and the role they each play in
5005 determining how much prescription drug costs to consumers.

5006 Thank you, and I yield back.

5007 *The Chair. The gentlelady yields back. Is there

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5008 further discussion?

5009 For what purpose does Mr. Johnson seek recognition?

5010 *Mr. Johnson. Madam Chair, I move to strike the last
5011 word.

5012 *The Chair. The gentleman is recognized for five
5013 minutes.

5014 *Mr. Johnson. Madam Chair, I have heard a lot of
5015 discussion. I have been listening very carefully. And what
5016 is coming across to me is that this remains a very, very
5017 complicated issue. Prescription drug pricing is something we
5018 have been talking about for years, how to lower those costs.
5019 I am pleased that we have got focus on it, that we have got
5020 commitments to looking at all the different sides of the
5021 issue.

5022 I do want to bring some caution, though, that with all
5023 the focus being on PBMs, I worry that we might be becoming a
5024 little bit narrow-sided on effectively bringing down the cost
5025 of prescription drugs in a big way. PBMs account for, what,
5026 roughly six percent of drug costs? This is not going to be a
5027 silver bullet that solves all of our prescription drug
5028 problems.

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5029 Now, I am going to support the legislation today,
5030 because I think we are moving the needle. Transparency is so
5031 vitally important. But we need to be careful about inserting
5032 the Federal Government into even more of the American
5033 people's health care decisions, especially in a private
5034 market, because it is competition and private market, free
5035 enterprise, market-driven solutions that ultimately drive
5036 competition up, that drive costs down.

5037 And with that, Madam Chair, I yield back.

5038 *The Chair. The gentleman yields back. Is there
5039 further discussion?

5040 The chair _ for what purpose does Ms. Miller-Meeks seek
5041 recognition?

5042 *Mrs. Miller-Meeks. Madam Chair, I move to strike the
5043 last word.

5044 *The Chair. The gentlelady is recognized for five
5045 minutes.

5046 *Mrs. Miller-Meeks. Thank you, Madam Chair. I would
5047 like to speak in support of Congressman Carter's bill, H.R.
5048 2880.

5049 In coming to Congress, I was very protective of the fact

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5050 that coming to Congress, for me, part of that was to lower
5051 prescription drug prices. And I think that the Protecting
5052 Patients Against PBM Abuses Act is one such piece of
5053 legislation. It is a much-needed legislation that will
5054 eliminate the misaligned PBM incentive to drive up list
5055 prices for medications.

5056 De-linking PBM compensation from the actual cost of
5057 drugs will lead to savings at the pharmacy counter and lower
5058 premiums for Medicare beneficiaries. This is not the only
5059 avenue or the only bill. It is only one facet of lowering
5060 prescription drug prices. However, this is a great first
5061 step in fixing the broken drug pricing system to work for
5062 patients, not the middlemen who exploit rebates at the
5063 expense of patients.

5064 While I am fully supportive of Mr. Carter's legislation,
5065 Medicare isn't the only part of the health care system. And
5066 if we really want to help lower costs for patients, we need
5067 to enact these reforms in the commercial markets, as well.
5068 Otherwise, PBMs will find ways to shift costs from Medicare
5069 patients to those under commercial plans.

5070 CBO has estimated that this proposal will save the

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5071 government 650 billion, and will not result in premium
5072 increases.

5073 I ask that the chairwoman and ranking member continue to
5074 work with me and Representative Carter and others on finding
5075 common ground to move this patient-centered proposal forward
5076 to ensure we build on the committee's great work on drug
5077 pricing reform.

5078 With that, I yield back.

5079 *The Chair. The gentlelady yields back. Is there
5080 further discussion?

5081 For what purpose does Mr. Allen seek recognition?

5082 *Mr. Allen. I move to strike the last word.

5083 *The Chair. The gentleman is recognized for five
5084 minutes.

5085 *Mr. Allen. I rise in support of Protecting Patients
5086 against PBM Abuses Act.

5087 This is a big issue in my district. As we all know, the
5088 rising cost of prescription drugs are causing significant
5089 financial burdens for millions of American patients and
5090 seniors and, as we said earlier, is putting our independent
5091 pharmacies out of business.

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5092 Too often Americans have to choose between prescriptions
5093 and household expenses, which is absolutely unacceptable.
5094 This is why I have been actively advocating for reforms in
5095 the PBM space, with rebates and administrative fees paid to
5096 PBMs being tied to medicines' list price. We are seeing
5097 blatant preference of medicines with high list prices and
5098 larger rebates on drug formulary formularies for the purpose
5099 of maximizing PBM revenue. This is because currently
5100 rebates' administrative fees paid to PBMs are tied to a
5101 medicine's list price, which only results in higher costs for
5102 patients.

5103 I want to thank my colleague from Georgia, Mr. Carter,
5104 for introducing legislation to address this egregious issue
5105 by prohibiting PBMs from earning a profit based off of a
5106 Medicare Part D drug list price, or de-linking PBM
5107 compensation, and instead limiting PBM compensation to a flat
5108 dollar amount service fee.

5109 As cosponsor of H.R. 2880, I encourage my colleagues to
5110 vote in favor of this bill and to help restore transparency
5111 and patient-centered solutions to our health care system to
5112 put downward pressure on the cost of pharmaceuticals at the

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5113 counter.

5114 We have more work to do. We have talked about that
5115 today, but let's get this done.

5116 With that, I yield back.

5117 *The Chair. The gentleman yields back. Is there
5118 further discussion?

5119 Are there any amendments?

5120 If not the vote _ a vote occurs on the Carter AINS.

5121 All those in favor, say aye.

5122 Those opposed, nay.

5123 The ayes have it, the AINS is adopted.

5124 Is there further discussion?

5125 Seeing none, the question now occurs on approving H.R.
5126 2880, as amended, and a roll call has been requested. The
5127 clerk will call the roll.

5128 *The Clerk. Burgess?

5129 *Mr. Burgess. Burgess votes aye.

5130 *The Clerk. Burgess votes aye.

5131 Latta?

5132 *Mr. Latta. Aye.

5133 *The Clerk. Latta votes aye.

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5134 Guthrie?
5135 *Mr. Guthrie. Aye.
5136 *The Clerk. Guthrie votes aye.
5137 Griffith?
5138 *Mr. Griffith. Aye.
5139 *The Clerk. Griffith votes aye.
5140 Bilirakis?
5141 *Mr. Bilirakis. Aye.
5142 *The Clerk. Bilirakis votes aye.
5143 Johnson?
5144 *Mr. Johnson. Aye.
5145 *The Clerk. Johnson votes aye.
5146 Bucshon?
5147 *Mr. Bucshon. Aye.
5148 *The Clerk. Bucshon votes aye.
5149 Hudson?
5150 [No response.]
5151 *The Clerk. Walberg?
5152 *Mr. Walberg. Aye.
5153 *The Clerk. Walberg votes aye.
5154 Carter?

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5155 *Mr. Carter. Aye.
5156 *The Clerk. Carter votes aye.
5157 Duncan?
5158 *Mr. Duncan. Aye.
5159 *The Clerk. Duncan votes aye.
5160 Palmer?
5161 *Mr. Palmer. Aye.
5162 *The Clerk. Palmer votes aye.
5163 Dunn?
5164 [No response.]
5165 *The Clerk. Curtis?
5166 *Mr. Curtis. Aye.
5167 *The Clerk. Curtis votes aye.
5168 Lesko?
5169 *Mrs. Lesko. Aye.
5170 *The Clerk. Lesko votes aye.
5171 Pence?
5172 *Mr. Pence. Aye.
5173 *The Clerk. Pence votes aye.
5174 Crenshaw?
5175 *Mr. Crenshaw. Aye.

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5176 *The Clerk. Crenshaw votes aye.

5177 Joyce?

5178 *Mr. Joyce. Aye.

5179 *The Clerk. Joyce votes aye.

5180 Armstrong?

5181 *Mr. Armstrong. Yes.

5182 *The Clerk. Armstrong votes aye.

5183 Weber?

5184 *Mr. Weber. Yes.

5185 *The Clerk. Weber votes aye.

5186 Allen?

5187 *Mr. Allen. Aye.

5188 *The Clerk. Allen votes aye.

5189 Balderson?

5190 *Mr. Balderson. Aye.

5191 *The Clerk. Balderson votes aye.

5192 Fulcher?

5193 *Mr. Fulcher. Fulcher is aye.

5194 *The Clerk. Fulcher votes aye.

5195 Pfluger?

5196 *Mr. Pfluger. Aye.

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5197 *The Clerk. Pfluger votes aye.
5198 Harshbarger?
5199 *Mrs. Harshbarger. Aye.
5200 *The Clerk. Harshbarger votes aye.
5201 Miller-Meeks?
5202 *Mrs. Miller-Meeks. Aye.
5203 *The Clerk. Miller-Meeks votes aye.
5204 Cammack?
5205 [No response.]
5206 *The Clerk. Obernolte?
5207 [No response.]
5208 *The Clerk. Pallone?
5209 *Mr. Pallone. Aye.
5210 *The Clerk. Pallone votes aye.
5211 Eshoo?
5212 *Ms. Eshoo. Aye.
5213 *The Clerk. Eshoo votes aye.
5214 DeGette?
5215 *Ms. DeGette. Aye.
5216 *The Clerk. DeGette votes aye.
5217 Schakowsky?

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5218 *Ms. Schakowsky. Aye.
5219 *The Clerk. Schakowsky votes aye.
5220 Matsui?
5221 [No response.]
5222 *The Clerk. Castor?
5223 *Ms. Castor. Aye.
5224 *The Clerk. Castor votes aye.
5225 Sarbanes?
5226 *Mr. Sarbanes. Aye.
5227 *The Clerk. Sarbanes votes aye.
5228 Tonko?
5229 *Mr. Tonko. Aye.
5230 *The Clerk. Tonko votes aye.
5231 Clarke?
5232 *Ms. Clarke. Aye.
5233 *The Clerk. Clarke votes aye.
5234 Cardenas?
5235 *Mr. Cardenas. Aye.
5236 *The Clerk. Cardenas votes aye.
5237 Ruiz?
5238 [No response.]

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5239 *The Clerk. Peters?
5240 *Mr. Peters. Aye.
5241 *The Clerk. Peters votes aye.
5242 Dingell?
5243 *Mrs. Dingell. Aye.
5244 *The Clerk. Dingell votes aye.
5245 Veasey?
5246 *Mr. Veasey. Aye.
5247 *The Clerk. Veasey votes aye.
5248 Kuster?
5249 *Ms. Kuster. Aye.
5250 *The Clerk. Kuster votes aye.
5251 Kelly?
5252 *Ms. Kelly. Aye.
5253 *The Clerk. Kelly votes aye.
5254 Barragan?
5255 [No response.]
5256 *The Clerk. Blunt Rochester?
5257 [No response.]
5258 *The Clerk. Soto?
5259 *Mr. Soto. Aye.

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5260 *The Clerk. Soto votes aye.
5261 Craig?
5262 [No response.]
5263 *The Clerk. Schrier?
5264 *Ms. Schrier. Aye.
5265 *The Clerk. Schrier votes aye.
5266 Trahan?
5267 *Mrs. Trahan. Aye.
5268 *The Clerk. Trahan votes aye.
5269 Fletcher?
5270 [No response.]
5271 *The Clerk. Chair Rodgers?
5272 *The Chair. Aye.
5273 *The Clerk. Chair Rodgers votes aye.
5274 *Mr. Hudson. How is Hudson?
5275 *The Clerk. Mr. Hudson, you are not recorded.
5276 *Mr. Hudson. Hudson votes aye.
5277 *The Clerk. Hudson votes aye.
5278 *Ms. Blunt Rochester. How is Blunt Rochester recorded?
5279 *The Clerk. Blunt Rochester is not recorded.
5280 *Ms. Blunt Rochester. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5281 *The Clerk. Blunt Rochester votes aye.

5282 *The Chair. Mr. Clerk, how is Mr. Ruiz recorded?

5283 *The Clerk. Ruiz is not recorded.

5284 *Mr. Ruiz. Aye.

5285 *The Clerk. Ruiz votes aye.

5286 *Mrs. Cammack. Cammack, aye.

5287 *The Clerk. Cammack votes aye.

5288 [Pause.]

5289 *The Chair. The clerk will report.

5290 *The Clerk. Chair Rodgers, on that vote there were 46
5291 ayes and 0 noes.

5292 *The Chair. The ayes have it, and the bill is adopted.

5293 The chair calls up H.R. 5393, and asks the clerk to
5294 report.

5295 *The Clerk. H.R. 5393, a bill to amend title 18 of the
5296 Social Security Act to ensure fair assessment of pharmacy
5297 performance and quality under Medicare Part D.

5298 *The Chair. Without objection, the first reading of the
5299 bill is dispensed with, and the bill will be open for
5300 amendment at any point.

5301 So ordered.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5302 [The bill follows:]

5303

5304 *****COMMITTEE INSERT*****

5305

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5306 *The Chair. Does anyone seek to be recognized on the
5307 bill?

5308 For what purpose does Mr. Griffith seek recognition?

5309 *Mr. Griffith. Speaking to the bill, ma'am.

5310 *The Chair. The gentleman is recognized for five
5311 minutes.

5312 *Mr. Griffith. Madam Chair, my bipartisan bill, H.R.
5313 5393, the Transparency and Fairness for Pharmacies Act, will
5314 take important steps to help rein in and bring more
5315 transparency to Direct and Indirect Remuneration, DIR, fees
5316 and all pharmacy fees by pharmacy benefit managers, PBMs,
5317 that we have just heard so much about. It will require the
5318 Centers for Medicaid and Medicare Services, CMS, to create
5319 standardized quality metrics for health plans and PBMs to use
5320 when determining payments to pharmacies.

5321 Now, PBMs often charge fees that are subjective to
5322 pharmacies based on how well the pharmacy performs. These
5323 performance measures, however, known as quality measures, are
5324 not always transparent and subjective. The pharmacies are
5325 forced to pay these fees that the PBMs put into place and say
5326 they have to do to perform better in order to stay within

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5327 health plans' networks. Those fees can be applied
5328 retroactively, sometimes many months after the drug is
5329 dispensed.

5330 PBM pharmacy measures that are unfairly applied against
5331 all pharmacies have contributed to over a 107,000 percent
5332 growth _ 107 percent _ 107,000 percent growth in pharmacy DIR
5333 fees, according to CMS, undercutting pharmacy reimbursements
5334 and increasing patient drug costs.

5335 Currently, PBMs use quality measures that are often
5336 unknown, unpredictable, inconsistent, and beyond a pharmacy's
5337 control, which then figures significantly into DIR fees
5338 pharmacies are forced to pay. Over time, PBMs have been
5339 allowed to operate virtually unchecked, leading to abuse of
5340 pharmacy performance evaluations and lack of transparency in
5341 pharmacy payments. My bill seeks to end these practices.

5342 This is one of the main issues I hear about when
5343 traveling throughout my district, and the importance to help
5344 correct the opaque system currently in place. One small
5345 pharmacy in my district, if they continue to dispense every
5346 medication for patients as they did in 2023, has a
5347 conservative estimate that they will pay up to \$80,000 in DIR

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5348 fees during the first 3 months of 2024. The amount this
5349 pharmacy must pay in DIR fees is more than they make, and
5350 they are worried they will have to close their doors if this
5351 issue is not addressed and addressed soon.

5352 These DIR fees have led to pharmacy closures all across
5353 the country and in my district, as well. It is not just the
5354 rural community pharmacists that are hurting from this.
5355 Everything from independent to retail to specialty pharmacies
5356 are also hurting.

5357 This is one small step to bring more transparency and
5358 certainty to pharmacies when dispensing drugs, but lots of
5359 work is left to be done. I am encouraged to see that CMS
5360 will be implementing a new Part D rule targeted at pharmacies
5361 in January of 2024. The rule will require DIR fees to be
5362 assessed at the point of sale, and hope to help mitigate
5363 these outrageous DIR retroactive clawbacks.

5364 While I think this rule is well intentioned, I am
5365 interested to see how the new rule will play out, and if it
5366 will truly stop these clawbacks while also monitoring the
5367 effect it has on patient premiums.

5368 We also need to do more to protect our pharmacies, and I

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5369 would like to continue working with the committee on this
5370 specific effort to ensure PBMs can no longer undercut
5371 pharmacy reimbursement below the cost to acquire and dispense
5372 the drugs, forcing them out of network and, many times, out
5373 of business.

5374 I urge the passage of this bill, and hope that all of us
5375 can continue to work together to provide the comprehensive
5376 reforms needed to protect patient access to pharmacies and
5377 their communities.

5378 And I yield back.

5379 *The Chair. The gentleman yields back. Is there
5380 further discussion?

5381 For what purpose does Mr. Carter seek recognition?

5382 *Mr. Carter. I move to strike the last word.

5383 *The Chair. The gentleman is recognized for five
5384 minutes.

5385 *Mr. Carter. Madam Chair, this important legislation I
5386 introduced with Representative Griffith would finally require
5387 CMS to establish standardized and relevant pharmacy quality
5388 measures addressing one way PBMs have manipulated pharmacy
5389 DIR clawbacks and undercut pharmacy payments. I hope that

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5390 all of us can continue to work together to provide the
5391 comprehensive pharmacy reimbursement reforms needed to
5392 protect patient access to pharmacies in their communities.

5393 Today many community and specialty pharmacies are being
5394 reimbursed under water, which is intentional to keep them out
5395 of the network, limiting a patient's choice of pharmacy. And
5396 this is simply wrong. There is bipartisan support for
5397 addressing this serious problem, and I was pleased to hear
5398 our counterparts on the Senate Finance Committee take action
5399 to address this concern in the PBM reform legislation they
5400 advanced last week.

5401 As you all know, pharmacists are one of the most
5402 successful health care professionals in America, with 95
5403 percent of Americans living within 5 miles of a pharmacy.
5404 Pharmacists are among the most highly-trusted health care
5405 professionals. People count on our training and expertise to
5406 stay healthy and informed. Yet PBMs are putting pharmacies
5407 out of business and removing patients' access to care.

5408 We know that four percent of all independent retail
5409 pharmacies go out of business every year. That is why I am
5410 proud to champion this bill, which will support patient

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5411 access to pharmacies. And I urge my colleagues to do the
5412 same.

5413 Thank you, Madam Chair, and I yield back.

5414 *The Chair. The gentleman yields back. Is there
5415 further discussion?

5416 Seeing none, the question now occurs on approving H.R.
5417 5393, and a roll call vote has been requested. The clerk
5418 will call the roll.

5419 *The Clerk. Burgess?

5420 *Mr. Burgess. Votes aye.

5421 *The Clerk. Burgess votes aye.

5422 Latta?

5423 *Mr. Latta. Aye.

5424 *The Clerk. Latta votes aye.

5425 Guthrie?

5426 *Mr. Guthrie. Aye.

5427 *The Clerk. Guthrie votes aye.

5428 Griffith?

5429 *Mr. Griffith. Aye.

5430 *The Clerk. Griffith votes aye.

5431 Bilirakis?

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5432 *Mr. Bilirakis. Aye.

5433 *The Clerk. Bilirakis votes aye.

5434 Johnson?

5435 *Mr. Johnson. Aye.

5436 *The Clerk. Johnson votes aye.

5437 Bucshon?

5438 *Mr. Bucshon. Aye.

5439 *The Clerk. Bucshon votes aye.

5440 Hudson?

5441 [No response.]

5442 *The Clerk. Walberg?

5443 [No response.]

5444 *The Clerk. Carter?

5445 *Mr. Carter. Aye.

5446 *The Clerk. Carter votes aye.

5447 Duncan?

5448 *Mr. Duncan. Aye.

5449 *The Clerk. Duncan votes aye.

5450 Palmer?

5451 [No response.]

5452 *The Clerk. Dunn?

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5453 [No response.]
5454 *The Clerk. Curtis?
5455 [No response.]
5456 *The Clerk. Lesko?
5457 *Mrs. Lesko. Aye.
5458 *The Clerk. Lesko votes aye.
5459 Pence?
5460 *Mr. Pence. Aye.
5461 *The Clerk. Pence votes aye.
5462 Crenshaw?
5463 [No response.]
5464 *The Clerk. Joyce?
5465 [No response.]
5466 *The Clerk. Armstrong?
5467 *Mr. Armstrong. Yes.
5468 *The Clerk. Armstrong votes aye.
5469 Weber?
5470 *Mr. Weber. Yes.
5471 *The Clerk. Weber votes aye.
5472 Allen?
5473 *Mr. Allen. Aye.

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5474 *The Clerk. Allen votes aye.
5475 Balderson?
5476 *Mr. Balderson. Aye.
5477 *The Clerk. Balderson votes aye.
5478 Fulcher?
5479 *Mr. Fulcher. Fulcher is aye.
5480 *The Clerk. Fulcher votes aye.
5481 Pflugger?
5482 *Mr. Pflugger. Aye.
5483 *The Clerk. Pflugger votes aye.
5484 Harshbarger?
5485 *Mrs. Harshbarger. Aye.
5486 *The Clerk. Harshbarger votes aye.
5487 Miller-Meeks?
5488 *Mrs. Miller-Meeks. Aye.
5489 *The Clerk. Miller-Meeks votes aye.
5490 Cammack?
5491 *Mrs. Cammack. Aye.
5492 *The Clerk. Cammack votes aye.
5493 Oberholte?
5494 [No response.]

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5495 *The Clerk. Pallone?
5496 *Mr. Pallone. Aye.
5497 *The Clerk. Pallone votes aye.
5498 Eshoo?
5499 *Ms. Eshoo. Aye.
5500 *The Clerk. Eshoo votes aye.
5501 DeGette?
5502 *Ms. DeGette. Aye.
5503 *The Clerk. DeGette votes aye.
5504 Schakowsky?
5505 *Ms. Schakowsky. Aye.
5506 *The Clerk. Schakowsky votes aye.
5507 Matsui?
5508 [No response.]
5509 *The Clerk. Castor?
5510 *Ms. Castor. Aye.
5511 *The Clerk. Castor votes aye.
5512 Sarbanes?
5513 *Mr. Sarbanes. Aye.
5514 *The Clerk. Sarbanes votes aye.
5515 Tonko?

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5516 *Mr. Tonko. Aye.
5517 *The Clerk. Tonko votes aye.
5518 Clarke?
5519 *Ms. Clarke. Aye.
5520 *The Clerk. Clarke votes aye.
5521 Cardenas?
5522 *Mr. Cardenas. Aye.
5523 *The Clerk. Cardenas votes aye.
5524 Ruiz?
5525 *Mr. Ruiz. Aye.
5526 *The Clerk. Ruiz votes aye.
5527 Peters?
5528 *Mr. Peters. Aye.
5529 *The Clerk. Peters votes aye.
5530 Dingell?
5531 [No response.]
5532 *The Clerk. Veasey?
5533 *Mr. Veasey. Aye.
5534 *The Clerk. Veasey votes aye.
5535 Kuster?
5536 *Ms. Kuster. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5537 *The Clerk. Kuster votes aye.
5538 Kelly?
5539 *Ms. Kelly. Aye.
5540 *The Clerk. Kelly votes aye.
5541 Barragan?
5542 *Ms. Barragan. Aye.
5543 *The Clerk. Barragan votes aye.
5544 Blunt Rochester?
5545 *Ms. Blunt Rochester. Aye.
5546 *The Clerk. Blunt Rochester votes aye.
5547 Soto?
5548 *Mr. Soto. Aye.
5549 *The Clerk. Soto votes aye.
5550 Craig?
5551 [No response.]
5552 *The Clerk. Schrier?
5553 *Ms. Schrier. Aye.
5554 *The Clerk. Schrier votes aye.
5555 Trahan?
5556 *Mrs. Trahan. Aye.
5557 *The Clerk. Trahan votes aye.

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5558 Fletcher?

5559 [No response.]

5560 *The Clerk. Chair Rodgers?

5561 *The Chair. Aye.

5562 *The Clerk. Chair Rodgers votes aye.

5563 *The Chair. Mr. Clerk, how is Mr. Curtis recorded?

5564 *The Clerk. Curtis is not recorded.

5565 *Mr. Curtis. Curtis votes aye.

5566 *The Clerk. Curtis votes aye.

5567 *The Chair. How is Mr. Walberg recorded?

5568 *The Clerk. Walberg is not recorded.

5569 *Mr. Walberg. Aye.

5570 *The Clerk. Walberg votes aye.

5571 *The Chair. How is Mr. Crenshaw recorded?

5572 *The Clerk. Crenshaw is not recorded.

5573 *Mr. Crenshaw. Aye.

5574 *The Clerk. Crenshaw votes aye.

5575 *The Chair. How is Mr. Joyce recorded?

5576 *The Clerk. Joyce is not recorded.

5577 *Mr. Joyce. Joyce votes aye.

5578 *The Clerk. Joyce votes aye.

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5579 [Pause.]

5580 *The Chair. The clerk will report.

5581 *The Clerk. Chair Rodgers, on that vote there were 44
5582 ayes and 0 noes.

5583 *The Chair. The ayes have it, and the bill is adopted.
5584 The chair calls up H.R. 5385, and asks the clerk to
5585 report.

5586 *The Clerk. H.R. 5385, a bill to amend title 18 of the
5587 Social Security Act to establish pharmacy benefit manager
5588 reporting requirements with respect to prescription drug
5589 plans.

5590 *The Chair. Without objection, the first reading of the
5591 bill is dispensed with. The bill will be open for amendment
5592 at any point.

5593 So ordered.

5594 [The bill follows:]

5595

5596 *****COMMITTEE INSERT*****

5597

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5598 *The Chair. Does anyone seek recognition on the bill?

5599 *Mrs. Harshbarger. Madam Chair?

5600 *The Chair. For what purpose does Ms. Harshbarger seek
5601 recognition?

5602 *Mrs. Harshbarger. I want to speak in support of the
5603 bill.

5604 *The Chair. The gentlelady is recognized for five
5605 minutes.

5606 *Mrs. Harshbarger. Thank you, Madam Chair, for
5607 including consideration of H.R. 5385, the Medicare PBM
5608 Accountability Act.

5609 This bipartisan legislation I introduced with
5610 Representative Landsman builds on the Energy and Commerce
5611 Committee's important work to rein in pharmacy benefit
5612 manager abuses to make their operations more transparent and
5613 to make these entities more accountable.

5614 H.R. 5385 will help lower the cost of prescription drugs
5615 for seniors covered by Medicare Part D and Medicare Advantage
5616 plans.

5617 Current law does not require PBMs to report to Medicare
5618 prescription drug plan sponsors the cost savings that they

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5619 supported _ supposedly negotiated. Without this
5620 transparency, PBMs are able to withhold the true cost of
5621 prescription drugs, possibly keeping the cost savings as
5622 profits instead of passing them on to seniors.

5623 This legislation will require PBMs to report the cost
5624 savings that they have achieved, empowering prescription drug
5625 plan sponsors to be in a stronger position to ensure that
5626 these cost savings actually benefits seniors through lower
5627 prices on prescription drugs, as intended.

5628 This bill mirrors bipartisan legislation that passed out
5629 of the Senate Finance Committee in July of 2023.

5630 To lower costs and improve seniors' quality of life we
5631 have to hold these PBMs more accountable. The Medicare PBM
5632 Accountability Act will help save seniors real money, and I
5633 urge my colleagues to support this bill and work with us and
5634 our colleagues in the Senate to enact this important measure
5635 into law.

5636 Thank you, Ms. Chairwoman, I _

5637 *The Chair. The gentlelady yields back. Is there
5638 further discussion?

5639 For what purpose does Mrs. Dingell seek recognition?

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5640 *Mrs. Dingell. I have a bipartisan amendment in the
5641 nature of a substitute at the desk.

5642 *The Chair. The clerk will report.

5643 *The Clerk. Amendment in the nature of a substitute to
5644 H.R. 5385, offered by Mrs. Dingell.

5645 *The Chair. Without objection, the reading of the
5646 amendment is dispensed with.

5647

5648 [The amendment of Mrs. Dingell follows:]

5649

5650 *****COMMITTEE INSERT*****

5651

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5652 *The Chair. The gentlelady is recognized for five
5653 minutes in support of her amendment.

5654 *Mrs. Dingell. Thank you, Madam Chair.

5655 This amendment is a bipartisan agreement on H.R. 5385,
5656 the Medicare PBM Accountability Act, legislation being led by
5657 Representatives Greg Landsman and Harshbarger.

5658 Rising prescription drug costs are a serious problem,
5659 especially for seniors who are on a fixed income. And as we
5660 know, pharmacy benefit managers, or PBMs, are playing an
5661 outsized role in raising out-of-pocket costs and limiting
5662 access to local pharmacies. That is why the Medicare PBM
5663 Accountability Act is so important. It will bring so much
5664 needed transparency to PBM practices that impact costs for
5665 Medicare beneficiaries.

5666 The Medicare PBM Accountability Act will require
5667 pharmacy benefit managers to report additional information on
5668 drug pricing and other important information annually to the
5669 Secretary of the Department of Health and Human Services.

5670 Far too long, PBMs have been allowed to operate
5671 virtually unchecked. Under current laws PBMs are not
5672 required to report to prescription drug plan sponsors on the

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5673 cost savings that they have secured, which obstructs the
5674 actual cost of prescription drugs for Medicare beneficiaries.
5675 The strengthened transparency achieved through this bill will
5676 help us better understand the true cost of prescription drugs
5677 and stop PBMs from pocketing cost savings as profits instead
5678 of passing them on to the seniors.

5679 I urge all of my colleagues to support this important
5680 bill, and I am glad we considered a number of bills today to
5681 address PBMs' predatory practices that are making
5682 prescription drugs inaccessible and unaffordable to far too
5683 many patients. We must stop allowing PBMs to exploit the
5684 system and drive up their own profits at the expense of
5685 patients.

5686 And I also thank the chair for agreeing to work with Mr.
5687 Carter and others on the other issues.

5688 With that, thank you, Madam Chair, and I yield back.

5689 *The Chair. The gentlelady yields back. Is there
5690 further discussion?

5691 Seeing none, the question occurs on the AINS offered by
5692 Mrs. Dingell.

5693 All those in favor, say aye.

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5694 Those opposed, no.

5695 The ayes have it, the amendment is adopted.

5696 Is there further discussion?

5697 The question now occurs on approving H.R. 5385, as
5698 amended, and a roll call vote has been requested. The clerk
5699 will call the roll.

5700 *The Clerk. Burgess?

5701 *Mr. Burgess. Votes aye.

5702 *The Clerk. Burgess votes aye.

5703 Latta?

5704 *Mr. Latta. Aye.

5705 *The Clerk. Latta votes aye.

5706 Guthrie?

5707 *Mr. Guthrie. Aye.

5708 *The Clerk. Guthrie votes aye.

5709 Griffith?

5710 *Mr. Griffith. Aye.

5711 *The Clerk. Griffith votes aye.

5712 Bilirakis?

5713 *Mr. Bilirakis. Aye.

5714 *The Clerk. Bilirakis votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5715 Johnson?
5716 *Mr. Johnson. Aye.
5717 *The Clerk. Johnson votes aye.
5718 Bucshon?
5719 *Mr. Bucshon. Aye.
5720 *The Clerk. Bucshon votes aye.
5721 Hudson?
5722 *Mr. Hudson. Aye.
5723 *The Clerk. Hudson votes aye.
5724 Walberg?
5725 [No response.]
5726 *The Clerk. Carter?
5727 *Mr. Carter. Aye.
5728 *The Clerk. Carter votes aye.
5729 Duncan?
5730 *Mr. Duncan. Aye.
5731 *The Clerk. Duncan votes aye.
5732 Palmer?
5733 [No response.]
5734 *The Clerk. Dunn?
5735 [No response.]

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5736 *The Clerk. Curtis?
5737 [No response.]
5738 *The Clerk. Lesko?
5739 *Mrs. Lesko. Aye.
5740 *The Clerk. Lesko votes aye.
5741 Pence?
5742 *Mr. Pence. Aye.
5743 *The Clerk. Pence votes aye.
5744 Crenshaw?
5745 *Mr. Crenshaw. Aye.
5746 *The Clerk. Crenshaw votes aye.
5747 Joyce?
5748 *Mr. Joyce. Aye.
5749 *The Clerk. Joyce votes aye.
5750 Armstrong?
5751 *Mr. Armstrong. Yes.
5752 *The Clerk. Armstrong votes aye.
5753 Weber?
5754 *Mr. Weber. Yes, sir.
5755 *The Clerk. Weber votes aye.
5756 Allen?

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5757 *Mr. Allen. Aye.
5758 *The Clerk. Allen votes aye.
5759 Balderson?
5760 *Mr. Balderson. Aye.
5761 *The Clerk. Balderson votes aye.
5762 Fulcher?
5763 *Mr. Fulcher. Fulcher is aye.
5764 *The Clerk. Fulcher votes aye.
5765 Pfluger?
5766 *Mr. Pfluger. Aye.
5767 *The Clerk. Pfluger votes aye.
5768 Harshbarger?
5769 *Mrs. Harshbarger. Aye.
5770 *The Clerk. Harshbarger votes aye.
5771 Miller-Meeks?
5772 *Mrs. Miller-Meeks. Yes.
5773 *The Clerk. Miller-Meeks votes aye.
5774 Cammack?
5775 *Mrs. Cammack. Aye.
5776 *The Clerk. Cammack votes aye.
5777 Oberholte?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5778 [No response.]
5779 *The Clerk. Pallone?
5780 *Mr. Pallone. Aye.
5781 *The Clerk. Pallone votes aye.
5782 Eshoo?
5783 *Ms. Eshoo. Aye.
5784 *The Clerk. Eshoo votes aye.
5785 DeGette?
5786 *Ms. DeGette. Aye.
5787 *The Clerk. DeGette votes aye.
5788 Schakowsky?
5789 *Ms. Schakowsky. Aye.
5790 *The Clerk. Schakowsky votes aye.
5791 Matsui?
5792 [No response.]
5793 *The Clerk. Castor?
5794 *Ms. Kuster. Aye.
5795 *The Clerk. Castor votes aye.
5796 Sarbanes?
5797 *Mr. Tonko. How did he skip from DeGette?
5798 *Mr. Sarbanes. That was Kuster, not Castor.

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5799 *The Clerk. Sarbanes?
5800 *Mr. Sarbanes. Aye.
5801 *The Clerk. Sarbanes votes aye.
5802 Tonko?
5803 *Mr. Tonko. Aye.
5804 *The Clerk. Tonko votes aye.
5805 Clarke?
5806 *Ms. Clarke. Aye.
5807 *The Clerk. Clarke votes aye.
5808 Cardenas?
5809 *Mr. Cardenas. Aye.
5810 *The Clerk. Cardenas votes aye.
5811 Ruiz?
5812 *Mr. Ruiz. Aye.
5813 *The Clerk. Ruiz votes aye.
5814 Peters?
5815 *Mr. Tonko. God rest his soul.
5816 *The Clerk. Dingell?
5817 *Mrs. Dingell. Aye.
5818 *The Clerk. Dingell votes aye.
5819 Veasey?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5820 *Mr. Veasey. Aye.
5821 *The Clerk. Veasey votes aye.
5822 Kuster?
5823 *Ms. Kuster. Aye.
5824 *The Clerk. Kuster votes aye.
5825 Kelly?
5826 *Ms. Kelly. Aye.
5827 *The Clerk. Kelly votes aye.
5828 Barragan?
5829 *Mr. Tonko. Once, at least.
5830 *Ms. Barragan. Aye.
5831 *The Clerk. Barragan votes aye.
5832 Blunt Rochester?
5833 *Ms. Blunt Rochester. Aye.
5834 *The Clerk. Blunt Rochester votes aye.
5835 Soto?
5836 *Mr. Soto. Aye.
5837 *Mr. Tonko. American drivers get _
5838 *The Clerk. Soto votes aye.
5839 Craig?
5840 [No response.]

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5841 *The Clerk. Schrier?
5842 *Ms. Schrier. Aye.
5843 *The Clerk. Schrier votes aye.
5844 Trahan?
5845 *Mrs. Trahan. Aye.
5846 *The Clerk. Trahan votes aye.
5847 Fletcher?
5848 [No response.]
5849 *The Clerk. Chair Rodgers?
5850 *The Chair. Aye.
5851 *The Clerk. Chair Rodgers votes aye.
5852 *Mr. Tonko. Have a sense of humor.
5853 *Mr. Guthrie. [Presiding] How is Mr. Walberg?
5854 *Mr. Walberg. Aye.
5855 *The Clerk. Mr. Walberg votes aye.
5856 *Mr. Guthrie. Mr. Curtis?
5857 *Mr. Tonko. Right, the _
5858 *Voice. Of course, yes.
5859 *The Clerk. Curtis is not recorded.
5860 *Mr. Curtis. Aye.
5861 *The Clerk. Curtis votes aye.

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5862 *Mr. Guthrie. Anyone on _ anyone remaining?

5863 *Voice. The Senate.

5864 *Mr. Tonko. For the Senate.

5865 *Mr. Guthrie. Seeing none, the clerk will report.

5866 *Mr. Tonko. Just Latinos and Latinas, and encourage
5867 them to get involved publicly, and in public service and
5868 elections.

5869 *The Clerk. Chair Guthrie, on that vote there were 44
5870 ayes and 0 noes.

5871 *Mr. Tonko. Who is your pick?

5872 *Mr. Guthrie. The ayes have it, and the bill is
5873 adopted, as amended.

5874 *Mr. Tonko. And I heard the same person mentioned over
5875 and over.

5876 *Mr. Guthrie. The chair calls up H.R. 5386, and asks
5877 the clerk to report.

5878 *The Clerk. H.R. 5386, a bill to amend title 18 _

5879 *Mr. Guthrie. Without objection, the first reading of
5880 the bill is dispensed with, and the bill will be open for
5881 amendment at any point.

5882 So ordered.

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5883 [The bill follows:]

5884

5885 *****COMMITTEE INSERT*****

5886

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5887 *Mr. Guthrie. Does anyone seek to be recognized on the
5888 bill?

5889 Bilirakis, you are recognized for five minutes.

5890 *Mr. Bilirakis. Thank you, Mr. Chairman, I appreciate
5891 it. I move to strike the last word.

5892 *Mr. Guthrie. The gentleman is recognized.

5893 *Mr. Bilirakis. Chair, thank you. I want to thank the
5894 chair and the ranking member for moving forward with the bill
5895 I am proud to co-lead with Representative McGarvey, the
5896 Cutting Copays Act.

5897 This bill will ensure that lowest-income seniors on
5898 Medicare, those enrolled in the low-income subsidy program,
5899 are given \$0 copays for generic prescription medications.

5900 I support the Ranking Member Pallone's AINS here to make
5901 technical changes.

5902 This common-sense legislation incentivizes LIS enrolled
5903 beneficiaries to choose to use cheaper generic drugs,
5904 compared to their more expensive, brand-name alternatives.
5905 These drugs have been proven to be just as effective, but
5906 ultimately save taxpayer dollars.

5907 With that, I urge my colleagues to support the Cutting

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5908 Copays Act, and if no one wants my time I will yield back,
5909 Mr. Chairman. Thank you.

5910 *Mr. Guthrie. The gentleman yields back. Is anyone
5911 seeking recognition on the bill?

5912 Are there any amendments at the desk?

5913 The gentleman from New Jersey is recognized for five
5914 minutes for the amendment.

5915 *Mr. Pallone. Oh, thank you. Do you have to report it,
5916 or _ oh.

5917 *Mr. Guthrie. The clerk will report.

5918 *The Clerk. Amendment in the nature of a substitute to
5919 H.R. 5386, offered by Mr. _

5920 *Mr. Guthrie. Without objection, the reading of the
5921 amendment is dispensed with.

5922 [The amendment of Mr. Pallone follows:]

5923

5924 *****COMMITTEE INSERT*****

5925

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5926 *Mr. Guthrie. And the gentleman from New Jersey is
5927 recognized for five minutes in support of the amendment.

5928 *Mr. Pallone. Thank you, Mr. Chairman.

5929 My amendment, or my AINS, makes technical and conforming
5930 changes to the underlying bill pursuant to technical
5931 assistance feedback from the Centers for Medicare and
5932 Medicaid Services.

5933 I am very pleased we are considering the Cutting Copays
5934 Act today, sponsored by Representatives McGarvey and
5935 Bilirakis. This bill is a victory for low-income
5936 beneficiaries, and ensures that Part D enrollees who receive
5937 the low-income subsidy will no longer face any cost sharing
5938 for generic drugs. This delivers real, meaningful savings to
5939 patients while also incentivizing greater generic drug
5940 utilization, which we know helps bring down drug prices.

5941 For low-income beneficiaries, copayments can mean the
5942 difference between taking the medicines they need to keep
5943 themselves healthy or leaving prescriptions at the pharmacy
5944 counter because they are unable to afford them. So this bill
5945 would ensure that LIS beneficiaries don't have to make that
5946 choice, and instead are able to take the generics they need

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5947 without cost sharing.

5948 Again, I want to thank Representative Bilirakis, or
5949 Chairman Bilirakis, Representative McGarvey, their work on
5950 this bill, as well as Chair Rodgers, and I look forward to
5951 seeing this legislation move forward, becoming law. The bill
5952 is a common-sense, bipartisan policy that reduces costs,
5953 incentivizes generic utilization, and will ensure low-income
5954 seniors are able to afford the medicines they need.

5955 And I urge support for the AINS and the underlying bill
5956 and I yield back, Mr. Chairman.

5957 *Mr. Guthrie. The gentleman yields back. Is anyone
5958 seeking a discussion on the amendment?

5959 Seeing none, if there is no further discussion on the
5960 amendment, the vote occurs on the amendment.

5961 All those in favor will signify by saying aye.

5962 All those opposed, no.

5963 The ayes have it, and the amendment is agreed to.

5964 Are there any other bipartisan amendments?

5965 Are there any other amendments?

5966 Seeing none, the question now occurs on approving H.R.
5967 5386, as amended, and a roll call vote has been requested,

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5968 and the clerk will call the roll.
5969 *The Clerk. Burgess?
5970 *Mr. Burgess. Burgess votes aye.
5971 *The Clerk. Burgess votes aye.
5972 Latta?
5973 *Mr. Latta. Aye.
5974 *The Clerk. Latta votes aye.
5975 Guthrie?
5976 *Mr. Guthrie. Aye.
5977 *The Clerk. Guthrie votes aye.
5978 Griffith?
5979 *Mr. Griffith. Aye.
5980 *The Clerk. Griffith votes aye.
5981 Bilirakis?
5982 *Mr. Bilirakis. Aye.
5983 *The Clerk. Bilirakis votes aye.
5984 Johnson?
5985 [No response.]
5986 *The Clerk. Bucshon?
5987 *Mr. Bucshon. Aye.
5988 *The Clerk. Bucshon votes aye.

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5989 Hudson?
5990 *Mr. Hudson. Aye.
5991 *The Clerk. Hudson votes aye.
5992 Walberg?
5993 *Mr. Walberg. Aye.
5994 *The Clerk. Walberg votes aye.
5995 Carter?
5996 [No response.]
5997 *The Clerk. Duncan?
5998 *Mr. Duncan. Aye.
5999 *The Clerk. Duncan votes aye.
6000 Palmer?
6001 [No response.]
6002 *The Clerk. Dunn?
6003 [No response.]
6004 *The Clerk. Curtis?
6005 [No response.]
6006 *The Clerk. Lesko?
6007 *Mrs. Lesko. No.
6008 *The Clerk. Lesko votes no.
6009 Pence?

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6010 [No response.]
6011 *The Clerk. Crenshaw?
6012 [No response.]
6013 *The Clerk. Joyce?
6014 [No response.]
6015 *The Clerk. Armstrong?
6016 *Mr. Armstrong. Yes.
6017 *The Clerk. Armstrong votes aye.
6018 Weber?
6019 *Mr. Weber. Yes, sir.
6020 *The Clerk. Weber votes aye.
6021 Allen?
6022 *Mr. Allen. Aye.
6023 *The Clerk. Allen votes aye.
6024 Balderson?
6025 *Mr. Balderson. Aye.
6026 *The Clerk. Balderson votes aye.
6027 Fulcher?
6028 *Mr. Fulcher. Fulcher is aye.
6029 *The Clerk. Fulcher votes aye.
6030 Pfluger?

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6031 *Mr. Pfluger. Aye.
6032 *The Clerk. Pfluger votes aye.
6033 Harshbarger?
6034 *Mrs. Harshbarger. Aye.
6035 *The Clerk. Harshbarger votes aye.
6036 Miller-Meeks?
6037 [No response.]
6038 *The Clerk. Cammack?
6039 *Mrs. Cammack. Aye.
6040 *The Clerk. Cammack votes aye.
6041 Obernolte?
6042 [No response.]
6043 *The Clerk. Pallone?
6044 *Mr. Pallone. Aye.
6045 *The Clerk. Pallone votes aye.
6046 Eshoo?
6047 *Ms. Eshoo. Aye.
6048 *The Clerk. Eshoo votes aye.
6049 DeGette?
6050 *Ms. DeGette. Aye.
6051 *The Clerk. DeGette votes aye.

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6052 Schakowsky?
6053 *Ms. Schakowsky. Aye.
6054 *The Clerk. Schakowsky votes aye.
6055 Matsui?
6056 [No response.]
6057 *The Clerk. Castor?
6058 [No response.]
6059 *Mr. Tonko. Annie?
6060 *The Clerk. Sarbanes?
6061 *Mr. Sarbanes. Aye.
6062 *The Clerk. Sarbanes votes aye.
6063 Tonko?
6064 *Mr. Tonko. Aye.
6065 *The Clerk. Tonko votes aye.
6066 Clarke?
6067 *Ms. Clarke. Aye.
6068 *The Clerk. Clarke votes aye.
6069 Cardenas?
6070 *Mr. Cardenas. Yes.
6071 *The Clerk. Cardenas votes aye.
6072 Ruiz?

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6073 *Mr. Ruiz. Aye.
6074 *The Clerk. Ruiz votes aye.
6075 Peters?
6076 [No response.]
6077 *The Clerk. Dingell?
6078 *Mrs. Dingell. Aye.
6079 *The Clerk. Dingell votes aye.
6080 Veasey?
6081 *Mr. Veasey. Aye.
6082 *The Clerk. Veasey votes aye.
6083 Kuster?
6084 *Ms. Kuster. Aye.
6085 *The Clerk. Kuster votes aye.
6086 Kelly?
6087 [No response.]
6088 *The Clerk. Barragan?
6089 *Ms. Barragan. Aye.
6090 *The Clerk. Barragan votes aye.
6091 Blunt Rochester?
6092 *Ms. Blunt Rochester. Aye.
6093 *The Clerk. Blunt Rochester votes aye.

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6094 Soto?

6095 *Mr. Soto. Aye.

6096 *The Clerk. Soto votes aye.

6097 Craig?

6098 [No response.]

6099 *The Clerk. Schrier?

6100 *Ms. Schrier. Aye.

6101 *The Clerk. Schrier votes aye.

6102 Trahan?

6103 *Mrs. Trahan. Aye.

6104 *The Clerk. Trahan votes aye.

6105 Fletcher?

6106 [No response.]

6107 *The Clerk. Chair Rodgers?

6108 *The Chair. Aye.

6109 *The Clerk. Chair Rodgers votes aye.

6110 *Mr. Guthrie. Mr. Curtis?

6111 *The Clerk. Curtis is not recorded.

6112 *Mr. Curtis. Curtis votes aye.

6113 *The Clerk. Curtis votes _

6114 *Mr. Guthrie. Mr. Johnson?

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6115 *The Clerk. Johnson is not recorded.
6116 *Mr. Johnson. Aye.
6117 *The Clerk. Mr. Johnson _
6118 *Mr. Guthrie. Crenshaw?
6119 *The Clerk. _ votes aye.
6120 *Mr. Crenshaw. Crenshaw votes aye.
6121 *The Clerk. Crenshaw votes aye.
6122 *Mr. Guthrie. Mr. Carter?
6123 *The Clerk. Carter is not recorded.
6124 *Mr. Guthrie. Mr. Pence?
6125 *Mr. Carter. Aye.
6126 *Mr. Guthrie. Oh, Carter votes _
6127 *The Clerk. Carter votes aye.
6128 *Mr. Guthrie. Mr. Pence?
6129 *Mr. Pence. Pence votes aye.
6130 *The Clerk. Pence votes aye.
6131 *Mr. Guthrie. Dr. Miller-Meeks?
6132 *Mrs. Miller-Meeks. Miller-Meeks, aye.
6133 *The Clerk. Miller-Meeks votes aye.
6134 *Mr. Guthrie. Anyone on the other side of the aisle?
6135 Anyone else wanting to call _ answer the roll called?

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6136 Seeing none, the clerk will report.

6137 [Pause.]

6138 *The Clerk. Chair Guthrie, on that vote there were 41
6139 ayes and 1 no.

6140 *Mr. Guthrie. The ayes have it, and the bill, as
6141 amended, is agreed to.

6142 The chair calls up H.R. 4881, and asks the clerk to
6143 report.

6144 *The Clerk. H.R. 4881, a bill to amend title 18 of the
6145 Social Security Act to limit cost sharing for drugs _

6146 *Mr. Guthrie. Without objection, the first reading of
6147 the bill is dispensed with, and the bill will be open for
6148 amendment at any point.

6149 So ordered.

6150

6151 [The bill follows:]

6152

6153 *****COMMITTEE INSERT*****

6154

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6155 *Mr. Guthrie. Does anyone seek to be recognized on the
6156 bill?

6157 The gentleman from Georgia seeks recognition. You are
6158 recognized for five minutes.

6159 *Mr. Carter. Thank you, Mr. Chairman. I move to strike
6160 the last word.

6161 *Mr. Guthrie. You are recognized.

6162 *Mr. Carter. Mr. Chair, I am pleased to see legislation
6163 that my colleague _ my colleagues, Nicole Malliotakis and
6164 Brad Wenstrup, introduced, the Protecting Patients from
6165 Middlemen Act, is included in today's markup.

6166 The legislation would prohibit prescription drug plans
6167 and PBMs in Medicare Part D or Medicare Advantage from
6168 charging patients more in drug cost sharing than the net
6169 price of a drug. This is a common-sense patient protection
6170 that will ensure that PBMs are not forcing patients to pay
6171 more for their medicine than what they negotiated in their
6172 coverage and that our Medicare program is always putting
6173 patients over profits.

6174 I am pleased to see the Ways and Means Committee and the
6175 Energy and Commerce Committees push this legislation forward

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6176 so we can protect patients from the unfair pricing techniques
6177 of PBMs, and work to make prescription drugs more affordable.

6178 I urge my colleagues to support this bill.

6179 Thank you, Mr. Chairman, and I yield back.

6180 *Mr. Guthrie. The gentleman yields back. Is there
6181 anyone seeking discussion on the bill?

6182 Are there any amendments to the bill?

6183 The gentlelady from Tennessee is recognized for _

6184 *Mrs. Harshbarger. Okay. Thank you, Mr. Chairman. I
6185 have an amendment at the desk.

6186 *Mr. Guthrie. The clerk will report.

6187 *The Clerk. Amendment to H.R. 4881, offered by Ms.
6188 Harshbarger. Insert estimated for net price _

6189 *Mr. Guthrie. Without objection, the reading of the
6190 amendment is dispensed with.

6191 [The amendment of Mrs. Harshbarger follows:]

6192

6193 *****COMMITTEE INSERT*****

6194

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6195 *Mr. Guthrie. And the gentlelady from Tennessee is
6196 recognized for five minutes for her amendment.

6197 *Mrs. Harshbarger. Thank you, Mr. Chair. This is a
6198 common-sense bill that ensures no senior citizen will pay
6199 more for the price of a drug.

6200 My amendment makes some technical changes to H.R. 4881
6201 to address some issues raised by other committee members.

6202 We know PBMs negotiate deep discounts off of list prices
6203 but still sometimes charge patient copays that are high
6204 percentages of those list prices. And it has gotten so bad
6205 that some patients actually pay more than the cost of the
6206 drug. So I am glad we are advancing this patient protection
6207 on a bipartisan basis.

6208 Our colleague, Representative Griffith, led on this
6209 issue in the commercial markets, and I am proud to support
6210 his bill. And I am also glad we are moving a policy forward
6211 to do this in the Medicare Part D also.

6212 We have a lot of work to do to stop this and other PBM
6213 abuses. But today this bill introduced by our colleagues,
6214 Representatives Malliotakis and Wenstrup, I am pleased we are
6215 able to come together to make meaningful progress in the

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6216 right direction. And I look forward to working to continue
6217 doing more to protect patients in the Medicare program.

6218 And I urge my colleagues to adopt this technical
6219 amendment, and I will yield back.

6220 *Mr. Guthrie. The gentlelady yields back. Is there any
6221 further discussion on the amendment?

6222 The gentleman from New Jersey is recognized.

6223 *Mr. Pallone. Thank you, Mr. Chairman.

6224 I am pleased today we are considering a series of
6225 bipartisan Part D reforms that will reign in practices of
6226 pharmacy benefit managers and policies that will reduce cost
6227 sharing for certain beneficiaries.

6228 And while I am supportive of the goal of H.R. 4881 to
6229 ensure that a beneficiary's cost sharing at the pharmacy
6230 counter is more than the price _ is no more than the price
6231 paid for the drug by their insurance plan, in order to be
6232 implemented in a way that is operational the policy, as
6233 drafted, will continue to need to be refined.

6234 The Centers for Medicare and Medicaid Services provided
6235 technical assistance on the underlying language as drafted,
6236 and raised a number of questions with respect to the

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6237 feasibility of determining the cost sharing limitations in
6238 real time, given the delay in data and information provided
6239 to the agency, as well as the bid cycles for Part D plans.
6240 And I appreciate the changes made in the amendment for this
6241 reason, but continue to believe additional work is needed to
6242 ensure that this policy cannot be gamed and that the
6243 legislation can be carried out as intended.

6244 However, as I noted in my opening statement, I am
6245 willing to support this policy in committee with Chair
6246 Rodgers's commitment that she and her staff will work with us
6247 to refine the legislation to ensure it is implementable, and
6248 that CMS has the tools and enforcement authority needed to
6249 carry out the policy.

6250 So if I could ask the chairwoman, do you commit to
6251 working with me on this legislation to address implementation
6252 concerns to our satisfaction, as well as the agency's, you
6253 know, satisfaction before floor consideration?

6254 *The Chair. Would the gentleman yield?

6255 *Mr. Pallone. I will yield, certainly.

6256 *The Chair. Thank you, Ranking Member Pallone, a big
6257 thank you to all my colleagues for working on this important

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6258 topic to make sure that seniors are not paying more for a
6259 drug than the actual price for that drug.

6260 This is an important patient protection, and I am
6261 committed to working with you to address the technical
6262 assistant comments on this bill and moving it to the floor.
6263 We must make sure that this bill can be successfully
6264 implemented, and we commit to working through the technical
6265 edits to achieve that goal. I would like to thank you for
6266 your support on this bill, and look forward to working
6267 together.

6268 And I will yield back.

6269 *Mr. Pallone. Thank you, and I appreciate your
6270 statement and your willingness to move forward with this.

6271 Obviously, I already said I support the AINS and final
6272 passage, and look forward to continue to working with the GOP
6273 on this bill.

6274 I yield back, Mr. Chairman.

6275 *Mr. Guthrie. The gentleman yields back. Is there any
6276 further discussion on the amendment?

6277 Mr. _ the gentleman from Virginia, you are recognized
6278 for discussion on the amendment.

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6279 *Mr. Griffith. I will wait until the full bill.

6280 *Mr. Guthrie. Well, okay, we have already discussed the
6281 bill. We are not discussing _ this is the amendment in the
6282 nature of a substitute.

6283 *Mr. Griffith. All right. Mr. Chairman, thank you so
6284 much.

6285 Speaking to the amendment and to the bill, underlying
6286 bill, this bill is _ brings up an issue that I think all of
6287 us need to be aware of. I had a bill earlier this year that
6288 came out of here _ it got stalled in Ways and Means _ that
6289 applied to all insurers, not just Part D, not just the
6290 elderly, but to everybody, because I believe the insurance
6291 company has a fiduciary duty to their insureds, and that
6292 whether you are in Medicare Part D or whether you are a
6293 private insured person, whether it be through your company or
6294 you pay for it, the insurance companies should not charge you
6295 more for a medication than they themselves pay.

6296 So I am very supportive of this. This gets us half a
6297 loaf. I am always better with half a loaf than no loaf, but
6298 I think we should continue to work to get the whole loaf,
6299 because we shouldn't be having a fiduciary, which I see the

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6300 insured _ insurance companies as being the fiduciary to the
6301 insured, taking advantage of the one they are supposed to be
6302 looking out for.

6303 And I yield back.

6304 *Mr. Guthrie. The gentleman yields back. Is there any
6305 further discussion on the amendment?

6306 Seeing none, if there is no further discussion, the vote
6307 occurs on the amendment.

6308 All those in favor shall signify by saying aye.

6309 All opposed, nay.

6310 The ayes have it, and the amendment is agreed to.

6311 Are there further amendments to the bill?

6312 Seeing none, the question now occurs on approving H.R.
6313 4881, as amended, and a roll call vote has been requested,
6314 and the clerk will call the roll.

6315 *The Clerk. Burgess?

6316 *Mr. Burgess. Burgess votes aye.

6317 *The Clerk. Burgess votes aye.

6318 Latta?

6319 *Mr. Latta. Aye.

6320 *The Clerk. Latta votes aye.

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6321 Guthrie?
6322 *Mr. Guthrie. Aye.
6323 *The Clerk. Guthrie votes aye.
6324 Griffith?
6325 *Mr. Griffith. Aye.
6326 *The Clerk. Griffith votes aye.
6327 Bilirakis?
6328 [No response.]
6329 *The Clerk. Johnson?
6330 [No response.]
6331 *The Clerk. Bucshon?
6332 *Mr. Bucshon. Aye.
6333 *The Clerk. Bucshon votes aye.
6334 Hudson?
6335 [No response.]
6336 *The Clerk. Walberg?
6337 *Mr. Walberg. Aye.
6338 *The Clerk. Walberg votes aye.
6339 Carter?
6340 *Mr. Carter. Aye.
6341 *The Clerk. Carter votes aye.

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6342 Duncan?
6343 *Mr. Duncan. Aye.
6344 *The Clerk. Duncan votes aye.
6345 Palmer?
6346 [No response.]
6347 *The Clerk. Dunn?
6348 [No response.]
6349 *The Clerk. Curtis?
6350 *Mr. Curtis. Aye.
6351 *The Clerk. Curtis votes aye.
6352 Lesko?
6353 *Mrs. Lesko. Aye.
6354 *The Clerk. Lesko votes aye.
6355 Pence?
6356 *Mr. Pence. Aye.
6357 *The Clerk. Pence votes aye.
6358 Crenshaw?
6359 *Mr. Crenshaw. Aye.
6360 *The Clerk. Crenshaw votes aye.
6361 Joyce?
6362 [No response.]

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6363 *The Clerk. Armstrong?
6364 *Mr. Armstrong. Yes.
6365 *The Clerk. Armstrong votes aye.
6366 Weber?
6367 *Mr. Weber. Yes, sir.
6368 *The Clerk. Weber votes aye.
6369 Allen?
6370 *Mr. Allen. Aye.
6371 *The Clerk. Allen votes aye.
6372 Balderson?
6373 *Mr. Balderson. Aye.
6374 *The Clerk. Balderson votes aye.
6375 Fulcher?
6376 *Mr. Fulcher. Fulcher is aye.
6377 *The Clerk. Fulcher votes aye.
6378 Pfluger?
6379 *Mr. Pfluger. Aye.
6380 *The Clerk. Pfluger votes aye.
6381 Harshbarger?
6382 *Mrs. Harshbarger. Aye.
6383 *The Clerk. Harshbarger votes aye.

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6384 Miller-Meeks?
6385 *Mrs. Miller-Meeks. Yes.
6386 *The Clerk. Miller-Meeks votes aye.
6387 Cammack?
6388 *Mrs. Cammack. Aye.
6389 *The Clerk. Cammack votes aye.
6390 Obernolte?
6391 *Mr. Obernolte. Aye.
6392 *The Clerk. Obernolte votes aye.
6393 Pallone?
6394 *Mr. Pallone. Aye.
6395 *The Clerk. Pallone votes aye.
6396 Eshoo?
6397 *Ms. Eshoo. Aye.
6398 *The Clerk. Eshoo votes aye.
6399 DeGette?
6400 *Ms. DeGette. Aye.
6401 *The Clerk. DeGette votes aye.
6402 Schakowsky?
6403 *Ms. Schakowsky. Aye.
6404 *The Clerk. Schakowsky votes aye.

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6405 Matsui?
6406 [No response.]
6407 *The Clerk. Castor?
6408 [No response.]
6409 *The Clerk. Sarbanes?
6410 *Mr. Sarbanes. Aye.
6411 *The Clerk. Sarbanes votes aye.
6412 Tonko?
6413 *Mr. Tonko. Aye.
6414 *The Clerk. Tonko votes aye.
6415 Clarke?
6416 *Ms. Clarke. Aye.
6417 *The Clerk. Clarke votes aye.
6418 Cardenas?
6419 *Mr. Cardenas. Aye.
6420 *The Clerk. Cardenas votes aye.
6421 Ruiz?
6422 *Mr. Ruiz. Aye.
6423 *The Clerk. Ruiz votes aye.
6424 Peters?
6425 *Mr. Peters. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6426 *The Clerk. Peters votes aye.
6427 Dingell?
6428 *Mrs. Dingell. Aye.
6429 *The Clerk. Dingell votes aye.
6430 Veasey?
6431 *Mr. Veasey. Aye.
6432 *The Clerk. Veasey votes aye.
6433 Kuster?
6434 *Ms. Kuster. Aye.
6435 *The Clerk. Kuster votes aye.
6436 Kelly?
6437 *Ms. Kelly. Aye.
6438 *The Clerk. Kelly votes aye.
6439 Barragan?
6440 *Ms. Barragan. Aye.
6441 *The Clerk. Barragan votes aye.
6442 Blunt Rochester?
6443 *Ms. Blunt Rochester. Aye.
6444 *The Clerk. Blunt Rochester votes aye.
6445 Soto?
6446 *Mr. Soto. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6447 *The Clerk. Soto votes aye.
6448 Craig?
6449 [No response.]
6450 *The Clerk. Schrier?
6451 *Ms. Schrier. Aye.
6452 *The Clerk. Schrier votes aye.
6453 Trahan?
6454 *Mrs. Trahan. Aye.
6455 *The Clerk. Trahan votes aye.
6456 Fletcher?
6457 [No response.]
6458 *The Clerk. Chair Rodgers?
6459 *The Chair. Aye.
6460 *The Clerk. Chair Rodgers votes aye.
6461 *Mr. Guthrie. Mr. Bilirakis?
6462 *Mr. Bilirakis. Bilirakis votes aye.
6463 *The Clerk. Bilirakis votes aye.
6464 *Mr. Guthrie. Dr. Joyce?
6465 *Mr. Joyce. Joyce votes aye.
6466 *The Clerk. Joyce votes aye.
6467 *Mr. Guthrie. Anyone else on the Republican _ anyone on

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6468 the Democrat side seeking to answer the roll?

6469 Seeing none, the clerk will report.

6470 [Pause.]

6471 *The Clerk. Chair Guthrie?

6472 *Mr. Guthrie. Oh, how is Mr. Hudson recorded?

6473 *The Clerk. Hudson is not recorded.

6474 *Mr. Hudson. Hudson votes aye.

6475 *The Clerk. Hudson votes aye.

6476 *Mr. Guthrie. The clerk will report.

6477 *The Clerk. Chair Guthrie, on that vote there were 45
6478 ayes and 0 noes.

6479 *Mr. Guthrie. Forty-five ayes and zero nays, the ayes
6480 are agreed to, and the bill is adopted.

6481 The chair calls up H.R. 5389, as amended by the
6482 Subcommittee on Health, and asks the clerk to report.

6483 *The Clerk. H.R. 5389, a bill to amend title 18 of the
6484 Social Security _

6485 *Mr. Guthrie. Without objection, the first reading of
6486 the bill is dispensed with, and the bill will be open for
6487 amendment at any point.

6488 So ordered.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6489 [The bill follows:]

6490

6491 *****COMMITTEE INSERT*****

6492

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6493 *Mr. Guthrie. Does anyone seek recognition on the bill?

6494 Seeing none, is there any bipartisan amendments?

6495 There is a bipartisan amendment to the bill. I will _ I

6496 have an amendment at the desk. The clerk will report the

6497 amendment.

6498 *The Clerk. Amendment in the nature of a substitute to

6499 H.R. 5389 _

6500 *Mr. Guthrie. Without objection, the reading of the

6501 amendment is dispensed with.

6502 [The amendment of Mr. Guthrie follows:]

6503

6504 *****COMMITTEE INSERT*****

6505

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6506 *Mr. Guthrie. And my _ the chair recognizes himself for
6507 five minutes in support of the amendment.

6508 This legislation would streamline the process in which
6509 the CMS must follow whenever an agency is making coverage
6510 decision for a specific product. The current process for
6511 making these critical decisions is marked by lengthy delays
6512 and lack of transparency about the time in which it takes the
6513 agency to make decisions. According to a recent report,
6514 between 2014 and 2022 the duration of a national coverage
6515 determination request was 483 days for phases one and two,
6516 which is when CMS acknowledged is the request and initiates a
6517 evidence review. It took the agency 228 days, on average, to
6518 complete these two simple steps.

6519 The only people who suffer because of this
6520 unpredictable, lengthy process are seniors who need FDA-
6521 approved therapy to treat potentially life-threatening
6522 conditions. My legislation would fix this process by
6523 requiring CMS to respond within a certain amount of time
6524 about the completeness of a national coverage determination
6525 application, and bringing more transparency to the process.

6526 Importantly, the AINS before us today reflects feedback

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6527 incorporated into the text after discussions with CMS by
6528 giving the agency a longer runway to implement these changes
6529 to the coverage determination process.

6530 And I urge my colleagues to support this legislation,
6531 and I also want to point _ on the point of seniors needing
6532 care, I also want to reiterate my strong support for H.R.
6533 1691, Ensuring Access to Critical Breakthrough Products, which
6534 is not _ passed out of Health Committee, but is not up _
6535 Healthcare Subcommittee, but is not up today.

6536 And I look forward to working with my colleagues, and I
6537 yield back.

6538 Is there any discussions on the amendment?

6539 Any further discussion?

6540 Seeing none, the vote occurs on the amendment.

6541 All those in favor say aye.

6542 All those opposed, nay.

6543 The ayes have it, and the amendment is agreed to.

6544 Are there any further amendments to the bill?

6545 Seeing none, the question now occurs on approving H.R.
6546 5389, as amended, and a roll call has been requested, and the
6547 clerk will call the roll.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6548 *The Clerk. Burgess?
6549 *Mr. Burgess. Burgess votes aye.
6550 *The Clerk. Burgess votes aye.
6551 Latta?
6552 *Mr. Latta. Aye.
6553 *The Clerk. Latta votes aye.
6554 Guthrie?
6555 [No response.]
6556
6557 *The Clerk. Griffith?
6558 *Mr. Griffith. Aye.
6559 *Mr. Guthrie. Guthrie votes aye, sorry.
6560 *The Clerk. Guthrie votes aye.
6561 Griffith?
6562 *Mr. Griffith. Aye.
6563 *The Clerk. Griffith votes aye.
6564 Bilirakis?
6565 *Mr. Bilirakis. Aye.
6566 *The Clerk. Bilirakis votes aye.
6567 Johnson?
6568 *Mr. Johnson. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6569 *The Clerk. Johnson votes aye.
6570 Bucshon?
6571 *Mr. Bucshon. Aye.
6572 *The Clerk. Bucshon votes aye.
6573 Hudson?
6574 *Mr. Hudson. Aye.
6575 *The Clerk. Hudson votes aye.
6576 Walberg?
6577 *Mr. Walberg. Aye.
6578 *The Clerk. Walberg votes aye.
6579 Carter?
6580 [No response.]
6581 *The Clerk. Duncan?
6582 *Mr. Duncan. Aye.
6583 *The Clerk. Duncan votes aye.
6584 Palmer?
6585 [No response.]
6586 *The Clerk. Dunn?
6587 [No response.]
6588 *The Clerk. Curtis?
6589 *Mr. Curtis. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6590 *The Clerk. Curtis votes aye.
6591 Lesko?
6592 *Mrs. Lesko. Aye.
6593 *The Clerk. Lesko votes aye.
6594 Pence?
6595 *Mr. Pence. Aye.
6596 *The Clerk. Pence votes aye.
6597 Crenshaw?
6598 *Mr. Crenshaw. Aye.
6599 *The Clerk. Crenshaw votes aye.
6600 Joyce?
6601 [No response.]
6602 *The Clerk. Armstrong?
6603 *Mr. Armstrong. Yes.
6604 *The Clerk. Armstrong votes aye.
6605 Weber?
6606 *Mr. Weber. Yes, sir.
6607 *The Clerk. Weber votes aye.
6608 Allen?
6609 *Mr. Allen. Aye.
6610 *The Clerk. Allen votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6611 Balderson?
6612 *Mr. Balderson. Aye.
6613 *The Clerk. Balderson votes aye.
6614 Fulcher?
6615 *Mr. Fulcher. Fulcher is aye.
6616 *The Clerk. Fulcher votes aye.
6617 Pfluger?
6618 *Mr. Pfluger. Aye.
6619 *The Clerk. Pfluger votes aye.
6620 Harshbarger?
6621 *Mrs. Harshbarger. Aye.
6622 *The Clerk. Harshbarger votes aye.
6623 Miller-Meeks?
6624 [No response.]
6625 *The Clerk. Cammack?
6626 *Mrs. Cammack. Aye.
6627 *The Clerk. Cammack votes aye.
6628 Obernolte?
6629 *Mr. Obernolte. Aye.
6630 *The Clerk. Obernolte votes aye.
6631 Pallone?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6632 *Mr. Pallone. Aye.
6633 *The Clerk. Pallone votes aye.
6634 Eshoo?
6635 *Ms. Eshoo. Aye.
6636 *The Clerk. Eshoo votes aye.
6637 DeGette?
6638 *Ms. DeGette. Aye.
6639 *The Clerk. DeGette votes aye.
6640 Schakowsky?
6641 *Ms. Schakowsky. Aye.
6642 *The Clerk. Schakowsky votes aye.
6643 Matsui?
6644 [No response.]
6645 *The Clerk. Castor?
6646 [No response.]
6647 *The Clerk. Sarbanes?
6648 *Mr. Sarbanes. Aye.
6649 *The Clerk. Sarbanes votes aye.
6650 Tonko?
6651 *Mr. Tonko. Aye.
6652 *The Clerk. Tonko votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6653 Clarke?

6654 *Ms. Clarke. Aye.

6655 *The Clerk. Clarke votes aye.

6656 Cardenas?

6657 *Mr. Cardenas. Aye.

6658 *The Clerk. Cardenas votes aye.

6659 Ruiz?

6660 *Mr. Ruiz. Aye.

6661 *The Clerk. Ruiz votes aye.

6662 Peters?

6663 *Mr. Peters. Aye.

6664 *The Clerk. Peters votes aye.

6665 Dingell?

6666 *Mrs. Dingell. Aye.

6667 *The Clerk. Dingell votes aye.

6668 Veasey?

6669 *Mr. Veasey. Aye.

6670 *The Clerk. Veasey votes aye.

6671 Kuster?

6672 *Ms. Kuster. Aye.

6673 *The Clerk. Kuster votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6674 Kelly?
6675 *Ms. Kelly. Aye.
6676 *The Clerk. Kelly votes aye.
6677 Barragan?
6678 *Ms. Barragan. Aye.
6679 *The Clerk. Barragan votes aye.
6680 Blunt Rochester?
6681 [No response.]
6682 *The Clerk. Blunt Rochester?
6683 *Ms. Blunt Rochester. Aye.
6684 *The Clerk. Blunt Rochester votes aye.
6685 Soto?
6686 *Mr. Soto. Aye.
6687 *The Clerk. Soto votes aye.
6688 Craig?
6689 [No response.]
6690 *The Clerk. Schrier?
6691 *Ms. Schrier. Aye.
6692 *The Clerk. Schrier votes aye.
6693 Trahan?
6694 *Mrs. Trahan. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6695 *The Clerk. Trahan votes aye.
6696 Fletcher?
6697 [No response.]
6698 *The Clerk. Chair Rodgers?
6699 *The Chair. Aye.
6700 *The Clerk. Chair Rodgers votes aye.
6701 *Mr. Guthrie. Anyone seeking _ Mr. Carter, how is Mr.
6702 Carter recorded?
6703 *The Clerk. Mr. Carter is not recorded.
6704 *Mr. Carter. Aye.
6705 *The Clerk. Mr. Carter votes aye.
6706 *Mr. Guthrie. Dr. Joyce?
6707 *Mr. Joyce. Aye.
6708 *The Clerk. Joyce votes aye.
6709 *Mr. Guthrie. Is anyone else on the Republican side?
6710 Anyone on the Democrat side seeking to vote?
6711 Seeing none, the clerk will report.
6712 Oh, excuse me. How is Dr. Miller-Meeks recorded?
6713 *The Clerk. Miller-Meeks is not recorded.
6714 *Mrs. Miller-Meeks. Aye.
6715 *The Clerk. Miller-Meeks votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6716 *Mr. Guthrie. The clerk will report.

6717 *The Clerk. Chair Guthrie, on that vote there were 46
6718 ayes and 0 noes.

6719 *Mr. Guthrie. The ayes have it, and the bill is
6720 adopted.

6721 The chair calls up H.R. 133, as amended by the
6722 Subcommittee on Health, and asks the clerk to report.

6723 *The Clerk. H.R. 133, a bill to amend title 18.

6724 *Mr. Guthrie. Without objection, the first reading of
6725 the bill is dispensed with, and the bill will be open for
6726 amendment at any point.

6727 So ordered.

6728 [The bill follows:]

6729

6730 *****COMMITTEE INSERT*****

6731

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6732 *Mr. Guthrie. Does anyone seek to be recognized on the
6733 bill?

6734 For what purpose does the gentlelady _ do you want to do
6735 the amendment or the bill for _

6736 *Ms. Barragan. The amendment.

6737 *Mr. Guthrie. The amendment. Is anyone seeking
6738 recognition on the bill?

6739 Seeing none, is anyone _ is there a bipartisan
6740 amendment?

6741 The gentlelady from California.

6742 *Ms. Barragan. Mr. Chair, I have an amendment in the
6743 nature of a substitute at the desk.

6744 *Mr. Guthrie. The clerk will report.

6745 *The Clerk. Amendment in the nature of a substitute to
6746 H.R. 133 _

6747 *Mr. Guthrie. Without objection, the reading of the
6748 amendment is dispensed with.

6749 [The amendment of Ms. Barragan follows:]

6750

6751 *****COMMITTEE INSERT*****

6752

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6753 *Mr. Guthrie. And the gentlelady from California is
6754 recognized for five minutes in support of the amendment.

6755 *Ms. Barragan. Thank you. I would like to offer this
6756 amendment in the nature of a substitute to H.R. 133, the
6757 MERIT Act, which incorporates feedback from the Centers for
6758 Medicare and Medicaid Services, CMS, and removes duplicative
6759 language.

6760 I want to thank Representative Buchanan for his
6761 leadership on this important bill that we co-led together.

6762 This past November was National Alzheimer's Disease
6763 Awareness Month, which recognizes the hardships of those
6764 living with Alzheimer's, as well as the families and
6765 caregivers who sacrificed their time, money, and resources to
6766 care for their loved ones. The Awareness Month also serves
6767 as a reminder that we must commit to invest in scientific
6768 research and increase access to treatment options to ensure a
6769 brighter future for all Americans facing Alzheimer's.

6770 Today about 7 million Alzheimer's _ 7 million Americans
6771 suffer from Alzheimer's, and rates are expected to increase
6772 as Baby Boomers age. As new treatments are approved,
6773 millions of Americans living with Alzheimer's and other

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6774 diseases cannot afford delays in accessing these treatments.

6775 One barrier patients currently face in accessing FDA-
6776 approved Alzheimer's treatments is a broad national coverage
6777 determination by CMS, which effectively denied Medicare
6778 coverage to all monoclonal antibodies directed against
6779 amyloid for the treatment of Alzheimer's disease. This
6780 decision by CMS to deny coverage for an entire class of drugs
6781 was devastating for Alzheimer's patients and families like
6782 mine, who want their loved ones to have access to medication
6783 that can slow progression of the disease.

6784 The MERIT Act would address this issue by requiring CMS
6785 to evaluate treatments individually and based on their own
6786 merits, rather than as a broad class of drugs. This bill is
6787 a critical first step to improve how CMS approaches future
6788 Medicare coverage decisions.

6789 I look forward to continuing to work with my colleagues
6790 on both sides of the aisle to build on this step through my
6791 bipartisan bill, the Access to Innovative Treatments Act,
6792 which I co-led with my colleague, Representative Joyce. It
6793 accomplishes the same goal as the MERIT Act, but includes a
6794 required timeline that CMS must follow to reconsider drugs

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6795 for Medicare coverage when enough data is collected on the
6796 drug's effectiveness.

6797 Today I am pleased to support the MERIT Act, and I urge
6798 my colleagues to vote yes on the AINS and the underlying
6799 bill.

6800 I yield back.

6801 *Mr. Guthrie. The gentlelady, will yield? The
6802 gentlelady _

6803 *Ms. Barragan. Yes, I will yield.

6804 *Mr. Guthrie. I just want to say thank you for your _ I
6805 understand your passion. We have been through this with my
6806 family, as well, and I appreciate your passion, and thank you
6807 for your work.

6808 *Ms. Barragan. Great. Thank you so much.

6809 *Mr. Guthrie. I yield back to you, and yield _

6810 *Ms. Barragan. I yield.

6811 *Mr. Guthrie. The gentlelady yields back. Is there any
6812 further discussion on the amendment?

6813 Seeing none, if there is no further discussion, the vote
6814 occurs on the amendment.

6815 All those in favor shall signify by saying aye.

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6816 All those opposed, nay.

6817 The ayes have it, and the amendment is agreed to.

6818 Are there any further amendments to the bill?

6819 Seeing no further amendments, the question now occurs on
6820 approving H.R. 133, as amended, and a roll call vote has been
6821 requested, and the clerk will call the roll.

6822 *The Clerk. Burgess?

6823 *Mr. Burgess. Burgess votes aye.

6824 *The Clerk. Burgess votes aye.

6825 Latta?

6826 *Mr. Latta. Aye.

6827 *The Clerk. Latta votes aye.

6828 Guthrie?

6829 *Mr. Guthrie. Aye.

6830 *The Clerk. Guthrie votes aye.

6831 Griffith?

6832 *Mr. Griffith. Aye.

6833 *The Clerk. Griffith votes aye.

6834 Bilirakis?

6835 *Mr. Bilirakis. Aye.

6836 *The Clerk. Bilirakis votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6837 Johnson?
6838 [No response.]
6839 *The Clerk. Bucshon?
6840 *Mr. Bucshon. Aye.
6841 *The Clerk. Bucshon votes aye.
6842 Hudson?
6843 [No response.]
6844 *The Clerk. Walberg?
6845 *Mr. Walberg. Aye.
6846 *The Clerk. Walberg votes aye.
6847 Carter?
6848 *Mr. Carter. Aye.
6849 *The Clerk. Carter votes aye.
6850 Duncan?
6851 [No response.]
6852 *The Clerk. Palmer?
6853 [No response.]
6854 *The Clerk. Dunn?
6855 [No response.]
6856 *The Clerk. Curtis?
6857 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6858 *The Clerk. Lesko?
6859 *Mrs. Lesko. Aye.
6860 *The Clerk. Lesko votes aye.
6861 Pence?
6862 *Mr. Pence. Aye.
6863 *The Clerk. Pence votes aye.
6864 Crenshaw?
6865 [No response.]
6866 *The Clerk. Joyce?
6867 *Mr. Joyce. Aye.
6868 *The Clerk. Joyce votes aye.
6869 Armstrong?
6870 [No response.]
6871 *The Clerk. Weber?
6872 *Mr. Weber. Aye.
6873 *The Clerk. Weber votes aye.
6874 Allen?
6875 *Mr. Allen. Aye.
6876 *The Clerk. Allen votes aye.
6877 Balderson?
6878 *Mr. Balderson. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6879 *The Clerk. Balderson votes aye.
6880 Fulcher?
6881 *Mr. Fulcher. Fulcher is aye.
6882 *The Clerk. Fulcher votes aye.
6883 Pfluger?
6884 [No response.]
6885 *The Clerk. Pfluger?
6886 *Mr. Pfluger. Aye.
6887 *The Clerk. Pfluger votes aye.
6888 Harshbarger?
6889 *Mrs. Harshbarger. Aye.
6890 *The Clerk. Harshbarger votes aye.
6891 Miller-Meeks?
6892 *Mrs. Miller-Meeks. Aye.
6893 *The Clerk. Miller-Meeks votes aye.
6894 Cammack?
6895 *Mrs. Cammack. Aye.
6896 *The Clerk. Cammack votes aye.
6897 Oberholte?
6898 *Mr. Oberholte. Aye.
6899 *The Clerk. Oberholte votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6900 Pallone?
6901 *Mr. Pallone. Aye.
6902 *The Clerk. Pallone votes aye.
6903 Eshoo?
6904 *Ms. Eshoo. Aye.
6905 *The Clerk. Eshoo votes aye.
6906 DeGette?
6907 *Ms. DeGette. Aye.
6908 *The Clerk. DeGette votes aye.
6909 Schakowsky?
6910 *Ms. Schakowsky. Aye.
6911 *The Clerk. Schakowsky votes aye.
6912 Matsui?
6913 [No response.]
6914 *The Clerk. Castor?
6915 [No response.]
6916 *The Clerk. Sarbanes?
6917 *Mr. Sarbanes. Aye.
6918 *The Clerk. Sarbanes votes aye.
6919 Tonko?
6920 *Mr. Tonko. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6921 *The Clerk. Tonko votes aye.
6922 Clarke?
6923 *Ms. Clarke. Aye.
6924 *The Clerk. Clarke votes aye.
6925 Cardenas?
6926 *Mr. Cardenas. Aye.
6927 *The Clerk. Cardenas votes aye.
6928 Ruiz?
6929 *Mr. Ruiz. Aye.
6930 *The Clerk. Ruiz votes aye.
6931 Peters?
6932 *Mr. Peters. Aye.
6933 *The Clerk. Peters votes aye.
6934 Dingell?
6935 *Mrs. Dingell. Aye.
6936 *The Clerk. Dingell votes aye.
6937 Veasey?
6938 *Mr. Veasey. Aye.
6939 *The Clerk. Veasey votes aye.
6940 Kuster?
6941 *Ms. Kuster. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6942 *The Clerk. Kuster votes aye.
6943 Kelly?
6944 *Ms. Kelly. Aye.
6945 *The Clerk. Kelly votes aye.
6946 Barragan?
6947 *Ms. Barragan. Aye.
6948 *The Clerk. Barragan votes aye.
6949 Blunt Rochester?
6950 *Ms. Blunt Rochester. Aye.
6951 *The Clerk. Blunt Rochester votes aye.
6952 Soto?
6953 *Mr. Soto. Aye.
6954 *The Clerk. Soto votes aye.
6955 Craig?
6956 [No response.]
6957 *The Clerk. Schrier?
6958 *Ms. Schrier. Aye.
6959 *The Clerk. Schrier votes aye.
6960 Trahan?
6961 *Mrs. Trahan. Aye.
6962 *The Clerk. Trahan votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6963 Fletcher?

6964 [No response.]

6965 *The Clerk. Chair Rodgers?

6966 *The Chair. Aye.

6967 *The Clerk. Chair Rodgers votes aye.

6968 *Mr. Guthrie. Is anyone seeking to answer the roll
6969 call?

6970 Mr. Crenshaw.

6971 *The Clerk. Crenshaw _

6972 *Mr. Crenshaw. Crenshaw votes aye.

6973 *The Clerk. Crenshaw votes aye.

6974 *Mr. Guthrie. Mr. Armstrong?

6975 *Mr. Armstrong. Armstrong votes yes.

6976 *The Clerk. Armstrong votes aye.

6977 *Mr. Guthrie. Anyone on the Democrat side?

6978 Seeing none, the clerk will report.

6979 *The Clerk. Chair Guthrie, on that vote there were 42
6980 ayes and 0 noes.

6981 *Mr. Guthrie. The ayes have it, and the bill is
6982 adopted.

6983 The chair calls up H.R. 5396, and asks the clerk to

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6984 report.

6985 *The Clerk. H.R. 5396, a bill to amend title 18 of the
6986 Social Security _

6987 *Mr. Guthrie. Without objection, the first reading of
6988 the bill is dispensed with, and the bill will be open for
6989 amendment at any point.

6990 So ordered.

6991 [The bill follows:]

6992

6993 *****COMMITTEE INSERT*****

6994

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6995 *Mr. Guthrie. Does anyone seek to be recognized on the
6996 bill?

6997 Seeing none, is there any bipartisan amendments?

6998 The gentleman from Indiana is recognized.

6999 *Mr. Bucshon. Mr. Chairman, I have an amendment at the
7000 desk.

7001 *Mr. Guthrie. The clerk will report.

7002 *The Clerk. Amendment in the nature of a substitute to
7003 H.R. 5396, offered by Mr. Bucshon.

7004 *Mr. Guthrie. Without objection, the reading of the
7005 amendment is dispensed with, and the gentleman from Indiana
7006 is recognized for five minutes in support of the amendment.

7007 *Mr. Bucshon. Thanks, Mr. Chairman. This amendment
7008 will make some minor changes to the underlying legislation.

7009 I am grateful to the committee for recognizing that
7010 there have been problems with Medicare administrative
7011 contractors failing to provide appropriate coverage,
7012 especially for new and emerging technologies. I hope that
7013 this legislation, which puts into statute the requirement
7014 that local coverage determinations not conflict with national
7015 coverage determinations at CMS, is a step toward correcting

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7016 poor performance as it relates to the local coverage
7017 determinations across the country.

7018 I look forward to continuing to work with CMS and
7019 stakeholders to provide greater accountability in the
7020 coverage determination process, including situations where
7021 error verification takes place.

7022 I urge my colleagues to support the amendment in the
7023 nature of the substitute and the underlying bill, and I yield
7024 back.

7025 *Mr. Guthrie. Is there a discussion on the amendment?
7026 The gentleman yields back. Is there a discussion on the
7027 amendment?

7028 Seeing none, if there is no further discussion on the
7029 amendment, the vote occurs on the amendment.

7030 All those in favor shall signify by saying aye.

7031 All those opposed, nay.

7032 The ayes have it, and the amendment is agreed to.

7033 The question now occurs on approving H.R. 5396, as
7034 amended, and a roll call vote has been requested, and the
7035 clerk will call the roll.

7036 *The Clerk. Burgess?

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7037 *Mr. Burgess. Burgess votes aye.
7038 *The Clerk. Burgess votes aye.
7039 Latta?
7040 *Mr. Latta. Aye.
7041 *The Clerk. Latta votes aye.
7042 Guthrie?
7043 *Mr. Guthrie. Aye.
7044 *The Clerk. Guthrie votes aye.
7045 Griffith?
7046 *Mr. Griffith. Aye.
7047 *The Clerk. Griffith votes aye.
7048 Bilirakis?
7049 *Mr. Bilirakis. Aye.
7050 *The Clerk. Bilirakis votes aye.
7051 Johnson?
7052 [No response.]
7053 *The Clerk. Bucshon?
7054 *Mr. Bucshon. Aye.
7055 *The Clerk. Bucshon votes aye.
7056 Hudson?
7057 *Mr. Hudson. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7058 *The Clerk. Hudson votes aye.

7059 Walberg?

7060 *Mr. Walberg. Aye.

7061 *The Clerk. Walberg votes aye.

7062 Carter?

7063 *Mr. Carter. Aye.

7064 *The Clerk. Carter votes aye.

7065 Duncan?

7066 [No response.]

7067 *The Clerk. Palmer?

7068 [No response.]

7069 *The Clerk. Dunn?

7070 [No response.]

7071 *The Clerk. Curtis?

7072 *Mr. Curtis. Aye.

7073 *The Clerk. Curtis votes aye.

7074 Lesko?

7075 *Mrs. Lesko. Aye.

7076 *The Clerk. Lesko votes aye.

7077 Pence?

7078 *Mr. Pence. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7079 *The Clerk. Pence votes aye.
7080 Crenshaw?
7081 [No response.]
7082 *The Clerk. Joyce?
7083 *Mr. Joyce. Aye.
7084 *The Clerk. Joyce votes aye.
7085 Armstrong?
7086 *Mr. Armstrong. Yes.
7087 *The Clerk. Armstrong votes aye.
7088 Weber?
7089 [No response.]
7090 *The Clerk. Allen?
7091 *Mr. Allen. Aye.
7092 *The Clerk. Allen votes aye.
7093 Balderson?
7094 *Mr. Balderson. Aye.
7095 *The Clerk. Balderson votes aye.
7096 Fulcher?
7097 [No response.]
7098 *The Clerk. Pfluger?
7099 *Mr. Pfluger. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7100 *The Clerk. Pfluger votes aye.
7101 Harshbarger?
7102 *Mrs. Harshbarger. Aye.
7103 *The Clerk. Harshbarger votes aye.
7104 Miller-Meeks?
7105 *Mrs. Miller-Meeks. Aye.
7106 *The Clerk. Miller-Meeks votes aye.
7107 Cammack?
7108 *Mrs. Cammack. Aye.
7109 *The Clerk. Cammack votes aye.
7110 Oberholte?
7111 *Mr. Oberholte. Aye.
7112 *The Clerk. Oberholte votes aye.
7113 Pallone?
7114 *Mr. Pallone. Aye.
7115 *The Clerk. Pallone votes aye.
7116 Eshoo?
7117 *Ms. Eshoo. Aye.
7118 *The Clerk. Eshoo votes aye.
7119 DeGette?
7120 *Ms. DeGette. Aye.

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7121 *The Clerk. DeGette votes aye.
7122 Schakowsky?
7123 [No response.]
7124 *The Clerk. Matsui?
7125 [No response.]
7126 *The Clerk. Castor?
7127 [No response.]
7128 *The Clerk. Sarbanes?
7129 *Mr. Sarbanes. Aye.
7130 *The Clerk. Sarbanes votes aye.
7131 Tonko?
7132 *Mr. Tonko. Aye.
7133 *The Clerk. Tonko votes aye.
7134 Clarke?
7135 *Ms. Clarke. Aye.
7136 *The Clerk. Clarke votes aye.
7137 Cardenas?
7138 *Mr. Cardenas. Aye.
7139 *The Clerk. Cardenas votes aye.
7140 Ruiz?
7141 *Mr. Ruiz. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7142 *The Clerk. Ruiz votes aye.
7143 Peters?
7144 *Mr. Peters. Aye.
7145 *The Clerk. Peters votes aye.
7146 Dingell?
7147 *Mrs. Dingell. Aye.
7148 *The Clerk. Dingell votes aye.
7149 Veasey?
7150 *Mr. Veasey. Aye.
7151 *The Clerk. Veasey votes aye.
7152 Kuster?
7153 *Ms. Kuster. Aye.
7154 *The Clerk. Kuster votes aye.
7155 Kelly?
7156 *Ms. Kelly. Aye.
7157 *The Clerk. Kelly votes aye.
7158 Barragan?
7159 [No response.]
7160 *The Clerk. Blunt Rochester?
7161 *Ms. Blunt Rochester. Aye.
7162 *The Clerk. Blunt Rochester votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7163 Soto?

7164 *Mr. Soto. Aye.

7165 *The Clerk. Soto votes aye.

7166 Craig?

7167 [No response.]

7168 *The Clerk. Schrier?

7169 *Ms. Schrier. Aye.

7170 *The Clerk. Schrier votes aye.

7171 Trahan?

7172 *Mrs. Trahan. Aye.

7173 *The Clerk. Trahan votes aye.

7174 Fletcher?

7175 [No response.]

7176 *The Clerk. Chair Rodgers?

7177 *The Chair. Aye.

7178 *The Clerk. Chair Rodgers votes aye.

7179 *Mr. Guthrie. Mr. Duncan?

7180 *The Clerk. Mr. Duncan is not recorded.

7181 *Mr. Duncan. Aye.

7182 *The Clerk. Duncan votes aye.

7183 *Mr. Guthrie. Anyone else seeking _ Mr. Fulcher?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7184 [No response.]

7185 *Mr. Guthrie. Mr. Fulcher?

7186 *The Clerk. Fulcher is not recorded.

7187 *Mr. Fulcher. Fulcher is aye.

7188 *The Clerk. Fulcher votes aye.

7189 *Mr. Guthrie. Anyone else?

7190 Has Mr. Crenshaw voted? Mr. Crenshaw?

7191 *Mr. Crenshaw. Aye.

7192 *The Clerk. Crenshaw votes aye.

7193 *Mr. Guthrie. Anyone else on the Republican side?

7194 Anybody _ Ms. Barragan?

7195 *The Clerk. Barragan is not recorded.

7196 *Ms. Barragan. Barragan votes aye.

7197 *Mr. Guthrie. Barragan votes _

7198 *The Clerk. Barragan votes aye.

7199 *Mr. Guthrie. Anyone else on your side?

7200 Okay, the clerk will report.

7201 [Pause.]

7202 *Mr. Weber. Mr. Chairman?

7203 *Mr. Guthrie. How is Mr. Weber recorded? Mr. Weber _

7204 *The Clerk. Weber is not recorded.

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7205 *Mr. Weber. Weber is voting yes.

7206 *The Clerk. Weber votes aye.

7207 *Mr. Guthrie. Anyone else?

7208 Seeing no one else, the clerk will report.

7209 [Pause.]

7210 *Mr. Guthrie. The clerk will report.

7211 *The Clerk. Chair Guthrie, on that vote there were 44
7212 ayes and 0 noes.

7213 *Mr. Guthrie. The ayes have it, and the bill is
7214 adopted.

7215 The chair calls up H.R. 5371, and asks the clerk to
7216 report.

7217 *The Clerk. H.R. 5371, a bill to amend title 18 of the
7218 Social Security Act.

7219 *Mr. Guthrie. Without objection, the reading of the
7220 bill is dispensed with, and the bill will be open for
7221 amendment at any point.

7222 So ordered.

7223 [The bill follows:]

7224

7225 *****COMMITTEE INSERT*****

7226

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7227 *Mr. Guthrie. Does anyone seek to be recognized on the
7228 bill?

7229 Dr. Joyce, you are _

7230 *Mr. Joyce. Mr. Chairman, I have an amendment at the
7231 desk.

7232 *Mr. Guthrie. You are recognized.

7233 Is there anyone speaking on the bill first?

7234 Seeing none, Dr. Joyce, you are recognized for an
7235 amendment. The clerk will report the amendment.

7236 *The Clerk. Amendment in the nature of a substitute to
7237 H.R. 5371, offered by Mr. Joyce.

7238 *Mr. Guthrie. Without objection, the reading of the
7239 amendment is dispensed with.

7240 [The amendment of Mr. Joyce follows:]

7241

7242 *****COMMITTEE INSERT*****

7243

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7244 *Mr. Guthrie. And the gentleman from Pennsylvania is
7245 recognized for five minutes in support of the amendment.

7246 *Mr. Joyce. Thank you, Mr. Chairman. I want to offer
7247 my support for my amendment to H.R. 5371, the Choices for
7248 Increased Mobility Act.

7249 This amendment makes the necessary changes to the bill
7250 that will establish separate healthcare common procedure
7251 coding system codes, which are the HCPCS for ultra
7252 lightweight manual wheelchairs. By creating a new code for
7253 ultra lightweight manual wheelchairs under Medicare Part B,
7254 this amendment will remove a barrier to access that has,
7255 since 2016, has impeded access to lightweight, durable
7256 medical equipment for individuals who live day by day with
7257 mobility impairments if deemed medically necessary.

7258 Again, this legislation will allow Medicare
7259 beneficiaries the opportunity to decide whether a titanium or
7260 a carbon wheelchair is right for them, in consultation with
7261 their doctor.

7262 This committee should be encouraging Medicare
7263 beneficiaries to take full advantage of their health care
7264 plan and, more important, giving them a say in the choices

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7265 that will directly impact their daily lives. I made a
7266 commitment to work with both majority and minority members of
7267 this committee prior to this full committee markup to make
7268 any technical changes to this bill, and to make sure that we
7269 get this crucial legislation to a place where we can all
7270 support its passage.

7271 I believe what we have done here will have a positive
7272 impact on the lives of our nation's seniors. I urge my
7273 colleagues to support this amendment, and this is a common-
7274 sense piece of legislation.

7275 I thank you, and I yield.

7276 *Mr. Guthrie. The gentleman yields back. Is there any
7277 further discussion on the amendment?

7278 If there is no further discussion, the vote occurs on
7279 the amendment.

7280 All those in favor shall signify by saying aye.

7281 All those opposed, no.

7282 The amendment is agreed to.

7283 The question now occurs on approving H.R. 5371, as
7284 amended, and a roll call vote has been requested, and the
7285 clerk will call the roll.

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7286 *The Clerk. Burgess?
7287 *Mr. Burgess. Burgess votes aye.
7288 *The Clerk. Burgess votes aye.
7289 Latta?
7290 *Mr. Latta. Aye.
7291 *The Clerk. Latta votes aye.
7292 Guthrie?
7293 *Mr. Guthrie. Aye.
7294 *The Clerk. Guthrie votes aye.
7295 Griffith?
7296 *Mr. Griffith. Aye.
7297 *The Clerk. Griffith votes aye.
7298 Bilirakis?
7299 *Mr. Bilirakis. Aye.
7300 *The Clerk. Bilirakis votes aye.
7301 Johnson?
7302 [No response.]
7303 *The Clerk. Bucshon?
7304 *Mr. Bucshon. Aye.
7305 *The Clerk. Bucshon votes aye.
7306 Hudson?

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7307 *Mr. Hudson. Aye.
7308 *The Clerk. Hudson votes aye.
7309 Walberg?
7310 *Mr. Walberg. Aye.
7311 *The Clerk. Walberg votes aye.
7312 Carter?
7313 [No response.]
7314 *The Clerk. Duncan?
7315 *Mr. Duncan. Aye.
7316 *The Clerk. Duncan votes aye.
7317 Palmer?
7318 [No response.]
7319 *The Clerk. Dunn?
7320 [No response.]
7321 *The Clerk. Curtis?
7322 *Mr. Curtis. Aye.
7323 *The Clerk. Curtis votes aye.
7324 Lesko?
7325 *Mrs. Lesko. Aye.
7326 *The Clerk. Lesko votes aye.
7327 Pence?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7328 *Mr. Pence. Aye.
7329 *The Clerk. Pence votes aye.
7330 Crenshaw?
7331 *Mr. Crenshaw. Aye.
7332 *The Clerk. Crenshaw votes aye.
7333 Joyce?
7334 *Mr. Joyce. Aye.
7335 *The Clerk. Joyce votes aye.
7336 Armstrong?
7337 *Mr. Armstrong. Yes.
7338 *The Clerk. Armstrong votes aye.
7339 Weber?
7340 *Mr. Weber. Yes.
7341 *The Clerk. Weber votes aye.
7342 Allen?
7343 *Mr. Allen. Aye.
7344 *The Clerk. Allen votes aye.
7345 Balderson?
7346 *Mr. Balderson. Aye.
7347 *The Clerk. Balderson votes aye.
7348 Fulcher?

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7349 *Mr. Fulcher. Fulcher is aye.
7350 *The Clerk. Fulcher votes aye.
7351 Pfluger?
7352 *Mr. Pfluger. Aye.
7353 *The Clerk. Pfluger votes aye.
7354 Harshbarger?
7355 *Mrs. Harshbarger. Aye.
7356 *The Clerk. Harshbarger votes aye.
7357 Miller-Meeks?
7358 *Mrs. Miller-Meeks. Yes.
7359 *The Clerk. Miller-Meeks votes aye.
7360 Cammack?
7361 *Mrs. Cammack. Aye.
7362 *The Clerk. Cammack votes aye.
7363 Obernolte?
7364 *Mr. Obernolte. Aye.
7365 *The Clerk. Obernolte votes aye.
7366 Pallone?
7367 *Mr. Pallone. Aye.
7368 *The Clerk. Pallone votes aye.
7369 Eshoo?

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7370 *Ms. Eshoo. Aye.
7371 *The Clerk. Eshoo votes aye.
7372 DeGette?
7373 *Ms. DeGette. Aye.
7374 *The Clerk. DeGette votes aye.
7375 Schakowsky?
7376 [No response.]
7377 *The Clerk. Matsui?
7378 [No response.]
7379 *The Clerk. Castor?
7380 [No response.]
7381 *The Clerk. Sarbanes?
7382 *Mr. Sarbanes. Aye.
7383 *The Clerk. Sarbanes votes aye.
7384 Tonko?
7385 *Mr. Tonko. Aye.
7386 *The Clerk. Tonko votes aye.
7387 Clarke?
7388 *Ms. Clarke. Aye.
7389 *The Clerk. Clarke votes aye.
7390 Cardenas?

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7391 *Mr. Cardenas. Aye.
7392 *The Clerk. Cardenas votes aye.
7393 Ruiz?
7394 *Mr. Ruiz. Aye.
7395 *The Clerk. Ruiz votes aye.
7396 Peters?
7397 *Mr. Peters. Aye.
7398 *The Clerk. Peters votes aye.
7399 Dingell?
7400 *Mrs. Dingell. Aye.
7401 *The Clerk. Dingell votes aye.
7402 Veasey?
7403 *Mr. Veasey. Aye.
7404 *The Clerk. Veasey votes aye.
7405 Kuster?
7406 *Ms. Kuster. Aye.
7407 *The Clerk. Kuster votes aye.
7408 Kelly?
7409 [No response.]
7410 *The Clerk. Barragan?
7411 *Ms. Barragan. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7412 *The Clerk. Barragan votes aye.
7413 Blunt Rochester?
7414 *Ms. Blunt Rochester. Aye.
7415 *The Clerk. Blunt Rochester votes aye.
7416 Soto?
7417 *Mr. Soto. Aye.
7418 *The Clerk. Soto votes aye.
7419 Craig?
7420 [No response.]
7421 *The Clerk. Schrier?
7422 [No response.]
7423 *The Clerk. Trahan?
7424 [No response.]
7425 *The Clerk. Fletcher?
7426 [No response.]
7427 *The Clerk. Rodgers?
7428 *The Chair. Aye.
7429 *The Clerk. Rodgers votes aye.
7430 *Mr. Guthrie. Anyone seeking to answer the roll?
7431 Anyone on the Republican side?
7432 Anyone on the Democrat side?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7433 How is Dr. Schrier recorded?

7434 *The Clerk. Dr. Schrier is not recorded.

7435 *Ms. Schrier. Schrier votes aye.

7436 *The Clerk. Schrier votes aye.

7437 *Mr. Guthrie. Anyone else on the Democrat side?

7438 Any on the Republican side?

7439 Seeing none, the clerk will report.

7440 [Pause.]

7441 *The Clerk. Chair Guthrie, on that vote there were 41

7442 ayes and 0 noes.

7443 *Mr. Guthrie. The ayes have it, and the bill is agreed

7444 to.

7445 The chair calls up H.R. 5388, and asks the clerk to

7446 report.

7447 *The Clerk. H.R. 5388, a bill to amend title 18 at the

7448 Social _

7449 *Mr. Guthrie. Without objection, the first reading of

7450 the bill is dispensed with, and the bill will be open for

7451 amendment at any point.

7452 So ordered.

7453 [The bill follows:]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7454

7455 *****COMMITTEE INSERT*****

7456

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7457 *Mr. Guthrie. Does anyone seek to be recognized on the
7458 bill?

7459 Does anyone seek to be recognized for _ is there _
7460 anyone have an amendment?

7461 For what purpose does the gentleman from Ohio seek
7462 recognition?

7463 *Mr. Balderson. Mr. Chairman, to speak on the
7464 amendment.

7465 *Mr. Guthrie. Do you have an amendment at the desk?
7466 And the clerk will report.

7467 *The Clerk. Amendment in the nature of a substitute to
7468 H.R. _

7469 *Mr. Guthrie. Without objection, the reading of the
7470 amendment is dispensed with.

7471 [The amendment of Mr. Balderson follows:]

7472

7473 *****COMMITTEE INSERT*****

7474

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7475 *Mr. Guthrie. The gentleman from Ohio is recognized for
7476 five minutes in support of his amendment.

7477 *Mr. Balderson. Thank you, Mr. Chairman. I move to
7478 strike the last word.

7479 *Mr. Guthrie. The gentleman is recognized.

7480 *Mr. Balderson. All right, for holding _ my bill makes
7481 permanent a flexibility that currently exists under the
7482 value-based insurance design, or VINBID model.

7483 VINBID models let Medicaid Advantage or Medicare
7484 Advantage _ excuse me _ or MA plans test programs that
7485 provide better care or lower cost using innovative technology
7486 and FDA-approved devices targeted to low-income patients with
7487 chronic diseases. Due to this, one MA plan is offering
7488 access to continuous glucose monitoring, or CGM, devices for
7489 patients with diabetes and remote patient monitoring, or RPM,
7490 devices for patients with congestive heart failure.

7491 I am excited about increased access to remote monitoring
7492 services that can improve care and lower cost. Patients will
7493 receive better care because they can personally manage their
7494 health conditions. Plans will see lower cost because these
7495 devices will catch catastrophic events earlier.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7496 We have already seen results from RPM and CGM for the
7497 two patient populations included in this VIM BID model. The
7498 University of Michigan, or as my office calls it, "that
7499 school up north" _ sorry, Mr. Walberg _ established a pilot
7500 program that found when patients with congestive heart
7501 failure were sent home with RPM devices, 70 percent had
7502 reduced hospitalizations.

7503 Lastly, the University of Alabama at Birmingham offered
7504 remote patient monitoring to the 17,000 beneficiaries with
7505 conditions such as congestive heart failure, chronic kidney
7506 disease, diabetes, and hypertension in their accountable care
7507 organization, and saw savings of \$1,300 per member per month.

7508 My bill builds upon this VIN BID model by allowing all
7509 MA plans to offer targeted interventions via innovative
7510 technologies or medical devices to high-risk groups like
7511 those with chronic conditions or those receiving the low-
7512 income subsidy.

7513 I encourage my colleagues to join me in increasing
7514 seniors' access to innovative products, and I yield back, Mr.
7515 Chairman.

7516 *Mr. Guthrie. The gentleman yields back. Is there a

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7517 discussion of the amendment?

7518 Seeing no discussion, if there is no further discussion,
7519 the vote occurs on the amendment.

7520 All those in favor shall signify by saying aye.

7521 All those opposed, nay.

7522 The ayes have it, and the amendment is agreed to.

7523 The question now occurs on approving H.R. 5388, as
7524 amended, and a roll call vote has been requested, and the
7525 clerk will call the roll.

7526 *The Clerk. Burgess?

7527 *Mr. Burgess. Aye.

7528 *The Clerk. Burgess votes aye.

7529 Latta?

7530 *Mr. Latta. Aye.

7531 *The Clerk. Latta votes aye.

7532 Guthrie?

7533 *Mr. Guthrie. Aye.

7534 *The Clerk. Guthrie votes aye.

7535 Griffith?

7536 *Mr. Griffith. Aye.

7537 *The Clerk. Griffith votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7538 Bilirakis?
7539 [No response.]
7540 *The Clerk. Johnson?
7541 [No response.]
7542 *The Clerk. Bucshon?
7543 *Mr. Bucshon. Aye.
7544 *The Clerk. Bucshon votes aye.
7545 Hudson?
7546 *Mr. Hudson. Aye.
7547 *The Clerk. Hudson votes aye.
7548 Walberg?
7549 *Mr. Walberg. Aye.
7550 *The Clerk. Walberg votes aye.
7551 Carter?
7552 *Mr. Carter. Aye.
7553 *The Clerk. Carter votes aye.
7554 Duncan?
7555 *Mr. Duncan. Aye.
7556 *The Clerk. Duncan votes aye.
7557 Palmer?
7558 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7559 *The Clerk. Dunn?
7560 [No response.]
7561 *The Clerk. Curtis?
7562 [No response.]
7563 *The Clerk. Lesko?
7564 *Mrs. Lesko. Aye.
7565 *The Clerk. Lesko votes aye.
7566 Pence?
7567 *Mr. Pence. Aye.
7568 *The Clerk. Pence votes aye.
7569 Crenshaw?
7570 *Mr. Crenshaw. Aye.
7571 *The Clerk. Crenshaw votes aye.
7572 Joyce?
7573 *Mr. Joyce. Aye.
7574 *The Clerk. Joyce votes aye.
7575 Armstrong?
7576 *Mr. Armstrong. Yes.
7577 *The Clerk. Armstrong votes aye.
7578 Weber?
7579 *Mr. Weber. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7580 *The Clerk. Weber votes aye.
7581 Allen?
7582 *Mr. Allen. Aye.
7583 *The Clerk. Allen votes aye.
7584 Balderson?
7585 *Mr. Balderson. Aye.
7586 *The Clerk. Balderson votes aye.
7587 Fulcher?
7588 *Mr. Fulcher. Fulcher is aye.
7589 *The Clerk. Fulcher votes aye.
7590 Pfluger?
7591 *Mr. Pfluger. Aye.
7592 *The Clerk. Pfluger votes aye.
7593 Harshbarger?
7594 *Mrs. Harshbarger. Aye.
7595 *The Clerk. Harshbarger votes aye.
7596 Miller-Meeks?
7597 *Mrs. Miller-Meeks. Yes.
7598 *The Clerk. Miller-Meeks votes aye.
7599 Cammack?
7600 *Mrs. Cammack. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7601 *The Clerk. Cammack votes aye.
7602 Oberholte?
7603 *Mr. Oberholte. Aye.
7604 *The Clerk. Oberholte votes aye.
7605 Pallone?
7606 *Mr. Pallone. Aye.
7607 *The Clerk. Pallone votes aye.
7608 Eshoo?
7609 *Ms. Eshoo. Aye.
7610 *The Clerk. Eshoo votes aye.
7611 DeGette?
7612 *Ms. DeGette. Aye.
7613 *The Clerk. DeGette votes aye.
7614 Schakowsky?
7615 [No response.]
7616 *The Clerk. Matsui?
7617 [No response.]
7618 *The Clerk. Castor?
7619 [No response.]
7620 *The Clerk. Sarbanes?
7621 *Mr. Sarbanes. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7622 *The Clerk. Sarbanes votes aye.

7623 Tonko?

7624 *Mr. Tonko. Aye.

7625 *The Clerk. Tonko votes aye.

7626 Clarke?

7627 [No response.]

7628 *The Clerk. Cardenas?

7629 *Mr. Cardenas. Aye.

7630 *The Clerk. Cardenas votes aye.

7631 Ruiz?

7632 *Mr. Ruiz. Aye.

7633 *The Clerk. Ruiz votes aye.

7634 Peters?

7635 *Mr. Peters. Aye.

7636 *The Clerk. Peters votes aye.

7637 Dingell?

7638 *Mrs. Dingell. Aye.

7639 *The Clerk. Dingell votes aye.

7640 Veasey?

7641 *Mr. Veasey. Aye.

7642 *The Clerk. Veasey votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7643 Kuster?
7644 *Ms. Kuster. Aye.
7645 *The Clerk. Kuster votes aye.
7646 Kelly?
7647 *Ms. Kelly. Aye.
7648 *The Clerk. Kelly votes aye.
7649 Barragan?
7650 *Ms. Barragan. Aye.
7651 *The Clerk. Barragan votes aye.
7652 Blunt Rochester?
7653 *Ms. Blunt Rochester. Aye.
7654 *The Clerk. Blunt Rochester votes aye.
7655 Soto?
7656 *Mr. Soto. Aye.
7657 *The Clerk. Soto votes aye.
7658 Craig?
7659 [No response.]
7660 *The Clerk. Schrier?
7661 *Ms. Schrier. Aye.
7662 *The Clerk. Schrier votes aye.
7663 Trahan?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7664 *Mrs. Trahan. Aye.

7665 *The Clerk. Trahan votes aye.

7666 Fletcher?

7667 [No response.]

7668 *The Clerk. Rodgers?

7669 *The Chair. Aye.

7670 *The Clerk. Rodgers votes aye.

7671 *Mr. Guthrie. Anyone not answering the roll?

7672 Mr. _ how is Bilirakis recorded?

7673 *The Clerk. Bilirakis is not recorded.

7674 *Mr. Bilirakis. Bilirakis votes aye.

7675 *The Clerk. Bilirakis votes aye.

7676 *Mr. Guthrie. Anyone else on the Republican side?

7677 Anyone on the Democrat side?

7678 Seeing no one else, the clerk will report.

7679 [Pause.]

7680 *Mr. Guthrie. Is Ms. Clarke recorded? How is Ms.

7681 Clarke recorded?

7682 *The Clerk. Ms. Clarke is not recorded.

7683 *Ms. Clarke. Aye.

7684 *The Clerk. Clarke votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7685 *Mr. Guthrie. The clerk will report.

7686 [Pause.]

7687 *The Clerk. Chair Guthrie, on that vote there were 43
7688 ayes and 0 noes.

7689 *Mr. Guthrie. The ayes have it, and the bill is
7690 adopted.

7691 The chair calls up H.R. 5380, and asks the clerk to
7692 report.

7693 *The Clerk. H.R. 5380, a bill to amend title _

7694 *Mr. Guthrie. Without objection, the first reading of
7695 the bill is dispensed with, and the bill will be open for
7696 amendment at any point.

7697 So ordered.

7698

7699

7700 [The bill follows:]

7701

7702 *****COMMITTEE INSERT*****

7703

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7704 *Mr. Guthrie. Does anyone seek to be recognized on the
7705 bill?

7706 Seeing none, are there any amendments to the bill?

7707 What does the gentleman from Maryland _

7708 *Mr. Sarbanes. Yes, thank you. I move to strike the
7709 last word.

7710 *Mr. Guthrie. You have an amendment at the desk?

7711 *Mr. Sarbanes. I have an amendment at the desk.

7712 *Mr. Guthrie. The clerk will report.

7713 *The Clerk. Amendment in the nature of a substitute to
7714 H.R. 5380 _

7715 *Mr. Guthrie. Without objection, the reading of the
7716 amendment is dispensed with.

7717 [The amendment of Mr. Sarbanes follows:]

7718

7719 *****COMMITTEE INSERT*****

7720

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7721 *Mr. Guthrie. And the gentleman from Maryland is
7722 recognized for five minutes in support of the amendment.

7723 *Mr. Sarbanes. Thank you, Mr. Chairman.

7724 This amendment simply makes technical changes to this
7725 common-sense measure that is designed to help make the
7726 Medicare Advantage market more transparent so that seniors
7727 can better understand their benefits and choose the plans
7728 that are right for them.

7729 Right now, while more than half of individuals eligible
7730 for Medicare _ or 30 million Americans _ are enrolled in a
7731 Medicare Advantage plan, there is very little data about the
7732 supplemental benefits these plans provide and the value that
7733 they offer to beneficiaries. Supplemental benefits are
7734 offered by many Medicare Advantage plans and can include
7735 various benefits, including vision or hearing coverage,
7736 in-home support services, support for caregivers, and even
7737 food and produce.

7738 I introduced this bill to make the data more available
7739 and consistent across health plans so that we can better
7740 evaluate the scope, utilization, costs, and health impacts of
7741 these benefits.

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7742 The bill would not alter what Medicare Advantage plans
7743 can offer in terms of supplemental benefits or how they offer
7744 them; it would simply say that plans that are offered must
7745 report enrollee level data on the categories of benefits
7746 offered, the eligibility for those benefits, and the
7747 utilization and cost of these benefits, including how much
7748 the plan pays and how much beneficiaries pay out of pocket
7749 for services.

7750 It would also ensure policy makers and seniors have
7751 access to this data by requiring the Department of Health and
7752 Human Services to make this data publicly available on an
7753 annual basis.

7754 Seniors deserve the ability to truly understand their
7755 coverage and evaluate all coverage options available to them.
7756 I am glad that this bill and several others that will make
7757 health care more accessible and affordable for Americans are
7758 being considered today. I urge my colleagues to support H.R.
7759 5380, Sensible Reforms for Seniors, and vote for this bill's
7760 passage.

7761 I yield back.

7762 *Mr. Guthrie. The gentleman yields back. Is there any

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7763 discussion of the amendment?

7764 If there is no further discussion, the vote occurs on
7765 the amendment.

7766 All those in favor shall signify by saying aye.

7767 Those opposed, nay.

7768 The ayes have it, and the amendment is agreed to.

7769 The question now occurs on approving H.R. 5380, as
7770 amended, and a roll call vote has been requested. The clerk
7771 will call the roll.

7772 *The Clerk. Burgess?

7773 *Mr. Burgess. Burgess votes aye.

7774 *The Clerk. Burgess votes aye.

7775 Latta?

7776 *Mr. Latta. Aye.

7777 *The Clerk. Latta votes aye.

7778 Guthrie?

7779 *Mr. Guthrie. Aye.

7780 *The Clerk. Guthrie votes aye.

7781 Griffith?

7782 [No response.]

7783 *The Clerk. Bilirakis?

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7784 [No response.]
7785 *The Clerk. Johnson?
7786 [No response.]
7787 *The Clerk. Bucshon?
7788 *Mr. Bucshon. Aye.
7789 *The Clerk. Bucshon votes aye.
7790 Hudson?
7791 [No response.]
7792 *The Clerk. Walberg?
7793 *Mr. Walberg. Aye.
7794 *The Clerk. Walberg votes aye.
7795 Carter?
7796 *Mr. Carter. Aye.
7797 *The Clerk. Carter votes aye.
7798 Duncan?
7799 *Mr. Duncan. Aye.
7800 *The Clerk. Duncan votes aye.
7801 Palmer?
7802 [No response.]
7803 *The Clerk. Dunn?
7804 [No response.]

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7805 *The Clerk. Curtis?
7806 [No response.]
7807 *The Clerk. Lesko?
7808 *Mrs. Lesko. Aye.
7809 *The Clerk. Lesko votes aye.
7810 Pence?
7811 *Mr. Pence. Aye.
7812 *The Clerk. Pence votes aye.
7813 Crenshaw?
7814 *Mr. Crenshaw. Aye.
7815 *The Clerk. Crenshaw votes aye.
7816 Joyce?
7817 *Mr. Joyce. Aye.
7818 *The Clerk. Joyce votes aye.
7819 Armstrong?
7820 *Mr. Armstrong. Yes.
7821 *The Clerk. Armstrong votes aye.
7822 Weber?
7823 *Mr. Weber. Yes.
7824 *The Clerk. Weber votes aye.
7825 Allen?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7826 *Mr. Allen. Aye.
7827 *The Clerk. Allen votes aye.
7828 Balderson?
7829 *Mr. Balderson. Aye.
7830 *The Clerk. Balderson votes aye.
7831 Fulcher?
7832 *Mr. Fulcher. Fulcher is aye.
7833 *The Clerk. Fulcher votes aye.
7834 Pfluger?
7835 *Mr. Pfluger. Aye.
7836 *The Clerk. Pfluger votes aye.
7837 Harshbarger?
7838 *Mrs. Harshbarger. Aye.
7839 *The Clerk. Harshbarger votes aye.
7840 Miller-Meeks?
7841 *Mrs. Miller-Meeks. Aye.
7842 *The Clerk. Miller-Meeks votes aye.
7843 Cammack?
7844 *Mrs. Cammack. Aye.
7845 *The Clerk. Cammack votes aye.
7846 Oberholte?

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7847 *Mr. Obernolte. Aye.

7848 *The Clerk. Obernolte votes aye.

7849 Pallone?

7850 *Mr. Pallone. Aye.

7851 *The Clerk. Pallone votes aye.

7852 Eshoo?

7853 *Ms. Eshoo. Aye.

7854 *The Clerk. Eshoo votes aye.

7855 DeGette?

7856 *Ms. DeGette. Aye.

7857 *The Clerk. DeGette votes aye.

7858 Schakowsky?

7859 *Ms. Schakowsky. Aye.

7860 *The Clerk. Schakowsky votes aye.

7861 Matsui?

7862 [No response.]

7863 *The Clerk. Castor?

7864 [No response.]

7865 *The Clerk. Tonko?

7866 *Mr. Sarbanes. You forgot one.

7867 *The Clerk. Sarbanes?

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7868 *Mr. Tonko. Sarbanes.
7869 *Mr. Sarbanes. Aye.
7870 *The Clerk. Sarbanes votes aye.
7871 Tonko?
7872 *Mr. Tonko. Aye.
7873 *The Clerk. Tonko votes aye.
7874 Clarke?
7875 *Ms. Clarke. Aye.
7876 *The Clerk. Clarke votes aye.
7877 Cardenas?
7878 *Mr. Cardenas. Aye.
7879 *The Clerk. Cardenas votes aye.
7880 Ruiz?
7881 *Mr. Ruiz. Aye.
7882 *The Clerk. Ruiz votes aye.
7883 Peters?
7884 *Mr. Peters. Aye.
7885 *The Clerk. Peters votes aye.
7886 Dingell?
7887 *Mrs. Dingell. Aye.
7888 *The Clerk. Dingell votes aye.

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7889 Veasey?
7890 *Mr. Veasey. Aye.
7891 *The Clerk. Veasey votes aye.
7892 Kuster?
7893 *Ms. Kuster. Aye.
7894 *The Clerk. Kuster votes aye.
7895 Kelly?
7896 *Ms. Kelly. Aye.
7897 *The Clerk. Kelly votes aye.
7898 Barragan?
7899 *Ms. Barragan. Aye.
7900 *The Clerk. Barragan votes aye.
7901 Blunt Rochester?
7902 *Ms. Blunt Rochester. Aye.
7903 *The Clerk. Blunt Rochester votes aye.
7904 Soto?
7905 *Mr. Soto. Aye.
7906 *The Clerk. Soto votes aye.
7907 Craig?
7908 [No response.]
7909 *The Clerk. Schrier?

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7910 *Ms. Schrier. Aye.

7911 *The Clerk. Schrier votes aye.

7912 Trahan?

7913 *Mrs. Trahan. Aye.

7914 *The Clerk. Trahan votes aye.

7915 Fletcher?

7916 [No response.]

7917 *The Clerk. Rodgers?

7918 *The Chair. Aye.

7919 *The Clerk. Rodgers votes aye.

7920 *Mr. Guthrie. Anyone _ how is Mr. Hudson recorded?

7921 *The Clerk. Hudson is not recorded.

7922 *Mr. Hudson. Hudson votes aye.

7923 *The Clerk. Hudson votes aye.

7924 *Mr. Guthrie. Mr. Griffith?

7925 *Mr. Griffith. Aye.

7926 *The Clerk. Griffith votes aye.

7927 *Mr. Guthrie. Mr. Bilirakis?

7928 *Mr. Bilirakis. Aye.

7929 *The Clerk. Bilirakis votes aye.

7930 *Mr. Guthrie. Is anyone on the Democrat side seeking to

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7931 vote?

7932 *Mr. Sarbanes. You missed this _

7933 *Mr. Guthrie. Any further on the Republican side?

7934 Seeing none, the clerk will report.

7935 *Mr. Sarbanes. So I am just _ I will probably get it to

7936 you _

7937 *Mr. Tonko. Yes, I would like to sign that.

7938 *The Clerk. Chair Guthrie, on that vote there were 43

7939 ayes and 0 noes.

7940 *Mr. Guthrie. The ayes have it, and the bill is agreed

7941 to.

7942 The chair calls up H.R. 3842, as amended by the

7943 Subcommittee on Health, and asks the clerk to report.

7944 *The Clerk. H.R. 3842, a bill to amend title _

7945 *Mr. Guthrie. Without objection, the first reading of

7946 the bill is dispensed with, and the bill will be open for

7947 amendment at any point.

7948 So ordered.

7949 [The bill follows:]

7950

7951 *****COMMITTEE INSERT*****

7952

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7953 *Mr. Guthrie. Does anybody seek recognition on the
7954 bill?

7955 Oh, Dr. Schrier, on the amendment?

7956 Seeing none, are there any amendments?

7957 Dr. Schrier is recognized.

7958 *Ms. Schrier. Thank you, Mr. Chairman. I have an
7959 amendment in the nature of a substitute at the desk.

7960 *Mr. Guthrie. The clerk will report the amendment.

7961 *The Clerk. Amendment in the nature of a substitute to
7962 H.R. 3842 _

7963 *Mr. Guthrie. Without objection, the reading of the
7964 amendment is dispensed with.

7965 [The amendment of Dr. Schrier follows:]

7966

7967 *****COMMITTEE INSERT*****

7968

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7969 *Mr. Guthrie. And the gentlelady from Washington is
7970 recognized for five minutes in support of the amendment.

7971 *Ms. Schrier. Thank you, Mr. Chairman. I want to thank
7972 our committee leadership and Mr. Bilirakis for working to
7973 move this proposal forward.

7974 The Expanding Access to Diabetes Self-Management
7975 Training Act is a bipartisan and bicameral bill that aims to
7976 make small, but meaningful tweaks to diabetes self-management
7977 training in order to make it more accessible and more
7978 effective. This training teaches patients good practices to
7979 manage their condition and to hopefully prevent and mitigate
7980 complications down the line.

7981 As someone who has managed my own type 1 diabetes for
7982 almost 40 years, I understand the importance of this
7983 education in managing the disease. In fact, I still remember
7984 the diabetes educator and the nutritionist who helped me when
7985 I was diagnosed at age 16, and they really laid the
7986 groundwork for a healthy life.

7987 Without proper understanding of the roles of insulin,
7988 food, exercise, and illness on blood sugar, people with
7989 diabetes can quickly end up in a hospital. And we know that

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7990 self-management training helps people with diabetes live
7991 healthy lives and stay out of the hospital.

7992 I am proud to work with my Democratic and Republican
7993 colleagues _ I specifically thank Mr. Bilirakis _ to pass
7994 this important bill and remove barriers to self-management
7995 training. I encourage my colleagues to support this AINS and
7996 pass this policy to expand access to lifesaving self-
7997 management training.

7998 Thank you, and I yield back.

7999 *Mr. Guthrie. The gentlelady yields back. Is there
8000 discussion of the amendment?

8001 *Ms. DeGette. Would the gentlelady yield?

8002 *The Chair. The gentlelady would yield?

8003 *Ms. Schrier. I will yield.

8004 *Ms. DeGette. Well, as the co-chair of the Diabetes
8005 Caucus with Mr. Bilirakis, I just want to say this is an
8006 excellent bill. I want to thank the sponsor, and let her
8007 know that the caucus is supportive, and I hope we can pass it
8008 with all due speed.

8009 I yield back.

8010 *Mr. Guthrie. Yes, thank you.

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8011 The gentlelady yields back _

8012 *Mr. Ruiz. Will the gentlelady yield?

8013 *Ms. Schrier. I will also _ thank you for that. I will
8014 also yield to Dr. Ruiz.

8015 *Mr. Ruiz. Thank you. I would like to speak in favor
8016 of the Expanding Access to Diabetes Self-Management Training
8017 Act which would expand Medicare coverage of diabetes, out-
8018 patient self-management training.

8019 As an emergency medicine physician and also a co-chair
8020 of the Diabetes Caucus, I have treated patients whose insulin
8021 levels fluctuated to life-threatening levels, often times due
8022 to people's inability to understand the use of insulin, the
8023 storage of insulin, diabetes, exercise, and other regimens.
8024 The millions of Americans living with diabetes deserve access
8025 to education and disease management that can help them live
8026 healthy, productive lives, and this common-sense legislation
8027 would empower patients to effectively understand and manage
8028 their diabetes better, and I urge my colleagues to support
8029 H.R. 3842, and I applaud Doctor Schrier's efforts in helping
8030 the millions of individuals who suffer from diabetes in our
8031 nation.

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8032 I yield back to Congresswoman Schrier.

8033 *Ms. Schrier. Thank you, Doctor. I appreciate that.

8034 And I yield back.

8035 *Mr. Guthrie. The gentlelady yields back. The chair _
8036 is there any discussion of the amendment?

8037 The gentleman from Florida is recognized for five
8038 minutes to speak on the amendment.

8039 *Mr. Bilirakis. Thank you, Mr. Chairman. I move to
8040 strike the last word.

8041 *Mr. Guthrie. The gentleman is recognized.

8042 *Mr. Bilirakis. Thank you. I want to thank Dr. Schrier
8043 for her efforts and partnership on this issue, and I was
8044 proud to co-lead H.R. 3842, the Expanding Access to Diabetes
8045 Self-Management Training Act, along with Dr. Bucshon and, of
8046 course, my good friend, Diana DeGette.

8047 As recently as 2019, almost 1 in 4 seniors on Medicare
8048 had a diabetes diagnosis. And diabetes is the most expensive
8049 chronic condition in the nation. Over 25 percent of the U.S.
8050 health care system is spent caring for people with diabetes.
8051 As the co-chair of the Congressional Diabetes Caucus, and as
8052 a patient who personally has type 2 diabetes, I understand

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8053 how important it is to keep the disease under control. We
8054 must find ways to ensure patients effectively manage their
8055 chronic conditions on their own and in a way that fits their
8056 health needs.

8057 I had a little roundtable the other day, and I learned a
8058 lot from patients. And one suggestion was _ and I am not a
8059 doctor, you have got the doctors around here so I am not
8060 giving medical advice, but one suggestion was to check the
8061 levels, the blood sugar levels, before you get behind the
8062 wheel, because we know what could happen if the levels are
8063 too high or too low. So we have got to make sure we practice
8064 that defensive medicine.

8065 Our bipartisan legislation is a small step in that
8066 direction each _ H.R. 3842 will allow beneficiaries the
8067 flexibility to access their initial 10 hours of diabetes
8068 self-management training services until fully utilized. Such
8069 a great idea.

8070 Diabetes Self-Management Training, or DSMT, is an
8071 evidence-based service that provides the tools to better
8072 manage and reduce their risk of diabetes-related
8073 complications. DSMT has been proven to effectively reduce

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8074 costs over time, help patients achieve a lower A1C and better
8075 weight loss results, and keep patients from experiencing
8076 worsening symptoms associated with the disease.

8077 Despite these proven results, only five percent of
8078 Medicare beneficiaries with newly-diagnosed diabetes utilize
8079 DSMT services. Dr. Schrier's AINS will help eliminate
8080 barriers for providers to refer and patients to access DSMT
8081 services, which is a critical step toward reducing diabetes-
8082 related health care costs and improving the outcomes for
8083 Medicare patients living with diabetes. And it clarifies the
8084 Medicare statute to ensure that those clinicians who provide
8085 these services are still able to do so.

8086 I strongly support Representative Schrier's AINS, and
8087 ask my colleagues to support it and pass the underlying bill,
8088 and I yield back _

8089 *Mr. Bucshon. Will the gentleman yield?

8090 *Mr. Bilirakis. Oh, yes, of course I will, to the
8091 doctor, please.

8092 *Mr. Bucshon. I want to associate myself with the
8093 comments of my colleagues, Dr. Schrier, Dr. Ruiz, and Mr.
8094 Bilirakis.

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8095 As a cardiovascular surgeon, I can tell you that
8096 everything that we can do to make it easier for America's
8097 seniors to manage their diabetes _ and for that matter, all
8098 Americans to manage their diabetes _ is an absolute win for
8099 the American people.

8100 Tertiary care is the end result, in many cases, of
8101 poorly-managed diabetes. And I can tell you that from
8102 experience. So I am in strong support of Expanding Access to
8103 Diabetes Self-Management Training, and I hope all of my
8104 colleagues will support this legislation.

8105 I yield back to Mr. Bilirakis.

8106 *Mr. Bilirakis. And if anyone else wants my time, they
8107 can have it. Otherwise, I yield back, Mr. Chairman.

8108 *Mr. Guthrie. The gentleman yields back. Is there any
8109 further discussion on the amendment?

8110 If there is no further discussion, the vote occurs on
8111 the amendment.

8112 All those in favor shall signify by saying aye.

8113 All those opposed, nay.

8114 The ayes have it, and the amendment is agreed to.

8115 The question now occurs on approving H.R. 3842, as

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8116 amended, and a roll call vote has been requested. The clerk
8117 will call the roll.

8118 *The Clerk. Burgess?

8119 *Mr. Burgess. Burgess votes aye.

8120 *The Clerk. Burgess votes aye.

8121 Latta?

8122 *Mr. Latta. Aye.

8123 *The Clerk. Latta votes aye.

8124 Guthrie?

8125 *Mr. Guthrie. Aye.

8126 *The Clerk. Guthrie votes aye.

8127 Griffith?

8128 *Mr. Griffith. Aye.

8129 *The Clerk. Griffith votes aye.

8130 Bilirakis?

8131 *Mr. Bilirakis. Aye.

8132 *The Clerk. Bilirakis votes aye.

8133 Johnson?

8134 [No response.]

8135 *The Clerk. Bucshon?

8136 *Mr. Bucshon. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8137 *The Clerk. Bucshon votes aye.
8138 Hudson?
8139 *Mr. Hudson. Aye.
8140 *The Clerk. Hudson votes aye.
8141 Walberg?
8142 *Mr. Walberg. Aye.
8143 *The Clerk. Walberg votes aye.
8144 Carter?
8145 *Mr. Carter. Aye.
8146 *The Clerk. Carter votes aye.
8147 Duncan?
8148 *Mr. Duncan. Aye.
8149 *The Clerk. Duncan votes aye.
8150 Palmer?
8151 *Mr. Palmer. Aye.
8152 *The Clerk. Palmer votes aye.
8153 Dunn?
8154 [No response.]
8155 *The Clerk. Curtis?
8156 [No response.]
8157 *The Clerk. Lesko?

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8158 *Mrs. Lesko. Aye.
8159 *The Clerk. Lesko votes aye.
8160 Pence?
8161 *Mr. Pence. Aye.
8162 *The Clerk. Pence votes aye.
8163 Crenshaw?
8164 *Mr. Crenshaw. Aye.
8165 *The Clerk. Crenshaw votes aye.
8166 Joyce?
8167 *Mr. Joyce. Aye.
8168 *The Clerk. Joyce votes aye.
8169 Armstrong?
8170 *Mr. Armstrong. Yes.
8171 *The Clerk. Armstrong votes aye.
8172 Weber?
8173 *Mr. Weber. Aye.
8174 *The Clerk. Weber votes aye.
8175 Allen?
8176 *Mr. Allen. Aye.
8177 *The Clerk. Allen votes aye.
8178 Balderson?

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8179 *Mr. Balderson. Aye.
8180 *The Clerk. Balderson votes aye.
8181 Fulcher?
8182 *Mr. Fulcher. Fulcher is aye.
8183 *The Clerk. Fulcher votes aye.
8184 Pfluger?
8185 *Mr. Pfluger. Aye.
8186 *The Clerk. Pfluger votes aye.
8187 Harshbarger?
8188 *Mrs. Harshbarger. Aye.
8189 *The Clerk. Harshbarger votes aye.
8190 Miller-Meeks?
8191 [No response.]
8192 *The Clerk. Cammack?
8193 *Mrs. Cammack. Aye.
8194 *The Clerk. Cammack votes aye.
8195 Obernolte?
8196 *Mr. Obernolte. Aye.
8197 *The Clerk. Obernolte votes aye.
8198 Pallone?
8199 *Mr. Pallone. Aye.

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8200 *The Clerk. Pallone votes aye.

8201 Eshoo?

8202 *Ms. Eshoo. Aye.

8203 *The Clerk. Eshoo votes aye.

8204 DeGette?

8205 *Ms. DeGette. Aye.

8206 *The Clerk. DeGette votes aye.

8207 Schakowsky?

8208 [No response.]

8209 *The Clerk. Matsui?

8210 [No response.]

8211 *The Clerk. Castor?

8212 [No response.]

8213 *The Clerk. Sarbanes?

8214 *Mr. Sarbanes. Aye.

8215 *The Clerk. Sarbanes votes aye.

8216 Tonko?

8217 *Mr. Tonko. Aye.

8218 *The Clerk. Tonko votes aye.

8219 Clarke?

8220 *Ms. Clarke. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8221 *The Clerk. Clarke votes aye.
8222 Cardenas?
8223 *Mr. Cardenas. Aye.
8224 *The Clerk. Cardenas votes aye.
8225 Ruiz?
8226 *Mr. Ruiz. Aye.
8227 *The Clerk. Ruiz votes aye.
8228 Peters?
8229 *Mr. Peters. Aye.
8230 *The Clerk. Peters votes aye.
8231 Dingell?
8232 *Mrs. Dingell. Aye.
8233 *The Clerk. Dingell votes aye.
8234 Veasey?
8235 *Mr. Veasey. Aye.
8236 *The Clerk. Veasey votes aye.
8237 Kuster?
8238 *Ms. Kuster. Aye.
8239 *The Clerk. Kuster votes aye.
8240 Kelly?
8241 *Ms. Kelly. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8242 *The Clerk. Kelly votes aye.
8243 Barragan?
8244 *Ms. Barragan. Aye.
8245 *The Clerk. Barragan votes aye.
8246 Blunt Rochester?
8247 *Ms. Blunt Rochester. Aye.
8248 *The Clerk. Blunt Rochester votes aye.
8249 Soto?
8250 *Mr. Soto. Aye.
8251 *The Clerk. Soto votes aye.
8252 Craig?
8253 [No response.]
8254 *The Clerk. Schrier?
8255 *Ms. Schrier. Aye.
8256 *The Clerk. Schrier votes aye.
8257 Trahan?
8258 *Mrs. Trahan. Aye.
8259 *The Clerk. Trahan votes aye.
8260 Fletcher?
8261 [No response.]
8262 *The Clerk. Rodgers?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8263 *The Chair. Aye.

8264 *The Clerk. Rodgers votes aye.

8265 *Mrs. Miller-Meeks. Miller-Meeks is aye.

8266 *The Clerk. Miller-Meeks votes aye.

8267 [Pause.]

8268 *The Chair. [Presiding] The clerk will report.

8269 *The Clerk. Chair Rodgers, on that vote there were 44
8270 ayes and 0 noes.

8271 *The Chair. The ayes have it, and the bill is adopted.

8272 The chair calls up H.R. 5397, as amended by the
8273 Subcommittee on Health, and asks the clerk to report.

8274 *The Clerk. H.R. 5397, a bill to amend title 18 of the
8275 Social Security Act to provide coverage of external infusion
8276 pumps and _

8277 *The Chair. Without objection, the first reading of the
8278 bill is dispensed with, and the bill would be open for
8279 amendment at any point.

8280 So ordered.

8281 [The bill follows:]

8282

8283 *****COMMITTEE INSERT*****

8284

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8285 *The Chair. Does anyone seek recognition on the bill?

8286 *Mr. Guthrie. I have the amendment, I am going to call
8287 up the amendment, so _

8288 *The Chair. The bill? Okay.

8289 Okay, Mrs. Dingell, for what purpose do you seek
8290 recognition?

8291 *Mrs. Dingell. I move to strike the last word.

8292 *The Chair. The gentlelady is recognized for five
8293 minutes.

8294 *Mrs. Dingell. Thank you, Madam Chair.

8295 When given the choice, we know patients would
8296 overwhelmingly prefer to receive care at home, which can also
8297 result in significant savings for patients and providers.
8298 This is something I can speak to from my own personal
8299 experience with home infusion, which I have shared with you,
8300 when I was receiving antibiotics at home every day for
8301 several months.

8302 Home infusion services offer so many benefits to
8303 patients, from reducing the threat of infection, increasing
8304 access in rural communities, lessening transportation and
8305 mobility changes, and so much more. And that is, quite

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8306 frankly, why I am very disappointed, if not outright upset
8307 that we are not considering the Preserving Patient Access to
8308 Home Infusion Act legislation I led with Representatives
8309 Harshbarger, Sewell, and Buchanan. This legislation would
8310 provide critical technical clarifications to the existing
8311 Medicare home infusion benefit to ensure it is working the
8312 way it was intended.

8313 In 2016 the 21st Century Cures Act established a Home
8314 Infusion Professional Services benefit for Medicaid Part B
8315 infusion. But despite Congress's intent, the Centers for
8316 Medicare and Medicaid Services have improperly implemented
8317 this benefit by requiring a nurse to be physically present in
8318 the patient's home in order to be reimbursed. This fails to
8319 account for the extensive clinical and administrative
8320 services that are provided remotely by home infusion
8321 clinicians. As a result, provider participation in
8322 Medicare's home infusion benefit has dropped sharply, and
8323 beneficiaries have experienced reduced access to home
8324 infusion over the last several years.

8325 The Preserving Patient Access to Home Infusion Act would
8326 provide a necessary fix to remove the physical presence

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8327 requirement and ensure the full scope of professional
8328 services provided in home fusion are included in the
8329 reimbursement structure.

8330 While I am glad that this committee is advancing the Joe
8331 Fiandra Access to Home Infusion Act, and I am going to urge
8332 all of my colleagues to support it because we do know people
8333 do _ can do it, can give themselves injections without having
8334 to have that professional in the house, we have to continue
8335 working to ensure the existing home infusion benefit is
8336 working properly so more beneficiaries can receive safe and
8337 adequate care in the comfort of their own homes.

8338 So I hope, pray, beg that we will consider the
8339 Preserving Patient Access to Home Infusion Act without delay.

8340 Thank you, and I yield back.

8341 *The Chair. The gentlelady yields back. Is there
8342 further discussion?

8343 Are there any amendments?

8344 *Mr. Guthrie. Madam Chair, I have an amendment at the
8345 desk.

8346 *The Chair. Mr. Guthrie?

8347 *Mr. Guthrie. I have an amendment to replace the Dr.

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8348 Dunn amendment. I am calling up the Dr. Dunn amendment.

8349 *The Chair. The clerk will read.

8350 *The Clerk. Amendment in the nature of a substitute to

8351 H.R. 5397 _

8352 *The Chair. Without objection, the reading of the
8353 amendment is dispensed with.

8354 [The amendment of Mr. Guthrie follows:]

8355

8356 *****COMMITTEE INSERT*****

8357

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8358 *The Chair. The gentleman, chairman of the Subcommittee
8359 on Health, is recognized for five minutes in support of the
8360 amendment.

8361 *Mr. Guthrie. Madam Chair, I am going to yield my time
8362 to Mr. Carter from Georgia.

8363 *Mr. Carter. I thank the gentleman for yielding.

8364 Madam Chair, I am pleased to speak in support of this
8365 amendment.

8366 In 2016 Congress passed the 21st Century Cures Act,
8367 which created a new home infusion therapy benefit for
8368 Medicare patients accessing drug therapy through the Medicare
8369 Part B Durable Medical Equipment benefit. Unfortunately, the
8370 way this benefit has been operationalized, certain patients
8371 who need a health care professional to administer the drug
8372 have not had access to home infusion. Instead, these
8373 patients must travel to have their infusions done in a
8374 clinical setting, which can be particularly difficult for
8375 many patients with a chronic condition, particularly those
8376 living in rural areas.

8377 The Joe Fiandra Access to Home Infusion Act provides a
8378 limited change to Medicare coverage to ensure that these

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8379 types of patients don't fall through the cracks, and can
8380 obtain access to the care that they need. I encourage other
8381 members of the committee to support this important measure.

8382 And I yield back.

8383 *Mr. Guthrie. I yield back, Madam Chair.

8384 *The Chair. The gentleman yields back. Is there
8385 further discussion?

8386 For what purpose does Mr. Soto seek recognition?

8387 *Mr. Soto. To support the amendment and the underlying
8388 bill.

8389 *The Chair. The gentleman is recognized for five
8390 minutes.

8391 *Mr. Soto. Thank you so much, Madam Chair. Joe Fiandra
8392 was a veteran and an advocate for Medicare home infusion. I
8393 appreciate the comments of the gentlelady from Michigan, and
8394 we will continue to work towards her goals and that of many
8395 of us on the committee.

8396 This is a narrow finalization of the 2020 rule. H.R.
8397 5397 ensures home treatment infusion for _ is covered by
8398 Medicare under certain circumstances, and we know that it can
8399 be lifesaving for _ these home infusions _ for certain rare

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8400 forms of debilitating diseases like hatter amyloidosis that
8401 Mr. Fiandra had, and that it is better treated at home.

8402 For those reasons and more, I support the amendment and
8403 the underlying bill.

8404 And I yield back.

8405 *The Chair. The gentleman yields back. Is there
8406 further discussion?

8407 Seeing none, the vote occurs on the AINS.

8408 All those in favor, say aye.

8409 Those opposed, nay.

8410 The ayes have it. The AINS is adopted. Is there any
8411 further discussion?

8412 Seeing none, the question now occurs on approving H.R.
8413 5397, as amended, and a roll call vote has been requested.
8414 The clerk will call the roll.

8415 *The Clerk. Burgess?

8416 *Mr. Burgess. Burgess votes aye.

8417 *The Clerk. Burgess votes aye.

8418 Latta?

8419 *Mr. Latta. Aye.

8420 *The Clerk. Latta votes aye.

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8421 Guthrie?
8422 *Mr. Guthrie. Aye.
8423 *The Clerk. Guthrie votes aye.
8424 Griffith?
8425 *Mr. Griffith. Aye.
8426 *The Clerk. Griffith votes aye.
8427 Bilirakis?
8428 [No response.]
8429 *The Clerk. Johnson?
8430 [No response.]
8431 *The Clerk. Bucshon?
8432 *Mr. Bucshon. Aye.
8433 *The Clerk. Bucshon votes aye.
8434 Hudson?
8435 *Mr. Hudson. Aye.
8436 *The Clerk. Hudson votes aye.
8437 Walberg?
8438 *Mr. Walberg. Aye.
8439 *The Clerk. Walberg votes aye.
8440 Carter?
8441 *Mr. Carter. Aye.

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8442 *The Clerk. Carter votes aye.
8443 Duncan?
8444 *Mr. Duncan. Aye.
8445 *The Clerk. Duncan votes aye.
8446 Palmer?
8447 *Mr. Palmer. Aye.
8448 *The Clerk. Palmer votes aye.
8449 Dunn?
8450 [No response.]
8451 *The Clerk. Curtis?
8452 [No response.]
8453 *The Clerk. Lesko?
8454 *Mrs. Lesko. Aye.
8455 *The Clerk. Lesko votes aye.
8456 Pence?
8457 *Mr. Pence. Aye.
8458 *The Clerk. Pence votes aye.
8459 Crenshaw?
8460 *Mr. Crenshaw. Aye.
8461 *The Clerk. Crenshaw votes aye.
8462 Joyce?

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8463 *Mr. Joyce. Aye.
8464 *The Clerk. Joyce votes aye.
8465 Armstrong?
8466 *Mr. Armstrong. Yes.
8467 *The Clerk. Armstrong votes aye.
8468 Weber?
8469 *Mr. Weber. Yes, ma'am.
8470 *The Clerk. Weber votes aye.
8471 Allen?
8472 *Mr. Allen. Aye.
8473 *The Clerk. Allen votes aye.
8474 Balderson?
8475 *Mr. Balderson. Aye.
8476 *The Clerk. Balderson votes aye.
8477 Fulcher?
8478 *Mr. Fulcher. Fulcher is aye.
8479 *The Clerk. Fulcher votes aye.
8480 Pfluger?
8481 *Mr. Pfluger. Aye.
8482 *The Clerk. Pfluger votes aye.
8483 Harshbarger?

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8484 *Mrs. Harshbarger. Aye.
8485 *The Clerk. Harshbarger votes aye.
8486 Miller-Meeks?
8487 *Mrs. Miller-Meeks. Aye.
8488 *The Clerk. Miller-Meeks votes aye.
8489 Cammack?
8490 *Mrs. Cammack. Aye.
8491 *The Clerk. Cammack votes aye.
8492 Obernolte?
8493 *Mr. Obernolte. Aye.
8494 *The Clerk. Obernolte votes aye.
8495 Pallone?
8496 *Mr. Pallone. Aye.
8497 *The Clerk. Pallone votes aye.
8498 Eshoo?
8499 *Ms. Eshoo. Aye.
8500 *The Clerk. Eshoo votes aye.
8501 DeGette?
8502 *Ms. DeGette. Aye.
8503 *The Clerk. DeGette votes aye.
8504 Schakowsky?

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8505 [No response.]
8506 *The Clerk. Schakowsky?
8507 *Voice. Aye.
8508 *Ms. Schakowsky. Aye.
8509 *The Clerk. Schakowsky votes aye.
8510 Matsui?
8511 [No response.]
8512 *The Clerk. Castor?
8513 *Ms. Castor. Aye.
8514 *The Clerk. Castor votes aye.
8515 Sarbanes?
8516 *Mr. Sarbanes. Aye.
8517 *The Clerk. Sarbanes votes aye.
8518 Tonko?
8519 *Mr. Tonko. Aye.
8520 *The Clerk. Tonko votes aye.
8521 Clarke?
8522 *Ms. Clarke. Aye.
8523 *The Clerk. Clarke votes aye.
8524 Cardenas?
8525 *Mr. Cardenas. Aye.

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8526 *The Clerk. Cardenas votes aye.

8527 Ruiz?

8528 *Mr. Ruiz. Aye.

8529 *The Clerk. Ruiz votes aye.

8530 Peters?

8531 *Mr. Peters. Aye.

8532 *The Clerk. Peters votes aye.

8533 Dingell?

8534 *Mrs. Dingell. Aye.

8535 *The Clerk. Dingell votes aye.

8536 Veasey?

8537 *Mr. Veasey. Aye.

8538 *The Clerk. Veasey votes aye.

8539 Kuster?

8540 *Ms. Kuster. Aye.

8541 *The Clerk. Kuster votes aye.

8542 Kelly?

8543 *Ms. Kelly. Aye.

8544 *The Clerk. Kelly votes aye.

8545 Barragan?

8546 *Ms. Barragan. Aye.

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8547 *The Clerk. Barragan votes aye.
8548 Blunt Rochester?
8549 *Ms. Blunt Rochester. Aye.
8550 *The Clerk. Blunt Rochester votes aye.
8551 Soto?
8552 *Mr. Soto. Aye.
8553 *The Clerk. Soto votes aye.
8554 Craig?
8555 [No response.]
8556 *The Clerk. Schrier?
8557 *Ms. Schrier. Aye.
8558 *The Clerk. Schrier votes aye.
8559 Trahan?
8560 *Mrs. Trahan. Aye.
8561 *The Clerk. Trahan votes aye.
8562 Fletcher?
8563 [No response.]
8564 *The Clerk. Rodgers?
8565 *The Chair. Aye.
8566 *The Clerk. Rodgers votes aye.
8567 *The Chair. Madam Clerk, how is Bilirakis recorded?

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8568 *The Clerk. Bilirakis is not recorded.

8569 *Mr. Bilirakis. Bilirakis votes aye.

8570 *The Clerk. Bilirakis votes aye.

8571 *The Chair. The clerk will report.

8572 *The Clerk. Chair Rodgers, on that vote there were 46
8573 ayes and 0 noes.

8574 *The Chair. The ayes have it, and the bill is adopted.

8575 The chair calls up H.R. 5555, and asks the clerk to
8576 report.

8577 *The Clerk. H.R. 5555, a bill to direct the Secretary
8578 of Health and Human Services _

8579 *The Chair. Without objection, the first reading of the
8580 bill is dispensed with, and the bill will be open for
8581 amendment at any point.

8582 So ordered.

8583 [The bill follows:]

8584

8585 *****COMMITTEE INSERT*****

8586

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8587 *The Chair. Does anyone seek to be recognized on the
8588 bill?

8589 For what purpose does Mrs. Miller-Meeks seek
8590 recognition?

8591 *Mrs. Miller-Meeks. I have an amendment at the desk.

8592 *The Chair. The clerk will report the amendment.

8593 *The Clerk. Amendment in the nature of a substitute to
8594 H.R. 5555, offered by Mrs. Miller-Meeks. Strike all after
8595 the enacting _

8596 *The Chair. Without objection, the reading of the
8597 amendment is dispensed with.

8598 [The amendment of Mrs. Miller-Meeks follows:]

8599

8600 *****COMMITTEE INSERT*****

8601

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8602 *The Chair. And the gentlelady is recognized for five
8603 minutes.

8604 *Mrs. Miller-Meeks. Thank you, Madam Chair. I would
8605 like to speak in support of my bill, H.R. 5555, as amended,
8606 the Durable Medical Equipment Point of Service Relief Act,
8607 and I am grateful for the committee's consideration of this
8608 critical bipartisan legislation.

8609 Over 66 million Medicare beneficiaries receive services
8610 under the DMEPOS benefit. The benefit allows patients to
8611 receive medically-needed treatment such as oxygen,
8612 wheelchairs, and medical supplies in the comforts of their
8613 home, keeping them out of expensive in-patient settings such
8614 as hospitals and nursing facilities.

8615 Due to the implementation of the DMEPOS competitive
8616 bidding program which applied pricing derived from highly-
8617 populated competitive bidding areas to all areas of the
8618 country, there has been a significant decrease in payment
8619 rates which caused a significant number of DMEPOS location
8620 closures.

8621 Just this last year about 11 percent of the DMEPOS
8622 locations closed, further diminishing beneficiary access to

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8623 DMEPOS suppliers. The loss ultimately leads to far less
8624 patient access and choice. The bid program was put on hold
8625 in 2018 due to a need to update the bidding process, and it
8626 was put on hold again in 2020 due to no additional savings.
8627 In all, the bid program has been on hold for the last five
8628 years, resulting in DMEPOS payments continuing to be based on
8629 rates from the flawed bidding program.

8630 My legislation, H.R. 5555, as amended, which I am proud
8631 to be leading, would provide much-needed rate relief in
8632 former bid areas and non-rural areas which will help protect
8633 patient access to cost-effective, home-based care.

8634 According to the Kaiser Family Foundation, among
8635 Medicare beneficiaries and traditional Medicare, most, 86
8636 percent, had some type of additional coverage in 2020, either
8637 through Medigap, 36 percent; employer coverage, 31 percent;
8638 Medicaid, 17 percent; or other source, 1 percent.

8639 Without relief to DMEPOS competitive bidding and non-
8640 competitive bidding areas, Medicare beneficiaries may lose
8641 access to the medical equipment they need, forcing them to go
8642 to an emergency room or a long-term care facility. This
8643 would increase cost to the Medicare program as well as the

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8644 beneficiary.

8645 I am aware that some of my colleagues on the other side
8646 of the aisle are opposing this legislation over grievances of
8647 an unrelated policy relating to this State Health Insurance
8648 Assistance Program. Like my Democrat colleagues, I too want
8649 to assure that Americans are aware of their public health
8650 care options. However, unlike this DME policy, the SHIP
8651 program still receives discretionary funding. Patients will
8652 lose access to lifesaving equipment without relief for DME
8653 providers, and it is good policy.

8654 I urge my colleagues to support the AINS and the
8655 underlying bill, H.R. 5555, and I yield back the balance of
8656 my time. Thank you.

8657 *The Chair. The gentlelady yields back. Is there
8658 further discussion on the amendment?

8659 *Mr. Pallone. On the _

8660 *The Chair. On the amendment. The chair recognizes the
8661 ranking member for five minutes.

8662 *Mr. Pallone. Thank you. Thank you, Chair Rodgers.

8663 The bill, H.R. 5555, extends a program to prop up
8664 payment rates for Durable Medical Equipment, exempting them

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8665 from the full effect of the DME competitive bidding program.
8666 And the DME competitive bidding program was passed into law
8667 over two decades ago.

8668 In 2020, in response to the pandemic, Congress provided
8669 temporary relief to DME suppliers to address the
8670 reimbursement challenges posed by COVID-19, and this relief
8671 expires on December 31, 2023. And we are now being asked to
8672 extend this temporary relief again and create a new extender
8673 policy that Congress will have to continue to address in the
8674 future and find bipartisan offsets.

8675 Additionally, extending these higher rates could result
8676 in increases in out-of-pocket costs for our Medicare
8677 beneficiaries.

8678 Now, I understand the desire to extend this temporary
8679 relief program to help the Durable Medical Equipment
8680 industry, but the majority continues to refuse our request to
8681 move legislation to extend another important program that
8682 actually directly helps Medicare beneficiaries and has
8683 historically been bipartisan, and that is H.R. 5360, Helping
8684 Low-Income Seniors Afford Care Act, led by Representative
8685 Craig that extends existing programs like the State Health

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8686 Insurance Assistance Program, SHIP; the Area Agencies on
8687 Aging, AOAs; and the National Center for Benefits Outreach
8688 and Enrollment to help low-income Medicare beneficiaries
8689 enroll in Medicare and access benefits that lower their out-
8690 of-pocket costs.

8691 Now, too many low-income seniors struggle with the
8692 rising cost of health care, and millions of seniors can't
8693 afford their prescription drugs, causing them to forgo or
8694 delay necessary treatment. According to a recent survey by
8695 the Commonwealth Fund, one-third of Medicare beneficiaries
8696 said it was difficult to afford health care costs, and more
8697 than one in five beneficiaries reported delaying or skipping
8698 needed health care because of the cost.

8699 These outreach and enrollment programs help our nation's
8700 most vulnerable low-income beneficiaries access assistance
8701 for prescription drug coverage and other essential Medicare
8702 benefits. Because of these programs, approximately 3.5
8703 million Medicare beneficiaries have received assistance, and
8704 the number of seniors enrolled in the low-income subsidy
8705 program increased from 11.8 million in 2014 to 14.2 million
8706 in 2020.

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8707 Now, these programs are particularly critical as major
8708 changes to the Part D benefit are underway that are already
8709 saving beneficiaries money through a \$35 cap on insulin, no
8710 cost sharing for vaccines, and soon a \$2,000 out-of-pocket
8711 cap on prescription drug costs overall. We need outreach and
8712 enrollment education to ensure beneficiaries understand these
8713 benefits and are enrolled in the best plan for them in order
8714 to take advantage of these savings and changes.

8715 A broad coalition of 57 organizations support the
8716 extension and expansion of the outreach and enrollment
8717 programs which have been extended 11 times with bipartisan
8718 support over the past 15 years. Republicans refuse to extend
8719 funding for these programs in the continuing resolution,
8720 allowing them to lapse this past September. And I am
8721 extremely disappointed that Republicans failed to include the
8722 Craig bill in today's markup, because these outreach and
8723 enrollment programs have longstanding bipartisan support.

8724 I am also disappointed _ I should say I am disappointed
8725 today that I have to vote no on this bill, but I want to send
8726 a message loud and clear to my Republican colleagues that you
8727 cannot hold up programs that help our seniors with outreach

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8728 and enrollment, like the Craig bill, hostage and then expect
8729 Democrats to just work with you on industry priorities.

8730 While I am disappointed that the Craig bill was not
8731 included in today's markup, I am going to continue to fight
8732 to lower costs and expand access to care for Medicare
8733 beneficiaries and oppose policies that could result in
8734 increased premiums or additional out-of-pocket costs for
8735 seniors.

8736 So for all these reasons, I do urge our Democratic
8737 members to join me in opposing H.R. 5555, and I yield back,
8738 Madam Chair.

8739 *The Chair. The gentleman yields back. Is there
8740 further discussion on the amendment?

8741 *Mr. Tonko. Madam Chair?

8742 *The Chair. Mr. Joyce. The chair recognizes Mr. Tonko
8743 for five minutes on the amendment.

8744 *Mr. Tonko. Thank you, Madam Chair.

8745 Now more than ever, Americans need access to affordable,
8746 home-based care, but outdated reimbursement rates for
8747 lifesaving medical equipment is making it increasingly
8748 difficult for suppliers to deliver that vital care. I am

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8749 proud to have worked with my colleague, Congresswoman Miller-
8750 Meeks, on this bipartisan legislation that will address the
8751 increased cost of home-based care and help ensure that our
8752 seniors and other patients are delivered the resources and
8753 treatments they need to be well.

8754 I recognize Ranking Member Pallone's concerns here, and
8755 agree that we should also be moving forward with the SHIP
8756 Act. Today, I urge everyone to address these concerns moving
8757 forward. I continue to strongly believe this is legislation
8758 that is good policy that will help ensure affordable access
8759 to home-based care. I plan to support it and urge my
8760 colleagues to do the same.

8761 With that, I thank you, Madam Chair, and yield back.

8762 *The Chair. The gentleman yields back. Is there
8763 further discussion?

8764 Seeing none, the vote occurs on the Miller-Meeks
8765 amendment.

8766 All those in favor, say aye.

8767 Those opposed, nay.

8768 The ayes have it, the amendment is adopted. The
8769 question now occurs on approving H.R. 5555, as amended.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8770 All those in favor, say aye.

8771 Those opposed, nay.

8772 The ayes have it. The bill is adopted.

8773 The chair calls up H.R. 2365, and asks the clerk to
8774 report.

8775 *The Clerk. H.R. 2365, a bill to direct the Secretary
8776 of Health and Human Services to carry out a national project
8777 to prevent and cure Parkinson's to be known _

8778 *The Chair. Without objection, the first reading of the
8779 bill is dispensed with. The bill will be open for amendment
8780 at any point.

8781 So ordered.

8782 [The bill follows:]

8783

8784 *****COMMITTEE INSERT*****

8785

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8786 *The Chair. The chair recognizes the gentleman, Mr.
8787 Bilirakis, for five minutes in support of his bill.

8788 *Mr. Bilirakis. Thank you, Madam Chair, I appreciate
8789 it. I have an amendment at the desk.

8790 *The Chair. The gentleman has an amendment. The clerk
8791 will report.

8792 *The Clerk. Amendment in the nature of a substitute to
8793 H.R. 2365, offered by Mr. Bilirakis of Florida.

8794 *The Chair. Without objection, the amendment _ reading
8795 of the amendment is dispensed with.

8796 [The amendment of Mr. Bilirakis follows:]

8797

8798 *****COMMITTEE INSERT*****

8799

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8800 *The Chair. The gentleman is recognized for five
8801 minutes in support of his amendment.

8802 *Mr. Bilirakis. Thank you, Madam Chair. I appreciate
8803 it, and I want to thank you for bringing up this bill, H.R.
8804 2365, the National Plan to End Parkinson's Act.

8805 This is an early Christmas present for me. I don't want
8806 anything else for Christmas _ you can tell my wife that _ if
8807 this bill passes. So this is a major thing for me and my
8808 family, but also Parkinson's patients throughout the country.

8809 I also want to thank my good friend and colleague, this
8810 _ again, Paul Tonko _ who did an outstanding job working with
8811 me on this particular bill. I want to thank you for his
8812 support, and also, of course, the Michael J. Fox Foundation,
8813 who supports this bill. And what incredible work Michael J.
8814 Fox has done over the years, and will continue to do for this
8815 great cause.

8816 So this no-cost legislation will, for the first time,
8817 unite experts in a public-private partnership in a mission to
8818 advance a national project for the purpose of preventing,
8819 treating, and ultimately curing Parkinson's disease once and
8820 for all.

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8821 This mission is very personal to me. I think most of
8822 you know that. Sadly, I have lost three immediate family
8823 members, two in the last six months. My brother, Dr.
8824 Emmanuel Bilirakis, passed away in May after years of a long,
8825 long battle with this disease. Emmanuel was a wonderful
8826 human being and a primary care physician who gave so much, so
8827 much to his community.

8828 I am thankful to my friend and Ranking Member Eshoo for
8829 her support and her kind suggestion to name the title of the
8830 bill after him, which is reflected in the AINS. I appreciate
8831 it so much, forever grateful.

8832 More recently I lost my mother-in-law in October,
8833 Theodora Liolios, who was also a strong fighter who long
8834 struggled and battled this horrific disease. I also lost an
8835 uncle, my dad's brother, many years ago to this disease, and
8836 my father was diagnosed recently, Congressman Mike Bilirakis.

8837 So to my colleagues here today, I want everyone to know
8838 what I am particularly passionate about. I really am about
8839 this topic, and am fully devoted to doing whatever it takes
8840 to get this bill enacted into law, get it across the finish
8841 line. This is _ again, you know, where I am coming from. I

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8842 appreciate all of your thoughts and prayers. Everyone has
8843 been so great to my family.

8844 The AINS that we have before us today finally represents
8845 an agreement from both sides of the aisle, and I am so
8846 grateful that we are able to come together on this particular
8847 bill. It could not come at a more crucial time, since early
8848 this year researchers were able to discover a new biomarker
8849 that can reveal a key pathology and new understanding about
8850 this disease that I am hopeful will spur new breakthrough
8851 developments of innovative treatments and cures.

8852 The time is now, ladies and gentleman. We must be
8853 proactive, and our bill will do just that by establishing a
8854 national integrated strategy to support and coordinate
8855 research efforts, encourage development of treatments, and
8856 reduce the impact on patients and caregivers, among other
8857 things.

8858 The bill also sets up an advisory council comprised of
8859 experts from across the Federal Government and every related
8860 agency combined with non-Federal appointed members
8861 represented by patient advocates, specialists, providers,
8862 clinicians, and researchers, ensuring we are representing

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8863 minority communities and communities disproportionately
8864 affected by Parkinson's disease. This new entity will focus
8865 efforts on an annual report to HHS and to Congress with an
8866 evaluation on the current effort to prevent, treat, and cure
8867 Parkinson's, and recommendations for ways to reduce the
8868 escalating burden of this disease on patients and families.

8869 It will also improve outcomes and the quality of care
8870 for Medicare and Medicaid beneficiaries and veterans, and
8871 better research the underlying causes of this disease.

8872 This national project will also incorporate other
8873 related neurodegenerative diseases, including the rare
8874 disease, progressive _ the supra-nuclear palsy, which I was
8875 saddened to learn has afflicted our friend and House
8876 colleague, Jennifer Wexton. She helped so much on this bill,
8877 and I appreciate her so very much.

8878 [Applause.]

8879 *Mr. Bilirakis. We are all together today on this. We
8880 love you very much.

8881 I want to thank again Ms. Wexton for her courage and
8882 support on the bill, and her continuing to work in Congress
8883 as she battles this dreadful disease, and I want her to know

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8884 that we are all thinking of her. And again, I want to talk
8885 to her further as we go along with this legislation.

8886 I know I don't have much time, so you know what? Can I
8887 finish off, Madam Chair? I just have 30 seconds, if you
8888 don't mind.

8889 *The Chair. Without objection _

8890 *Mr. Bilirakis. Okay. In closing _

8891 *The Chair. _ please finish.

8892 *Mr. Bilirakis. _ let's do what is best for patients
8893 and for the Parkinson's community at large by getting this
8894 bill passed through the House floor, get it to the House
8895 floor, to the Senate, and to the President's desk as soon as
8896 possible.

8897 Thank you again, and I plead with my fellow colleagues
8898 across this committee to support my AINS and support the Dr.
8899 Emanuel Bilirakis National Plan to End Parkinson's Act.

8900 And I yield back the balance of my time. Thank you and
8901 God bless you.

8902 *The Chair. The gentleman yields back. Is there
8903 further discussion?

8904 The chair recognizes Mr. Tonko for five minutes.

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8905 *Mr. Tonko. Thank you, Madam Chair, for including the
8906 National Plan to End Parkinson's Act as a part of this
8907 markup.

8908 In Congress I have made helping those with neurological
8909 disorders one of my top priorities for more than a decade. I
8910 have long led efforts related to Alzheimer's, the other top
8911 neurological disorder facing Americans. These past few years
8912 I have been honored to expand my championship for Americans
8913 facing Parkinson's, as well. I first learned more in depth
8914 about Parkinson's from a dear friend who suffered with it.
8915 So when the opportunity arose to partner with Congressman
8916 Bilirakis _ and we have worked on this over a number of years
8917 _ on this very meaningful effort, I jumped right in and made
8918 it my personal mission to get this done on behalf of the
8919 millions of people living with Parkinson's.

8920 As you may know, currently, more than one million people
8921 in the United States live with Parkinson's disease, and there
8922 are no treatments to cure, prevent, or significantly slow
8923 down its progression. Parkinson's is the second most common
8924 neurological disease, and is unfortunately growing and
8925 growing fast.

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8926 Our bipartisan, no-cost legislation will, for the first
8927 time, unite the Federal Government in a mission to cure and
8928 prevent Parkinson's, alleviate financial and health burdens
8929 on American families, and reduce government spending over
8930 time. This pioneering legislation is greatly needed. This
8931 bill will bring Federal stakeholders and non-Federal experts
8932 together to implement a national plan to prevent and cure the
8933 disease, improve diagnoses and treatment options, and lessen
8934 the burden for caregivers and families.

8935 The bill text is modeled off the successful National
8936 Alzheimer's Project model, which brought together many parts
8937 of the Federal Government to improve the Federal response.
8938 Once signed into law, this bill will do for Parkinson's what
8939 the national plan has done for Alzheimer's, and bring
8940 together coordination, care, and research, all to help those
8941 with Parkinson's as well as their loved ones. This would
8942 help bring a strong focus to a cure, treatment, and also
8943 prevention. It will shine a needed light on the suffering
8944 related to Parkinson's.

8945 Sadly, we recognize that environmental triggers are
8946 likely a part of Parkinson's, but so much is still unknown.

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8947 More research and coordination are critical to getting
8948 answers to these questions.

8949 So I thank the Michael J. Fox Foundation for everything
8950 that they have done, but especially all the _ for especially
8951 the work on this bill.

8952 And thank you to the New York-based groups and advocates
8953 who stood by my side demanding action on this bill and giving
8954 a face to Parkinson's. Together with patients, families, and
8955 medical professionals, we learned about the challenges of
8956 Parkinson's and why this bill is urgently needed.

8957 Thank you to my good friend and colleague, Gus
8958 Bilirakis, for working on the National Plan to End
8959 Parkinson's Act with me. It is an honor to work with you, my
8960 friend, and I know how much this means to you personally, and
8961 I thank you for your relentless work to push this forward.
8962 The loss of your brother and mother-in-law in this last year
8963 has, unfortunately, been very devastating. I admire how you
8964 have channeled that pain and committed to making a difference
8965 so that we can bring hope, strong hope, to those with
8966 Parkinson's.

8967 And thank you to Chair Rodgers and Ranking Member

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8968 Pallone and Ranking Member Eshoo for staying with us and
8969 finding a resolution to move this meaningful bill forward. I
8970 think the end product here is a strong _ is strong and
8971 something we can all be proud of.

8972 I also want to thank our good friend and colleague,
8973 Congresswoman Jennifer Wexton, who, when faced with a
8974 devastating diagnosis, not only joined this fight but became
8975 one of the most vocal advocates fighting for the Parkinson's
8976 community. As many of you know, Congresswoman Wexton was
8977 first diagnosed with PSP this year, which she describes as a
8978 kind of Parkinson's on steroids.

8979 Jennifer, today and every day you give a face to
8980 Parkinson's, and you are changing the future for those who
8981 have not yet received the diagnosis and those who will
8982 benefit from the National Plan to End Parkinson's. I thank
8983 you for your advocacy, and for bravely sharing publicly about
8984 your journey. I value your friendship, and am in awe of your
8985 determination and your journey.

8986 Congresswoman Wexton shared this about the National Plan
8987 to End Parkinson's, and Madam Chair, I ask that we
8988 incorporate this into the record.

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8989 *The Chair. Without objection.

8990 [The information follows:]

8991

8992 *****COMMITTEE INSERT*****

8993

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8994 *Mr. Tonko. And I quote, "Eventually, the nearly one
8995 million of us who have these diseases in the United States
8996 will be unable to walk, talk, or even feed ourselves. We
8997 will require extensive and expensive institutional or in-home
8998 care, the cost of which will likely be borne primarily by
8999 U.S. taxpayers. By bringing together key stakeholders to
9000 build a national plan to prevent and cure Parkinson's, the
9001 National Plan to End Parkinson's Act is taking a critical and
9002 historic step for the millions of Americans with Parkinson's
9003 and Parkinsonisms and their families just like mine.'" And
9004 that is a quote from our dear friend, Jennifer.

9005 I could not agree more. I ask that Congresswoman
9006 Wexton's full statement on the bill be entered for the
9007 record.

9008 I understand that receiving a Parkinson's diagnosis must
9009 be truly devastating for individuals and their loved ones.
9010 It is incumbent upon Congress to ensure Americans know they
9011 will be supported during this frightening and life-altering
9012 time. Our legislation does just that, and offers a dose of
9013 hope. This is a common-sense, compassionate bill that will
9014 establish a robust response to address Parkinson's and ensure

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9015 that patients and their families receive the care they need.

9016 To all of our colleagues here, thank you for your strong
9017 support and commitment to the Parkinson's community. I will
9018 support the AINS and the final passage, and encourage
9019 everyone in this room to do the same. By moving this forward
9020 we will make a positive difference, improve lives, and even
9021 save lives. We will deliver hope to the doorsteps of
9022 millions, and that is a gift that we should all be proud of.

9023 And for the millions of Americans living with
9024 Parkinson's, as well as their loved ones, truly we wish them
9025 well in their journey. And with that, Madam Chair, I thank
9026 you and yield back.

9027 *The Chair. The gentleman yields back. The chair notes
9028 that Congresswoman Jennifer Wexton is in the audience today.

9029 And Jennifer, we are inspired by your fight, your
9030 courage, and we just want you to know that we stand by you,
9031 we appreciate your support, your leadership on this
9032 legislation. And thanks for joining us today as we move this
9033 along.

9034 [Applause.]

9035 *The Chair. Is there further discussion?

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9036 Do you want to talk? Okay. The chair recognizes the
9037 ranking member, Mr. Pallone, for five minutes on the
9038 amendment or the _

9039 *Mr. Pallone. On both the amendment and the underlying
9040 bill.

9041 Thank you, Madam Chair, and I just want to also thank
9042 Congresswoman Wexton for not only her strength and _ which I
9043 admire so much _ but I just want to point out that it was her
9044 really working with us on a bipartisan basis that has led to
9045 this amendment that makes it possible for us to move this
9046 bill today. And I just want to thank her for all her help
9047 with the bill, with the amendment, and again, admire her
9048 strength.

9049 Prior to today's markup, I was concerned that my
9050 majority colleagues were making changes to this bill that
9051 would have watered it down, and I objected to what appeared
9052 to be efforts by the Republican majority to strike language
9053 ensuring that the Advisory Council on Parkinson's Research
9054 had minority and representative membership, and to strike the
9055 Office of Minority Health from the Advisory Council. But of
9056 course, all that has changed.

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9057 And according to a national study, racial and ethnic
9058 minorities have been under-represented in Parkinson's disease
9059 research, which has limited understanding of treatments and
9060 outcomes across these populations. The study found that
9061 Black, Hispanic, and Asian people with Parkinson's have a
9062 lower quality of life than White people, and that some health
9063 disparities and management differences persist, and it was
9064 important to address these disparities as part of our work as
9065 we moved forward with any Federal efforts on Parkinson's
9066 research and treatment.

9067 So we were able to land on language today to ensure that
9068 minority and under-represented communities are included in
9069 the Advisory Council membership. And I want to thank again
9070 our Chairwoman McMorris Rodgers, Representative Bilirakis for
9071 working with the Democrats to ensure that all representative
9072 perspectives will be included in both the Federal and non-
9073 Federal Advisory Council.

9074 And, of course, I _ in addition to Congressman
9075 Bilirakis, I want to thank Congressman Tonko because he has
9076 been pushing for this bill for a long time. So thank you.
9077 Thank you, Paul.

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9078 The fact is that the Energy and Commerce Committee has
9079 long recognized equity to be important considerations in
9080 public health legislation and legislation more broadly.
9081 Today's legislation meets that bar, despite our initial
9082 efforts on the wrong foot, and it is my deep belief that this
9083 legislation will make significant strides to end Parkinson's
9084 and will provide our family members, caregivers, and friends
9085 with real hope.

9086 So I urge my colleagues to support the amendment, as
9087 well as the underlying bill. I thank you all again, and I
9088 yield back.

9089 *The Chair. The gentleman yields back. Is there
9090 further discussion?

9091 Seeing none, the vote occurs on the AINS.

9092 All those in favor, say aye.

9093 Those opposed, nay.

9094 The ayes have it. The AINS is adopted.

9095 Is there any further discussion?

9096 The chair now _ or the question now occurs on approving
9097 H.R. 2365, as amended, and a roll call vote has been
9098 requested. The clerk will call the roll.

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9099 *The Clerk. Burgess?
9100 *Mr. Burgess. Burgess votes aye.
9101 *The Clerk. Burgess votes aye.
9102 Latta?
9103 *Mr. Latta. Aye.
9104 *The Clerk. Latta votes aye.
9105 Guthrie?
9106 *Mr. Guthrie. Aye.
9107 *The Clerk. Guthrie votes aye.
9108 Griffith?
9109 *Mr. Griffith. Aye.
9110 *The Clerk. Griffith votes aye.
9111 Bilirakis?
9112 *Mr. Bilirakis. Aye.
9113 *The Clerk. Bilirakis votes aye.
9114 Johnson?
9115 *Mr. Johnson. Aye.
9116 *The Clerk. Johnson votes aye.
9117 Bucshon?
9118 *Mr. Bucshon. Aye.
9119 *The Clerk. Bucshon votes aye.

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9120 Hudson?
9121 *Mr. Hudson. Aye.
9122 *The Clerk. Hudson votes aye.
9123 Walberg?
9124 *Mr. Walberg. Aye.
9125 *The Clerk. Walberg votes aye.
9126 Carter?
9127 *Mr. Carter. Aye.
9128 *The Clerk. Carter votes aye.
9129 Duncan?
9130 *Mr. Duncan. Aye.
9131 *The Clerk. Duncan votes aye.
9132 Palmer?
9133 [No response.]
9134 *The Clerk. Dunn?
9135 [No response.]
9136 *The Clerk. Curtis?
9137 *Mr. Curtis. Aye.
9138 *The Clerk. Curtis votes aye.
9139 Lesko?
9140 *Mrs. Lesko. Aye.

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9141 *The Clerk. Lesko votes aye.
9142 Pence?
9143 *Mr. Pence. Aye.
9144 *The Clerk. Pence votes aye.
9145 Crenshaw?
9146 *Mr. Crenshaw. Aye.
9147 *The Clerk. Crenshaw votes aye.
9148 Joyce?
9149 *Mr. Joyce. Aye.
9150 *The Clerk. Joyce votes aye.
9151 Armstrong?
9152 *Mr. Armstrong. Yes.
9153 *The Clerk. Armstrong votes aye.
9154 Weber?
9155 *Mr. Weber. Yes, ma'am.
9156 *The Clerk. Weber votes aye.
9157 Allen?
9158 *Mr. Allen. Aye.
9159 *The Clerk. Allen votes aye.
9160 Balderson?
9161 *Mr. Balderson. Aye.

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9162 *The Clerk. Balderson votes aye.
9163 Fulcher?
9164 *Mr. Fulcher. Fulcher is aye.
9165 *The Clerk. Fulcher votes aye.
9166 Pflugger?
9167 *Mr. Pflugger. Aye.
9168 *The Clerk. Pflugger votes aye.
9169 Harshbarger?
9170 *Mrs. Harshbarger. Aye.
9171 *The Clerk. Harshbarger votes aye.
9172 Miller-Meeks?
9173 *Mrs. Miller-Meeks. Aye.
9174 *The Clerk. Miller-Meeks votes aye.
9175 Cammack?
9176 *Mrs. Cammack. Aye.
9177 *The Clerk. Cammack votes aye.
9178 Oberholte?
9179 *Mr. Oberholte. Aye.
9180 *The Clerk. Oberholte votes aye.
9181 Pallone?
9182 *Mr. Pallone. Aye.

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9183 *The Clerk. Pallone votes aye.

9184 Eshoo?

9185 *Ms. Eshoo. Aye.

9186 *The Clerk. Eshoo votes aye.

9187 DeGette?

9188 *Ms. DeGette. Aye.

9189 *The Clerk. DeGette votes aye.

9190 Schakowsky?

9191 *Ms. Schakowsky. Aye.

9192 *The Clerk. Schakowsky votes aye.

9193 Matsui?

9194 [No response.]

9195 *The Clerk. Castor?

9196 *Ms. Castor. Aye.

9197 *The Clerk. Castor votes aye.

9198 Sarbanes?

9199 *Mr. Sarbanes. Aye.

9200 *The Clerk. Sarbanes votes aye.

9201 Tonko?

9202 *Mr. Tonko. Aye.

9203 *The Clerk. Tonko votes aye.

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9204 Clarke?
9205 *Ms. Clarke. Aye.
9206 *The Clerk. Clarke votes aye.
9207 Cardenas?
9208 *Mr. Cardenas. Aye.
9209 *The Clerk. Cardenas votes aye.
9210 Ruiz?
9211 *Mr. Ruiz. Aye.
9212 *The Clerk. Ruiz votes aye.
9213 Peters?
9214 [No response.]
9215 *The Clerk. Dingell?
9216 [No response.]
9217 *The Clerk. Veasey?
9218 *Mr. Veasey. Aye.
9219 *The Clerk. Veasey votes aye.
9220 Kuster?
9221 *Ms. Kuster. Aye.
9222 *The Clerk. Kuster votes aye.
9223 Kelly?
9224 *Ms. Kelly. Aye.

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9225 *The Clerk. Kelly votes aye.
9226 Barragan?
9227 *Ms. Barragan. Aye.
9228 *The Clerk. Barragan votes aye.
9229 Blunt Rochester?
9230 *Ms. Blunt Rochester. Aye.
9231 *The Clerk. Blunt Rochester votes aye.
9232 Soto?
9233 *Mr. Soto. Aye.
9234 *The Clerk. Soto votes aye.
9235 Craig?
9236 [No response.]
9237 *The Clerk. Schrier?
9238 *Ms. Schrier. Aye.
9239 *The Clerk. Schrier votes aye.
9240 Trahan?
9241 *Mrs. Trahan. Aye.
9242 *The Clerk. Trahan votes aye.
9243 Fletcher?
9244 [No response.]
9245 *The Clerk. Rodgers?

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9246 *The Chair. Aye.

9247 *The Clerk. Rodgers votes aye.

9248 *Mr. Palmer. How is Palmer _

9249 *The Clerk. Palmer is not recorded.

9250 *Mr. Palmer. Aye.

9251 *The Clerk. Palmer votes aye.

9252 *Mr. Peters. How is Peters recorded?

9253 *The Clerk. Mr. Peters is not recorded.

9254 *Mr. Peters. Aye.

9255 *The Clerk. Peters votes aye.

9256 [Pause.]

9257 *The Chair. The clerk will report.

9258 *The Clerk. Chair Rodgers, on that vote there were 47

9259 ayes and 0 noes.

9260 *The Chair. The ayes have it, and the bill is adopted.

9261 [Pause.]

9262 *The Chair. The chair calls up H.R. 6545, and asks the

9263 clerk to report.

9264 *The Clerk. H.R. 6545, a bill to amend title 18 of the

9265 Social Security Act to make improvements to the physician fee

9266 schedule under the Medicare program. Section _

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9267 *The Chair. Without objection, the first reading of the
9268 bill is dispensed with. The bill will be open for amendment
9269 at any point.

9270 So ordered.

9271 [The bill follows:]

9272

9273 *****COMMITTEE INSERT*****

9274

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9275 *The Chair. For what purpose does Dr. Burgess seek
9276 recognition?

9277 *Mr. Burgess. To speak on the underlying bill.

9278 *The Chair. The chair recognizes the gentleman for five
9279 minutes in support of the legislation.

9280 *Mr. Burgess. So thank you for the opportunity to speak
9281 on 6545, the Physician Fee Schedule Update and Improvement
9282 Act, which will increase the conversion factor to 3 percent
9283 for 2024, extend incentive payments for participation in the
9284 alternative payment models, extend the floor for the work
9285 geographic index, update the budget neutrality threshold from
9286 20 million to \$53 million, and require timely updates to
9287 direct cost used to calculate practice expensive [sic]
9288 relative value units. Together these policies will make
9289 long-overdue changes that stabilize physician payment and
9290 preserve the provider-patient relationship.

9291 [Pause.]

9292 *Voice. Sorry.

9293 *Mr. Burgess. This is the first time that the Energy
9294 and Commerce Committee has marked up a short-term increase to
9295 address physician payment, along with long-term structural

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9296 updates to budget neutrality. The budget neutrality
9297 threshold has not been updated since 1992, and it is
9298 responsible for the across-the-board cuts that affect
9299 independent practice physicians across America.

9300 These structural changes will help modernize physician
9301 payment, while updating policies that haven't been touched
9302 since the creation of the physician fee schedule in 1992.
9303 And I am sure, just like me, many of you are hearing from
9304 your physicians at home that this represents an existential
9305 threat to their ability to continue in practice.

9306 I want to thank everyone who has worked on H.R. 6545, as
9307 well as H.R. 6371, the Provider Reimbursement Stability Act.
9308 I want to thank the co-chairs of the Doctors Caucus, Dr.
9309 Murphy and Dr. Wenstrup, and Representative Robin Kelly. I
9310 look forward to continuing our work on the remaining policies
9311 in 6371.

9312 Again, we have all heard from our doctors across the
9313 country that the current Medicare physician fee schedule is
9314 unsustainable, unpredictable, and truly represents an
9315 existential threat to the continuation of practice of
9316 medicine, particularly in light of the higher inflation rate

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9317 that is now predominant across the land.

9318 I know most people are surprised to hear it, but I am a
9319 Medicare patient, and have been so for almost 10 years. I
9320 know I don't look old enough, but I am on Medicare Advantage.
9321 And I will tell you I don't have many reasons to go and seek
9322 care, but when I do, and I receive an explanation of benefits
9323 from Medicare, I am embarrassed at what they are paying
9324 physicians for the care that was rendered to me. It is
9325 typically 15 to 20 percent of what the bill charges were.

9326 All of these policies strike the balance between
9327 acknowledging that more work must be done while collaborating
9328 on short and long-term solutions to address physician
9329 payment, an extremely important concept. This is the first
9330 time we have worked on this in this committee that I can
9331 recall in 20 years. It is time.

9332 So thank you, and I will yield back.

9333 *The Chair. The gentleman yields back. The chair
9334 recognizes Ms. Kelly for five minutes on the bill.

9335 *Ms. Kelly. I move to strike the last word.

9336 American physicians have more than stepped up to the
9337 challenges that they have encountered over the past three

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9338 years. Throughout the pandemic they put in countless hours,
9339 often risking their own health _ sorry _

9340 *The Chair. Yes.

9341 *Ms. Kelly. _ and safety.

9342 [Pause.]

9343 *Ms. Kelly. I am sorry, it is making me think of my
9344 husband, I am sorry _ their own health and safety to keep our
9345 communities healthier and safer.

9346 I have heard from many physicians, those in primary and
9347 specialty care, including my late husband, who have voiced
9348 concerns about the rising costs associated with providing
9349 quality health care to the communities they serve. The
9350 combination of rising costs with the continued threat of
9351 provider reimbursement cuts causes physicians to make
9352 difficult decisions, such as limiting new appointment slots
9353 for Medicare patients, reducing clinical staff, or reducing
9354 charity care services.

9355 The current situation is unsustainable. We must act to
9356 ensure seniors continue to have access to the full range of
9357 Medicare services that they need and were promised to them.
9358 That is why I have joined my colleagues on H.R. 6545, the

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9359 Physician Fee Schedule Update and Improvement Act, which
9360 would improve Medicare's budget neutrality requirements
9361 toward a more appropriate reimbursement system. This will
9362 make much-needed improvements to the budget neutrality rules
9363 to stabilize the payment system and make it more predictable
9364 and accurate moving forward.

9365 We must work on meaningful policies that will help
9366 improve access to quality health care. We must support our
9367 physicians who have supported us during these turbulent
9368 times. So I strongly encourage my colleagues to support this
9369 bill.

9370 Thank you, and I yield back.

9371 [Applause.]

9372 *The Chair. The gentlelady yields back.

9373 So the chair thinks tears are good, and thank you for
9374 your leadership.

9375 The committee stands in recess. We will reconvene 10
9376 minutes after the last floor vote is called, and discussion
9377 will continue.

9378 Oh, do you want to go now? Oh, we will come back. Yes
9379 yes, yes, debate will continue. We are going to go vote. We

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9380 are at recess.

9381 [Recess.]

9382 *The Chair. The committee will come to order.

9383 We will continue consideration of 6545. Does anyone
9384 seek to be recognized on the bill?

9385 For what purpose does Mrs. Miller-Meeks seek
9386 recognition?

9387 *Mrs. Miller-Meeks. I have an amendment at the desk.

9388 *The Chair. The clerk will report the amendment.

9389 *The Clerk. Amendment in the nature of a substitute
9390 H.R. 6545.

9391 [Pause.]

9392 *The Chair. The clerk will report.

9393 *The Clerk. Amendment in the nature of the substitute
9394 to H.R. 6545, offered by member [sic]. Strike all after the
9395 enacting clause, and insert the following _

9396 *The Chair. Without objection, the reading of the
9397 amendment will be suspended.

9398

9399

9400 [The amendment of Mrs. Miller-Meeks follows:]

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9401

9402 *****COMMITTEE INSERT*****

9403

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9404 *The Chair. The gentlelady is recognized for five
9405 minutes in support of her amendment.

9406 *Mrs. Miller-Meeks. Thank you, Madam Chair, and I thank
9407 you for including this critical piece of bipartisan
9408 legislation in the markup today.

9409 While the costs of running a medical practice have gone
9410 up 47 percent, physician payments have declined 26 percent
9411 from the period of 2001 to 2023 when adjusted for inflation.
9412 This makes it next to impossible for small, rural, and low-
9413 income-serving practices to stay operational.

9414 In recent years many non-partisan government
9415 stakeholders have repeatedly expressed concerns about the
9416 failure of Medicare payments to keep pace with the rising
9417 cost of running a medical practice and the damaging impact it
9418 could have on patient access to care, especially in rural
9419 areas like southeastern Iowa.

9420 Even with the repeal of the SGR, we continue to find
9421 ourselves in an end-of-the-year scramble to avoid cutting
9422 physician reimbursement by multiple percentage points.
9423 Unfortunately, this year is no different. However, this year
9424 we have drastically increased prices and cost of labor that

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9425 we had seen at the end of the COVID-19 pandemic. This method
9426 of legislating is unsustainable, and it puts patients and
9427 providers at great risk.

9428 The Physician Fee Schedule Update and Improvements Act,
9429 which is the first doc fix legislation to move through
9430 regular order, makes much-needed changes to the way in which
9431 physicians are reimbursed under Medicare, including raising
9432 the budget neutrality threshold from 20 million to 53
9433 million, and using timely updates to direct costs which are
9434 used to calculate practice expenses.

9435 Additionally, this legislation extends the bonus doctors
9436 receive for participating in alternate payment models, which
9437 is vital to continue to transition away from fee-for-service
9438 to value-based arrangements.

9439 The amendment is the text of the original, but with the
9440 conversion factor changed from 3 percent to 2.5 percent, and
9441 an update to the alternate payment model language. While I
9442 am not pleased with this, and I think that the original
9443 conversion factor of three is more appropriate, given the
9444 cost of inflation and cost of medical practice updates, this
9445 conforms with the Senate, and I am pragmatic in wanting to

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9446 make sure that this gets done.

9447 With that, there is still much work to be done with
9448 broader reform, and I am disheartened that America's
9449 physicians will still be receiving cuts to their Medicare
9450 reimbursement next year. We know that neither Medicare nor
9451 Medicaid reimburse high enough for practices to stay viable.
9452 I would have preferred that the committee move this bill as
9453 it was originally introduced. As I said, we cannot expect
9454 doctors to continue to remain in Congress _ in practice when
9455 Congress, including this committee, continue to fail to
9456 ensure that physicians receive adequate Medicare
9457 reimbursement.

9458 I thank Chair Rodgers and the committee staff for moving
9459 this legislation, but ask that the committee continue to work
9460 with its physician members on both sides of the aisle to
9461 support our doctors.

9462 Lastly, I would also like to thank the three co-chairs
9463 of the GOP Doctors Caucus _ Dr. Burgess, Dr. Murphy, and Dr.
9464 Wenstrup _ for their leadership in the physician payment
9465 space.

9466 Thank you, Madam Chair, and I urge my colleagues to

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9467 support the AINS and the underlying bill, H.R. 6545, and I
9468 yield back the balance of my time.

9469 *The Chair. The gentlelady yields back. Is there
9470 further discussion?

9471 The chair recognizes the ranking member, Mr. Pallone,
9472 for five minutes.

9473 *Mr. Pallone. Thank you, Madam Chair.

9474 The bill we are considering today addresses the critical
9475 needs of both Medicare patients and providers. The
9476 legislation extends critical programs to provide payment
9477 stability for doctors and ensure Medicare beneficiaries can
9478 receive high-quality care. And this important bipartisan
9479 legislation provides relief for providers by averting cuts,
9480 expanding the budget neutrality threshold, and requiring
9481 timely updates to clinical costs to ensure payment rates
9482 align with the most recent cost data.

9483 And I am pleased we are able to reach a bipartisan
9484 agreement on these policies. It is my hope that these
9485 changes provide long-term stability and less year-over-year
9486 variation for the provider community that will hopefully
9487 avert the need for the continual annual scramble to find

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9488 bipartisan offsets to address funding cliffs resulting from
9489 the regulatory action.

9490 Now, I am particularly pleased that bill includes H.R.
9491 6369 led by Representative Schrier. The legislation would
9492 extend bonuses for providers participating in advanced
9493 alternative payment models, and includes an increase in the
9494 bonus for providers taking on a higher level of risk.
9495 Evidence shows that these models have been successful in
9496 improving patient care, and I believe extending this
9497 incentive will encourage uptake of these models. We must
9498 continue to ensure that our robust financial incentives for
9499 providers in Medicare fee-for-service to move from volume to
9500 value.

9501 However, I have to say I am disappointed that H.R. 6545
9502 does not include the full APM bonus under current law from
9503 Representative Schrier's bill, and I believe it is important
9504 that we extend the bonus that the current level of 3.5
9505 percent, and hopefully we will work with our Republicans to
9506 ensure this is addressed before floor consideration.

9507 I don't have to tell anybody here that Medicare is the
9508 main source of health care for our nation's seniors and

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9509 disabled. We have to continue to work on both sides of the
9510 aisle to advance legislation that ensures the Medicare
9511 program continues to deliver the highest quality of care.

9512 And I urge support, obviously, for the AINS and the
9513 underlying bill. And thank you, Madam Chair, I yield back.

9514 *The Chair. The gentleman yields back. Is there
9515 further discussion?

9516 For what purpose does the _ Mr. Bucshon seek
9517 recognition?

9518 *Mr. Bucshon. Madam Chair, I rise to speak on the AINS.

9519 *The Chair. The gentleman is recognized for five
9520 minutes.

9521 *Mr. Bucshon. I am supportive of the underlying
9522 legislation and grateful for the committee's work in marking
9523 up a bill that improves the status quo for doctors paid by
9524 the Medicare physician fee schedule.

9525 Currently, a 3.4 percent cut will occur on January 1,
9526 2024. The underlying bill makes an upward adjustment to the
9527 conversion factor by three percent, not a total mitigation,
9528 but close. It takes steps towards improving budget
9529 neutrality at CMS, which is very important. It extends the

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9530 Geographic Practice Cost Index payments and the alternative
9531 payment model bonuses, all things I support.

9532 Unfortunately, the AINS isn't quite in line with my
9533 overall priorities to mitigate reimbursement cuts. I am
9534 disappointed in the additional 0.5 percent cut to the
9535 conversion factor correction compared to the underlying bill.
9536 I understand that Congress is limited to spending certain
9537 amounts of money, I just disagree where the spending is being
9538 allocated, particularly in the health care space.

9539 I want to talk about what we have been spending over the
9540 last couple of years: the American Rescue Plan, \$3.5
9541 trillion; Inflation Reduction Act, \$740 billion; we are going
9542 to extend DSH payments to hospitals in the lower-cost, more
9543 transparency bill, which I support, by \$16 billion.

9544 And I want to remind everyone our annual inflation rate
9545 in 2021 was 4.7 percent and, in 2022, 8.0 percent.

9546 [Chart]

9547 *Mr. Bucshon. And I also want to have people look at
9548 this first graph here, which shows that physicians don't get
9549 an annual update based on inflation when everybody else does.
9550 And I have shown this at the subcommittee mark. Even if we

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9551 totally mitigate the 3.4 percent, doctors' practices still
9552 are getting behind since practice expenses are skyrocketing.

9553 I understand the committee originally wanted to move
9554 forward with the three percent adjustment, which I
9555 appreciate, but the pay-fors that could accomplish this goal
9556 apparently are not available.

9557 Let me reiterate why this Medicare reimbursement issue
9558 is so important. And again, I want someone _ everyone to
9559 look at the graph that I have on the screen. I showed this
9560 chart at the subcommittee mark. It demonstrates how, over
9561 the last two decades, physician payment has failed to go up
9562 while hospital and facility payments have increased
9563 dramatically. This is why physician practices are being
9564 forced to sell to big hospital systems, limiting competition
9565 and increasing costs.

9566 If you could, call up chart two.

9567 [Chart]

9568 *Mr. Bucshon. I also want to bring attention to this
9569 data, which shows how hospitals are spending the money we are
9570 paying them in reimbursement. They are not recruiting
9571 additional doctors and, for that matter, nurses or other

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9572 providers. This graph is physicians. They are hiring
9573 administrators. And you can see the exponential growth in
9574 the number of administrative people in the hospital system,
9575 compared to providers.

9576 There is no reason, in my opinion, that _ why, prior to
9577 the House floor consideration, we can't find about a half-a-
9578 billion dollars to avoid the 3.4 percent conversion factor
9579 cut docs are facing at the end of the year. That is what it
9580 would take to get from the 2.5 percent in the AINS to the
9581 full 3.4 percent cut, and mitigate the cuts altogether. That
9582 is approximate.

9583 Remember, half-a-billion dollars and, as I mentioned, 16
9584 billion in DSH payments, 3.5 trillion in American Rescue
9585 Plan, 740 billion in the Inflation Reduction Act, and
9586 inflation is just killing us.

9587 In rural America, I can tell you we are in big trouble
9588 as it relates to physician reimbursement.

9589 So I think it is absurd that Washington, D.C. doesn't
9590 immediately begin serious work to permanently fix the
9591 physician fee schedule to properly pay our providers so that
9592 we can ensure access to quality care for America's seniors.

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9593 That is the issue: quality care and access.

9594 I am still on the fence about the final version if this
9595 AINS passes, and I may reluctantly support it, the amended
9596 bill, and work to continue to further improve the situation.
9597 But we have come to a fork in the road here, really, and we
9598 need to decide to go the direction of properly reimbursing
9599 America's providers. Because if we don't, America's seniors
9600 and everyone else are going to have trouble with the health
9601 care system. There is no providers out there. It is only
9602 going to get worse.

9603 And, you know, I appreciate the committee's action on
9604 this, and I am hopeful, you know, even though the Senate had
9605 a lower number, that we can further mitigate these cuts
9606 before we actually have to vote on a final version. So I
9607 appreciate the time, but we really have to fix this, folks,
9608 and we have to do it very, very soon.

9609 I yield back.

9610 *The Chair. The gentleman yields back. Is there
9611 further discussion?

9612 The chair recognizes Mr. Ruiz for five _ okay, okay,
9613 okay, okay.

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9614 For what purpose does Mr. Cardenas seek recognition?

9615 *Mr. Cardenas. To strike the last word.

9616 *The Chair. The gentleman is recognized for five
9617 minutes.

9618 *Mr. Cardenas. Now I feel bad I don't have my beautiful
9619 children with me like Dr. Ruiz, but I will be quick.

9620 I move to strike the last word. I want to thank
9621 Representatives Miller-Meeks, Schrier, Kelly, Bucshon, and
9622 the other leads for their work on these issues. I was
9623 thrilled to see an agreement on provider reimbursement and to
9624 join on as a co-lead to the Physician Fee Schedule Update and
9625 Improvement Act.

9626 I know that every member in this committee has heard
9627 over and over again that workforce shortages issues are one
9628 of the greatest threats to the health care system, to the
9629 ecosystem today. And it is no wonder why we have these
9630 shortages. Burnout is high, patients are sicker and more
9631 frustrated, and cuts to the resources to provide care are
9632 only increasing.

9633 To put the number on these cuts into perspective,
9634 Medicare physician payments dropped 26 percent between 2001

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9635 to 2023 when adjusted for inflation. That is a huge decline,
9636 and patients are the ones who suffer the most in this
9637 situation.

9638 To compound these issues, our provider reimbursement
9639 systems have created uncertainty that has intensified the
9640 burden on providers. That is why this bill, which provides
9641 some much-needed stability, is so important. By preventing
9642 the steepest cuts; extending alternative payment model, APM,
9643 bonus payments; expanding the budget neutrality threshold;
9644 and revisiting calculations for practice expense RVUs, this
9645 bill would ease what could amount to catastrophic impacts for
9646 doctors.

9647 I again want to commend my colleagues for coming to this
9648 bipartisan agreement on this for the sake of patients' access
9649 to care and all the providers. I know there are more
9650 proposals that will help move these fixes along, including
9651 the bill I co-led with Bilirakis on providing relief
9652 specifically for clinical labor cuts, and I hope to see
9653 engagement on that, as well. But the bill before us today

9654 AFTER 6:00 p.m.
9655 amounts to a win that will be hugely consequential for

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9656 doctors and patients alike.

9657 I urge my colleagues to support this bill, and I yield
9658 back. Thank you, Madam Chair.

9659 *The Chair. Is there further discussion?

9660 For what purpose does Mr. Joyce seek recognition?

9661 *Mr. Joyce. Madam Chair, I wish to strike the last word
9662 and speak in support of the underlying bill.

9663 *The Chair. The gentleman is recognized for five
9664 minutes.

9665 *Mr. Joyce. I would also like to thank my fellow
9666 physician, Dr. Miller-Meeks, for introducing this critical
9667 legislation, H.R. 6545, the Physician Fee Schedule Update and
9668 Improvements Act. This is important, and we need to
9669 underscore the dire need of additional reforms in immediate
9670 relief from the latest annual cuts to the Medicare providers.

9671 As you know, if Congress fails to act, Medicare
9672 providers face a substantial cut as of January 1. And when
9673 coupled with increasing medical inflation, the real impact
9674 will place an undue burden not only on the doctors, but on
9675 the patients that they care for every day and the access that
9676 those patients need to Medicare providers.

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9677 First and foremost, as a physician, I understand the
9678 negative impact that these significant, year-after-year cuts
9679 will have on reimbursement for providers. Now extrapolate
9680 that and compound it with already-existing workforce
9681 shortages in underserved areas like my district in rural
9682 Pennsylvania. I can assure you that the repercussions are
9683 dire.

9684 From the period of 2001 to today, Medicare physician
9685 reimbursements have actually gone down 26 percent when
9686 adjusted for inflation. It is not sustainable for physician
9687 practices, and it has a detrimental impact on beneficiaries
9688 losing access to their preferred doctor. This has also led
9689 to a consolidation of practices and driving physicians out of
9690 rural and underserved areas.

9691 While this bill is a necessary first step, and I am
9692 pleased to see the improvements from what we considered at
9693 subcommittee, we still need to do more to avert this cut from
9694 going into effect January 1 of next year. I look forward to
9695 continue our work on this bill to ensure that our seniors are
9696 protected from the impacts of these cuts.

9697 I urge my colleagues to support this bill, and I yield.

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9698 *The Chair. The gentleman yields. Is there further
9699 discussion, and for introduction of your family?

9700 Yes, Mr. Ruiz, you are recognized for five minutes.

9701 *Mr. Ruiz. Thanks. I move to strike the last word, and
9702 thank you for indulging me in presenting the desert darlings,
9703 the dynamic duo, my twin daughters, Sky and Sage, and to
9704 welcome my wonderful, beautiful wife, Monica; my mother-in-
9705 law, Sally; and my sister-in-law, Wendy, who are in the
9706 audience right now. Thank you for allowing me to do so.

9707 *The Chair. You are welcome.

9708 I am pleased you are here. It is great to meet you, Sky
9709 and Sage.

9710 *Voice. Thank you.

9711 *Mr. Ruiz. Thank you, thank you.

9712 So at previous hearings in this subcommittee we have
9713 examined policies to improve seniors' access to health care.
9714 We have identified the challenges within our health care
9715 system that create barriers to patient access to care.

9716 For years physicians have been experiencing cuts to
9717 their Medicare reimbursements, even while other Medicare
9718 providers have experienced increases for inflation, as Dr.

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9719 Bucshon's graph so eloquently demonstrated. From 2001 to
9720 2023, inflation-adjusted payments for physicians declined by
9721 26 percent, even amid the rising costs of running a medical
9722 practice.

9723 On top of that, physicians received a two percent
9724 across-the-board cut to their Medicare conversion, and _ that
9725 Medicare conversion factor in 2023, and are facing another
9726 3.37 percent cut in 2024. This can create barriers to care
9727 for our most vulnerable patients, especially in rural areas,
9728 that often bear the brunt of health care workforce shortages.

9729 We can't afford for doctors to close their doors or to
9730 take fewer Medicare patients because they can't afford to
9731 treat them. The physician fee schedule is broken and needs
9732 to be fixed. The Physician Fee Schedule Update and
9733 Improvements Act is a step in the right direction.

9734 Specifically, this bill would increase the Medicare
9735 physician fee schedule conversion factor from 1.25 percent to
9736 3 percent for the calendar year 2024. However, this
9737 provision is only temporary, and we need to look at the big
9738 picture. We need to look at long-term solutions. We need to
9739 fix the Medicare physician fee schedule so that we can ensure

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9740 access to care for patients, and so that Congress does not
9741 have to revisit this issue over and over every year to
9742 prevent payment cuts.

9743 While H.R. 6545 is a good start, more still needs to be
9744 done to adequately address the core problems with the
9745 Medicare physician fee schedule and implement lasting
9746 solutions. My bill, my bipartisan bill with Drs. Bucshon and
9747 Miller-Meeks, the Strengthening Medicare for Patients and
9748 Providers Act, H.R. 2474, is that permanent solution to this
9749 challenge. This bill will adjust Medicare physician
9750 reimbursement rates based on inflation by tying
9751 reimbursements to the Medicare Economic Index. Tying
9752 Medicare reimbursement rates to rising inflation will go a
9753 long way towards ensuring reliable access to care for
9754 patients.

9755 I urge this committee to consider H.R. 2474 in future
9756 markups. And with that my daughter Sky and Sage and I yield
9757 back.

9758 *The Chair. All right, very good, yield back. Is there
9759 further discussion?

9760 The chair recognizes Ms. Schrier for five minutes.

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9761 *Ms. Schrier. Thank you, Madam Chair. I move to strike
9762 the last word and speak on the AINS and the underlying bill.

9763 *The Chair. The chair recognizes Ms. Schrier for five
9764 minutes.

9765 *Ms. Schrier. Thank you. I am proud to have worked on
9766 this bill with my colleagues, Dr. Miller-Meeks, Dr. Bucshon,
9767 and Representative Kelly.

9768 Dr. Burgess specifically and Representative Kelly
9769 specifically, I just want to thank you for, in your comments,
9770 framing this discussion about fair physician reimbursement in
9771 your personal experiences, because fundamentally fair
9772 reimbursement impacts physicians. It respects the work that
9773 they do, and it keeps those physicians' practices open and
9774 available to all patients so that we and our family members
9775 and your family members can get the care we need.

9776 I also want to associate myself with the comments that
9777 you have already heard from all of my doctor colleagues,
9778 explaining the dramatic contrast between flat provider pay
9779 over the past 20 years and significant inflation in costs and
9780 in compensation of other professions over the past 20 years.

9781 Fundamentally, maintaining appropriate reimbursement for

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9782 physicians has a direct impact on the ability of Medicare
9783 patients, particularly in rural and underserved areas, to
9784 access the medical care they need. This bill will mitigate
9785 some of the harmful cuts that would otherwise take place at
9786 the end of this year. It may not be enough, but it is a
9787 great start.

9788 This legislation also includes my bill to extend
9789 incentives for alternative payment models, or APMs. This
9790 helps those providers who are employing these transition to
9791 and remain in a model of care that focuses on patient health
9792 outcomes while still lowering costs.

9793 So I encourage my colleagues to vote for the AINS and
9794 the Fee Schedule Update and Improvements Act, and I yield
9795 back. Thank you.

9796 *The Chair. The gentlelady yields back. Is there
9797 further discussion?

9798 Seeing none, the vote occurs on the AINS.

9799 All those in favor, say aye.

9800 Those opposed, nay.

9801 The ayes have it. The AINS is adopted.

9802 Is there further discussion?

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9803 Seeing none, the question now occurs on approving H.R.
9804 6545, as amended, and a roll call has been requested. The
9805 clerk will call the roll.

9806 *The Clerk. Burgess?

9807 *Mr. Burgess. Burgess votes aye.

9808 *The Clerk. Burgess votes aye.

9809 Latta?

9810 *Mr. Latta. Aye.

9811 *The Clerk. Latta votes aye.

9812 Guthrie?

9813 *Mr. Guthrie. Aye.

9814 *The Clerk. Guthrie votes aye.

9815 Griffith?

9816 [No response.]

9817 *The Clerk. Bilirakis?

9818 *Mr. Bilirakis. Aye.

9819 *The Clerk. Bilirakis votes aye.

9820 Johnson?

9821 [No response.]

9822 *The Clerk. Bucshon?

9823 *Mr. Bucshon. Aye.

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9824 *The Clerk. Bucshon votes aye.
9825 Hudson?
9826 *Mr. Hudson. Aye.
9827 *The Clerk. Hudson votes aye.
9828 Walberg?
9829 *Mr. Walberg. Aye.
9830 *The Clerk. Walberg votes aye.
9831 Carter?
9832 *Mr. Carter. Aye.
9833 *The Clerk. Carter votes aye.
9834 Duncan?
9835 *Mr. Duncan. Aye.
9836 *The Clerk. Duncan votes aye.
9837 Palmer?
9838 *Mr. Palmer. Aye.
9839 *The Clerk. Palmer votes aye.
9840 Dunn?
9841 [No response.]
9842 *The Clerk. Curtis?
9843 *Mr. Curtis. Aye.
9844 *The Clerk. Curtis votes aye.

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9845 Lesko?

9846 *Mrs. Lesko. Aye.

9847 *The Clerk. Lesko votes aye.

9848 Pence?

9849 *Mr. Pence. Aye.

9850 *The Clerk. Pence votes aye.

9851 Crenshaw?

9852 *Mr. Crenshaw. Aye.

9853 *The Clerk. Crenshaw votes aye.

9854 Joyce?

9855 *Mr. Joyce. Aye.

9856 *The Clerk. Joyce votes aye.

9857 Armstrong?

9858 [No response.]

9859 *The Clerk. Weber?

9860 *Mr. Weber. Yes, ma'am.

9861 *The Clerk. Weber votes aye.

9862 Allen?

9863 *Mr. Allen. Aye.

9864 *The Clerk. Allen votes aye.

9865 Balderson?

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9866 *Mr. Balderson. Aye.
9867 *The Clerk. Balderson votes aye.
9868 Fulcher?
9869 *Mr. Fulcher. Fulcher is aye.
9870 *The Clerk. Fulcher votes aye.
9871 Pfluger?
9872 *Mr. Pfluger. Aye.
9873 *The Clerk. Pfluger votes aye.
9874 Harshbarger?
9875 *Mrs. Harshbarger. Aye.
9876 *The Clerk. Harshbarger votes aye.
9877 Miller-Meeks?
9878 *Mrs. Miller-Meeks. Aye.
9879 *The Clerk. Miller-Meeks votes aye.
9880 Cammack?
9881 *Mrs. Cammack. Aye.
9882 *The Clerk. Cammack votes aye.
9883 Obernolte?
9884 *Mr. Obernolte. Aye.
9885 *The Clerk. Obernolte votes aye.
9886 Pallone?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9887 *Mr. Pallone. Aye.
9888 *The Clerk. Pallone votes aye.
9889 Eshoo?
9890 *Ms. Eshoo. Aye.
9891 *The Clerk. Eshoo votes aye.
9892 DeGette?
9893 *Ms. DeGette. Aye.
9894 *The Clerk. DeGette votes aye.
9895 Schakowsky?
9896 *Ms. Schakowsky. Aye.
9897 *The Clerk. Schakowsky votes aye.
9898 Matsui?
9899 [No response.]
9900 *The Clerk. Castor?
9901 *Ms. Castor. Aye.
9902 *The Clerk. Castor votes aye.
9903 Sarbanes?
9904 *Mr. Sarbanes. Aye.
9905 *The Clerk. Sarbanes votes aye.
9906 Tonko?
9907 *Mr. Tonko. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9908 *The Clerk. Tonko votes aye.
9909 Clarke?
9910 *Ms. Clarke. Aye.
9911 *The Clerk. Clarke votes aye.
9912 Cardenas?
9913 [No response.]
9914 *The Clerk. Ruiz?
9915 *Mr. Ruiz. Aye.
9916 *The Clerk. Ruiz votes aye.
9917 Peters?
9918 *Mr. Peters. Aye.
9919 *The Clerk. Peters votes aye.
9920 Dingell?
9921 [No response.]
9922 *The Clerk. Veasey?
9923 *Mr. Veasey. Aye.
9924 *The Clerk. Veasey votes aye.
9925 Kuster?
9926 *Ms. Kuster. Aye.
9927 *The Clerk. Kuster votes aye.
9928 Kelly?

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9929 *Ms. Kelly. Aye.

9930 *The Clerk. Kelly votes aye.

9931 Barragan?

9932 *Ms. Barragan. Aye.

9933 *The Clerk. Barragan votes aye.

9934 Blunt Rochester?

9935 *Ms. Blunt Rochester. Aye.

9936 *The Clerk. Blunt Rochester votes aye.

9937 Soto?

9938 *Mr. Soto. Aye.

9939 *The Clerk. Soto votes aye.

9940 Craig?

9941 [No response.]

9942 *The Clerk. Schrier?

9943 *Ms. Schrier. Aye.

9944 *The Clerk. Schrier votes aye.

9945 Trahan?

9946 *Mrs. Trahan. Aye.

9947 *The Clerk. Trahan votes aye.

9948 Fletcher?

9949 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9950 *The Clerk. Rodgers?

9951 *The Chair. Aye.

9952 *The Clerk. Rodgers votes aye.

9953 *Mr. Cardenas. Cardenas votes aye.

9954 *The Clerk. Cardenas votes aye.

9955 *The Chair. Madam Clerk, how is Mr. Johnson recorded?

9956 *The Clerk. Mr. Johnson is not recorded.

9957 *Mr. Johnson. Johnson is yes.

9958 *The Clerk. Johnson votes aye.

9959 *The Chair. How is Mr. Griffith recorded?

9960 *Mr. Griffith. Aye.

9961 *The Clerk. Griffith votes aye.

9962 [Pause.]

9963 *The Chair. The clerk will report.

9964 *The Clerk. Chair Rodgers, on that vote there were 46
9965 ayes and 0 noes.

9966 *The Chair. The ayes have it, and the bill is adopted.
9967 The chair calls up H.R. 6364, and asks the clerk to
9968 report.

9969 *The Clerk. H.R. 6364, a bill to amend title 18 of the
9970 Social Security Act to maintain certain telehealth

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9971 flexibilities relating to a provider _

9972 *The Chair. Without objection, the first reading of the
9973 bill is dispensed with. The bill would be open for amendment
9974 at any point.

9975 So ordered.

9976

9977

9978

9979 [The bill follows:]

9980

9981 *****COMMITTEE INSERT*****

9982

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9983 *The Chair. Does anyone seek to be recognized on the
9984 bill?

9985 Mr. Balderson, for what purpose do you seek recognition?

9986 *Mr. Balderson. To speak on the amendment, and I move
9987 to strike the last word.

9988 *The Chair. Amendment _ the clerk will report the
9989 amendment.

9990 *The Clerk. Amendment in the nature of a substitute to
9991 H.R. _

9992 *The Chair. Without objection, the amendment is
9993 dispensed with _ the reading of the amendment is dispensed
9994 with.

9995 [The amendment of Mr. Balderson follows:]

9996

9997 *****COMMITTEE INSERT*****

9998

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9999 *The Chair. The gentleman is recognized for five
10000 minutes in support of his amendment.

10001 *Mr. Balderson. Thank you, Madam Chair, for including
10002 the Medicare Telehealth Privacy Act. This bill simply
10003 prohibits CMS from making a doctor's home address publicly
10004 available when the doctor uses their home as a distant site
10005 for telehealth services.

10006 Over the past several years telehealth has proven its
10007 worth and shown the value and convenience it brings to both
10008 providers and patients. Telehealth is here to stay, so we
10009 must take _ make sure our health infrastructure and processes
10010 keep up with the speed and ease of these technologies.

10011 CMS is currently operating under a COVID-era waiver that
10012 keeps a doctor from having to register each address and
10013 location from which they conduct the telehealth services.
10014 However, in January of 2025 that waiver expires, and home
10015 addresses will be subject to online posting on websites like
10016 Medicare Compare. It is important for CMS to have the
10017 information it needs to make loyalty adjustments and to
10018 identify any signs of fraud, waste, and abuse; however, it is
10019 also important that doctors also have a peace of mind and

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10020 privacy.

10021 This bill balances both of these considerations. It
10022 prohibits CMS from ever disclosing these home addresses.

10023 The bill also requires CMS to create a billing mechanism
10024 for doctors, who infrequently conduct telehealth services
10025 from their home, that protects their privacy by having them
10026 report a zip code instead of a home address.

10027 *The Chair. Oh, yes, yes, yes.

10028 *Mr. Balderson. This will allow doctors flexibility
10029 when they must be home unexpectedly, like if they need to
10030 stay home to tend to a sick child, while giving CMS the
10031 certainty and accuracy they need.

10032 I look forward to continue working with my colleagues on
10033 the many other questions regarding telehealth before us in
10034 the next year and beyond, but I am glad we can all agree on
10035 this common-sense issue.

10036 I urge support for this, and I yield back.

10037 *The Chair. The gentleman yields back. Is there
10038 further discussion?

10039 Seeing none, the vote occurs on the amendment, Balderson
10040 amendment.

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10041 All those in favor, say aye.
10042 Those opposed, nay.
10043 The ayes have it, the amendment is adopted.
10044 Is there further discussion, further amendments?
10045 Seeing none, the vote occurs on final passage of H.R.
10046 6364, as amended, and a roll call vote has been requested.
10047 The clerk will call the roll.
10048 *The Clerk. Burgess?
10049 [No response.]
10050 *The Clerk. Latta?
10051 *Mr. Latta. Aye.
10052 *The Clerk. Latta votes aye.
10053 Guthrie?
10054 *Mr. Guthrie. Aye.
10055 *The Clerk. Guthrie votes aye.
10056 Griffith?
10057 *Mr. Griffith. Aye.
10058 *The Clerk. Griffith votes aye.
10059 Bilirakis?
10060 *Mr. Bilirakis. Aye.
10061 *The Clerk. Bilirakis votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10062 Johnson?
10063 *Mr. Johnson. Aye.
10064 *The Clerk. Johnson votes aye.
10065 Bucshon?
10066 *Mr. Bucshon. Aye.
10067 *The Clerk. Bucshon votes aye.
10068 Hudson?
10069 *Mr. Hudson. Aye.
10070 *The Clerk. Hudson votes aye.
10071 Walberg?
10072 *Mr. Walberg. Aye.
10073 *The Clerk. Walberg votes aye.
10074 Carter?
10075 *Mr. Carter. Aye.
10076 *The Clerk. Carter votes aye.
10077 Duncan?
10078 *Mr. Duncan. Aye.
10079 *The Clerk. Duncan votes aye.
10080 Palmer?
10081 *Mr. Palmer. Aye.
10082 *The Clerk. Palmer votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10083 Dunn?
10084 [No response.]
10085 *The Clerk. Curtis?
10086 [No response.]
10087 *The Clerk. Lesko?
10088 *Mrs. Lesko. Aye.
10089 *The Clerk. Lesko votes aye.
10090 Pence?
10091 *Mr. Pence. Aye.
10092 *The Clerk. Pence votes aye.
10093 Crenshaw?
10094 *Mr. Crenshaw. Aye.
10095 *The Clerk. Crenshaw votes aye.
10096 Joyce?
10097 *Mr. Joyce. Aye.
10098 *The Clerk. Joyce votes aye.
10099 Armstrong?
10100 [No response.]
10101 *The Clerk. Weber?
10102 *Mr. Weber. Yes, ma'am.
10103 *The Clerk. Weber votes aye.

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10104 Allen?
10105 *Mr. Allen. Aye.
10106 *The Clerk. Allen votes aye.
10107 Balderson?
10108 *Mr. Balderson. Aye.
10109 *The Clerk. Balderson votes aye.
10110 Fulcher?
10111 *Mr. Fulcher. Fulcher is aye.
10112 *The Clerk. Fulcher votes aye.
10113 Pfluger?
10114 *Mr. Pfluger. Aye.
10115 *The Clerk. Pfluger votes aye.
10116 Harshbarger?
10117 *Mrs. Harshbarger. Aye.
10118 *The Clerk. Harshbarger votes aye.
10119 Miller-Meeks?
10120 [No response.]
10121 *The Clerk. Cammack?
10122 *Mrs. Cammack. Aye.
10123 *The Clerk. Cammack votes aye.
10124 Obernolte?

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10125 *Mr. Obernolte. Aye.

10126 *The Clerk. Obernolte votes aye.

10127 Pallone?

10128 *Mr. Pallone. Aye.

10129 *The Clerk. Pallone votes aye.

10130 Eshoo?

10131 *Ms. Eshoo. Aye.

10132 *The Clerk. Eshoo votes aye.

10133 DeGette?

10134 *Ms. DeGette. Aye.

10135 *The Clerk. DeGette votes aye.

10136 Schakowsky?

10137 *Ms. Schakowsky. Aye.

10138 *The Clerk. Schakowsky votes aye.

10139 Matsui?

10140 [No response.]

10141 *The Clerk. Castor?

10142 *Ms. Castor. Aye.

10143 *The Clerk. Castor votes aye.

10144 Sarbanes?

10145 *Mr. Sarbanes. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10146 *The Clerk. Sarbanes votes aye.
10147 Tonko?
10148 *Mr. Tonko. Aye.
10149 *The Clerk. Tonko votes aye.
10150 Clarke?
10151 *Ms. Clarke. Aye.
10152 *The Clerk. Clarke votes aye.
10153 Cardenas?
10154 *Mr. Cardenas. Aye.
10155 *The Clerk. Cardenas votes aye.
10156 Ruiz?
10157 *Mr. Ruiz. Aye.
10158 *The Clerk. Ruiz votes aye.
10159 Peters?
10160 *Mr. Peters. Aye.
10161 *The Clerk. Peters votes aye.
10162 Dingell?
10163 [No response.]
10164 *The Clerk. Veasey?
10165 *Mr. Veasey. Aye.
10166 *The Clerk. Veasey votes aye.

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10167 Kuster?
10168 *Ms. Kuster. Aye.
10169 *The Clerk. Kuster votes aye.
10170 Kelly?
10171 *Ms. Kelly. Aye.
10172 *The Clerk. Kelly votes aye.
10173 Barragan?
10174 *Ms. Barragan. Aye.
10175 *The Clerk. Barragan votes aye.
10176 Blunt Rochester?
10177 *Ms. Blunt Rochester. Aye.
10178 *The Clerk. Blunt Rochester votes aye.
10179 Soto?
10180 *Mr. Soto. Aye.
10181 *The Clerk. Soto votes aye.
10182 Craig?
10183 [No response.]
10184 *The Clerk. Schrier?
10185 *Ms. Schrier. Aye.
10186 *The Clerk. Schrier votes aye.
10187 Trahan?

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10188 *Mrs. Trahan. Aye.

10189 *The Clerk. Trahan votes aye.

10190 Fletcher?

10191 [No response.]

10192 *The Clerk. Rodgers?

10193 *The Chair. Aye.

10194 *The Clerk. Rodgers votes aye.

10195 *The Chair. How is Burgess recorded?

10196 *The Clerk. Mr. Burgess is not recorded.

10197 *Mr. Burgess. Aye.

10198 *The Clerk. Burgess votes aye.

10199 [Pause.]

10200 *The Chair. The clerk will report.

10201 *The Clerk. Chair Rodgers, on that vote there were 44
10202 ayes and 0 noes.

10203 *The Chair. The ayes have it, and the bill is adopted.

10204 The chair calls up H.R. 1352, and asks the clerk to
10205 report.

10206 *The Clerk. H.R. 1352, a bill to require the Secretary
10207 of Health and Human Services to establish a demonstration
10208 project to increase access to biosimilar biological

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10209 products _

10210 *The Chair. Without objection, the first reading of the
10211 bill is dispensed with. The bill will be open for amendment
10212 at any point.

10213 So ordered.

10214 [The bill follows:]

10215

10216 *****COMMITTEE INSERT*****

10217

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10218 *The Chair. Does anyone seek recognition?
10219 For what purpose does Mr. Hudson seek recognition?
10220 *Mr. Hudson. I have an amendment at the desk.
10221 *The Chair. The clerk will report the amendment.
10222 *The Clerk. Amendment in the nature of a substitute to
10223 H.R. _
10224 *The Chair. Without objection, the reading of the
10225 amendment is dispensed with.
10226 [The amendment of Mr. Hudson follows:]
10227
10228 *****COMMITTEE INSERT*****
10229

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10230 *The Chair. The gentleman is recognized for five
10231 minutes in support of his amendment.

10232 *Mr. Hudson. I thank the chair. This is a belt-and-
10233 suspenders type of amendment, to clear up any confusion that
10234 it is budget neutral and follows House rules. But as you
10235 know, when the Innovation Center was created as part of the
10236 ACA, included was a requirement that the Innovation Center
10237 must focus on reducing spending in Medicare and Medicaid and
10238 stop any demonstration if they don't save money for
10239 taxpayers. So to address any concern, I have offered this
10240 amendment in the nature of a substitute.

10241 In addition to a budget-neutral amendment, I am
10242 extremely excited to see this bill going through regular
10243 order and so much closer to becoming a reality. I want to
10244 thank my colleague, Mr. Cardenas, for working with me.

10245 Seniors in North Carolina consistently tell me how they
10246 struggle to pay the cost of their prescription drugs. To
10247 address this, we introduced H.R. 1352, the Increasing Access
10248 to Biosimilars Act, a common-sense solution to increase
10249 competition and offer more solutions for seniors.

10250 Through a shared savings demonstration, providers would

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10251 be encouraged to prescribe lower-cost biosimilar medicines
10252 through a voluntarily _ voluntary pilot program. Biosimilar
10253 medicines hold enormous promise to significantly increase
10254 patient access to advanced treatments and reduce the cost of
10255 prescription drugs, and this bill encourages adoption of
10256 biosimilars in Medicare.

10257 A bill that saves money, increases patient access, and
10258 lowers patient costs should be a no-brainer. I look forward
10259 to seeing this become law, and I thank the chair and the
10260 ranking member for bringing it through the committee today.

10261 I yield back.

10262 *The Chair. The gentleman yields back. Is there
10263 further discussion?

10264 *Mr. Pallone. I have the amendment to the amendment.

10265 *The Chair. Okay.

10266 *Mr. Pallone. Want to do it?

10267 *The Chair. Okay, the chair recognizes the ranking
10268 member, Mr. Pallone, for purposes of offering an amendment.

10269 What is your amendment?

10270 *Mr. Pallone. My amendment _ I don't have a number for
10271 it. We just made it up.

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10272 *The Chair. You just made it _

10273 *Mr. Pallone. Do you have it?

10274 *The Chair. Is it amendment 02, amendment 02?

10275 *Mr. Pallone. Amendment 02.

10276 *The Chair. The clerk will report the amendment 02.

10277 *The Clerk. Amendment to the amendment in the nature of

10278 a substitute to H.R. _

10279 *The Chair. Without objection, the reading of the

10280 amendment is dispensed with.

10281 [The amendment of Mr. Pallone follows:]

10282

10283 *****COMMITTEE INSERT*****

10284

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10285 *The Chair. And the ranking member is recognized for
10286 five minutes in support of the amendment.

10287 *Mr. Pallone. Thank you, Chairwoman. I am pleased
10288 there is bipartisan support for ensuring we have a robust
10289 biosimilar marketplace.

10290 Incentivizing the development and utilization of
10291 biosimilars as critical to driving down drug prices and
10292 reducing the high cost of specialty medications, particularly
10293 in the Medicare Part B program, and that is why we passed
10294 into law an important policy that created a five-year
10295 temporary payment increase for qualifying biosimilars of
10296 Medicare Part B in which the Medicare program will pay the
10297 average sales price for a biosimilar plus eight percent of
10298 the reference biological product's average sale price when
10299 the biosimilar is separately payable in physicians' offices.

10300 By increasing the ASP add-on, physicians are
10301 incentivized to prescribe the biosimilar over the referenced
10302 biologic, driving down cost to the Medicare program and
10303 increasing access to lower cost drugs. So I urge my
10304 colleagues to join me in supporting this amendment. It would
10305 extend the temporary payment increase of ASP plus eight

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10306 percent for biosimilar products in Part B for an additional
10307 five years, and that is a common-sense solution that achieves
10308 the bipartisan goal of growing and incentivizing a strong
10309 biosimilar market.

10310 And thank you, Chair. I yield back. Oh, I yield to Mr.
10311 Cardenas.

10312 *Mr. Cardenas. The gentleman yields? Thank you.

10313 I want to thank Ranking Member Pallone for bringing up
10314 this amendment, which I believe will help to grow the number
10315 of biosimilars in the market. Access to biosimilars is key
10316 to ensuring affordable prescriptions at the pharmacy counter.
10317 These products provide much-needed relief for patients and
10318 introduce critical competition to lower costs.

10319 Creating robust incentives to invest in the creation of
10320 biosimilars should continue to be a priority this Congress,
10321 as we work to help patients afford their prescriptions. We
10322 have the power to help biosimilars live up to their potential
10323 to increase competition and produce lower-cost options. I
10324 celebrate that my colleague on the other side of the aisle
10325 shares my optimism for biosimilars, and I want to reiterate
10326 that I believe we could be doing even more, specifically as

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10327 the ASP +8 program allows biosimilars to benefit from an
10328 increased bump in its payments.

10329 This amendment, which is consistent with my bill, the
10330 Extending Biosimilar Eligibility Act, would simply give even
10331 more biosimilars the opportunity to benefit from the
10332 increased Medicare Part B payments through the ASP +8
10333 program. By extending the window of eligibility for a
10334 biosimilar to qualify for five years' worth of pay increases,
10335 we can sweeten the incentive and fold more products in.

10336 I would be _ it would be a missed opportunity to fail to
10337 expand existing programs like the ASP +8 which are already in
10338 place. This extensive _ this incentive allows us to grow the
10339 biosimilar market and ensure more patients are benefiting
10340 from these lower cost options. Even better, it will do so at
10341 no cost, and with no increase in spending.

10342 I urge us to remember the hard-working families in each
10343 of our districts that are counting on us to lower drug costs.
10344 This is a simple proposal that will yield real results for
10345 our neighbors back home and for the people across our great
10346 country.

10347 And with that, I yield back to the gentleman.

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10348 *Mr. Hudson. Will the gentleman yield?

10349 *Mr. Pallone. Sure.

10350 *Mr. Hudson. Just in the interest of speed, I am happy
10351 to take just a few minutes here at the end of your time, Mr.
10352 Ranking Member, to thank you for working with us on this. I
10353 think we are doing good work here together. And I am pleased
10354 to support this amendment. I urge my colleagues on both
10355 sides to support this amendment and to support the underlying
10356 bill. Thank you.

10357 *Mr. Pallone. Thank you, Mr. Hudson, and I believe _
10358 thank you, Mr. Hudson. I believe Ms. Eshoo would like the
10359 remaining time. I yield to her.

10360 *Ms. Eshoo. Thank you, Mr. Pallone. I am so delighted
10361 to see and hear members working on biosimilars, and I am very
10362 proud that it was my original legislation that created
10363 biosimilars, and that legislation was included in the
10364 Affordable Care Act. So to see you caring and acting well on
10365 this, I just couldn't help but lean in and thank each one of
10366 the members. It is a very important element, part of our
10367 health care system. Sophisticated, yes, but it needs to
10368 reach those that need it. And I think that this is another

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10369 chapter in the story of biosimilars, and I salute each one of
10370 you for your work.

10371 So thank you, Mr. Pallone, for yielding time to me. I
10372 yield back to you.

10373 *Mr. Pallone. Thank you, and I yield back to the chair.

10374 *The Chair. If there is no further discussion, the vote
10375 occurs on the amendment.

10376 All those in favor shall signify by saying aye.

10377 All those opposed, nay.

10378 The ayes have it, the amendment is agreed to.

10379 The vote now occurs on the AINS, as amended.

10380 All those in favor will signify by saying aye.

10381 All those opposed, nay.

10382 The ayes have it, and the amendment, the AINS, as
10383 amended, is agreed to.

10384 The question now occurs on approving H.R. 1352, as
10385 amended, and a roll call has been requested. The clerk will
10386 call the roll.

10387 *The Clerk. Burgess?

10388 *Mr. Burgess. Burgess votes aye.

10389 *The Clerk. Burgess votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10390 Latta?
10391 *Mr. Latta. Aye.
10392 *The Clerk. Latta votes aye.
10393 Guthrie?
10394 *Mr. Guthrie. Aye.
10395 *The Clerk. Guthrie votes aye.
10396 Griffith?
10397 *Mr. Griffith. Aye.
10398 *The Clerk. Griffith votes aye.
10399 Bilirakis?
10400 *Mr. Bilirakis. Aye.
10401 *The Clerk. Bilirakis votes aye.
10402 Johnson?
10403 *Mr. Johnson. Aye.
10404 *The Clerk. Johnson votes aye.
10405 Bucshon?
10406 [No response.]
10407 *The Clerk. Hudson?
10408 *Mr. Hudson. Aye.
10409 *The Clerk. Hudson votes aye.
10410 Walberg?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10411 *Mr. Walberg. Aye.
10412 *The Clerk. Walberg votes aye.
10413 Carter?
10414 *Mr. Carter. Aye.
10415 *The Clerk. Carter votes aye.
10416 Duncan?
10417 *Mr. Duncan. Aye.
10418 *The Clerk. Duncan votes aye.
10419 Palmer?
10420 *Mr. Palmer. Aye.
10421 *The Clerk. Palmer votes aye.
10422 Dunn?
10423 [No response.]
10424 *The Clerk. Curtis?
10425 [No response.]
10426 *The Clerk. Lesko?
10427 *Mrs. Lesko. Aye.
10428 *The Clerk. Lesko votes aye.
10429 Pence?
10430 *Mr. Pence. Aye.
10431 *The Clerk. Pence votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10432 Crenshaw?
10433 *Mr. Crenshaw. Aye.
10434 *The Clerk. Crenshaw votes aye.
10435 Joyce?
10436 *Mr. Joyce. Aye.
10437 *The Clerk. Joyce votes aye.
10438 Armstrong?
10439 *Mr. Armstrong. Yes.
10440 *The Clerk. Armstrong votes aye.
10441 Weber?
10442 *Mr. Weber. Yes, ma'am.
10443 *The Clerk. Weber votes aye.
10444 Allen?
10445 *Mr. Allen. Aye.
10446 *The Clerk. Allen votes aye.
10447 Balderson?
10448 *Mr. Balderson. Aye.
10449 *The Clerk. Balderson votes aye.
10450 Fulcher?
10451 *Mr. Fulcher. Fulcher is aye.
10452 *The Clerk. Fulcher votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10453 Pfluger?
10454 *Mr. Pfluger. Aye.
10455 *The Clerk. Pfluger votes aye.
10456 Harshbarger?
10457 *Mrs. Harshbarger. Aye.
10458 *The Clerk. Harshbarger votes aye.
10459 Miller-Meeks?
10460 [No response.]
10461 *The Clerk. Cammack?
10462 *Mrs. Cammack. Aye.
10463 *The Clerk. Cammack votes aye.
10464 Obernolte?
10465 *Mr. Obernolte. Aye.
10466 *The Clerk. Obernolte votes aye.
10467 Pallone?
10468 *Mr. Pallone. Aye.
10469 *The Clerk. Pallone votes aye.
10470 Eshoo?
10471 *Ms. Eshoo. Aye.
10472 *The Clerk. Eshoo votes aye.
10473 DeGette?

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10474 *Ms. DeGette. Aye.
10475 *The Clerk. DeGette votes aye.
10476 Schakowsky?
10477 *Ms. Schakowsky. Aye.
10478 *The Clerk. Schakowsky votes aye.
10479 Matsui?
10480 [No response.]
10481 *The Clerk. Castor?
10482 *Ms. Castor. Aye.
10483 *The Clerk. Castor votes aye.
10484 Sarbanes?
10485 *Mr. Sarbanes. Aye.
10486 *The Clerk. Sarbanes votes aye.
10487 Tonko?
10488 [No response.]
10489 *The Clerk. Tonko?
10490 *Mr. Tonko. Aye.
10491 *The Clerk. Tonko votes aye.
10492 *Mr. Tonko. Sorry.
10493 *The Clerk. Clarke?
10494 *Ms. Clarke. Aye.

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10495 *The Clerk. Clarke votes aye.
10496 Cardenas?
10497 *Mr. Cardenas. Aye.
10498 *The Clerk. Cardenas votes aye.
10499 Ruiz?
10500 *Mr. Ruiz. Aye.
10501 *The Clerk. Ruiz votes aye.
10502 Peters?
10503 *Mr. Peters. Aye.
10504 *The Clerk. Peters votes aye.
10505 Dingell?
10506 *Mrs. Dingell. Aye.
10507 *The Clerk. Dingell votes aye.
10508 Veasey?
10509 *Mr. Veasey. Aye.
10510 *The Clerk. Veasey votes aye.
10511 Kuster?
10512 *Ms. Kuster. Aye.
10513 *The Clerk. Kuster votes aye.
10514 Kelly?
10515 *Ms. Kelly. Aye.

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10516 *The Clerk. Kelly votes aye.
10517 Barragan?
10518 *Ms. Barragan. Aye.
10519 *The Clerk. Barragan votes aye.
10520 Blunt Rochester?
10521 *Ms. Blunt Rochester. Aye.
10522 *The Clerk. Blunt Rochester votes aye.
10523 Soto?
10524 *Mr. Soto. Aye.
10525 *The Clerk. Soto votes aye.
10526 Craig?
10527 [No response.]
10528 *The Clerk. Schrier?
10529 *Ms. Schrier. Aye.
10530 *The Clerk. Schrier votes aye.
10531 Trahan?
10532 *Mrs. Trahan. Aye.
10533 *The Clerk. Trahan votes aye.
10534 Fletcher?
10535 [No response.]
10536 *The Clerk. Rodgers?

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10537 *The Chair. Aye.

10538 *The Clerk. Rodgers votes aye.

10539 [Pause.]

10540 *The Chair. The clerk will report.

10541 *The Clerk. Chair Rodgers, on that vote there were 44
10542 ayes and 0 noes.

10543 *The Chair. The ayes have it, the bill is adopted.

10544 Without objection, staff is authorized to make technical
10545 and conforming changes to the legislation approved by the
10546 committee today.

10547 So ordered.

10548 A big thank you, members and staff. We got through a
10549 long list of bills. There was a lot of work done, even
10550 today, to get these bills in a place where many of them
10551 enjoyed bipartisan support and on their way to becoming law.
10552 It was good work, a good day. Thank you, everyone.

10553 *Ms. Eshoo. Bravo Chairwoman and Ranking Member. Good
10554 work, good team. Thank you.

10555 *The Chair. Good work, thank you so much.

10556 Without objection, the committee stands adjourned.

10557 [Whereupon, at 6:32 p.m., the committee was adjourned.]