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6 MARKUP OF: H.R. _____, PANDEMIC AND

7 ALL-HAZARDS PREPAREDNESS REAUTHORIZATION

8 ACT OF 2018; H.R. 959, TITLE VIII NURSING

9 WORKFORCE REAUTHORIZATION ACT OF 2017; H.R.

10 1676, PALLIATIVE CARE AND HOSPICE EDUCATION

11 AND TRAINING ACT; H.R. 3728, EDUCATING

12 MEDICAL PROFESSIONALS AND OPTIMIZING

13 WORKFORCE EFFICIENCY READINESS (EMPOWER) ACT

14 OF 2017; H.R. 5385, CHILDREN'S HOSPITAL

15 GME SUPPORT AND REAUTHORIZATION ACT OF 2018

16 WEDNESDAY, JUNE 27, 2018

17 House of Representatives

18 Subcommittee on Health

19 Committee on Energy and Commerce

20 Washington, D.C.

21

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23

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24 The subcommittee met, pursuant to call, at 9:00 a.m., in Room
25 2123 Rayburn House Office Building, Hon. Michael Burgess
26 [chairman of the subcommittee] presiding.

27 Members present: Representatives Burgess, Guthrie, Barton,
28 Upton, Shimkus, Blackburn, Latta, McMorris Rodgers, Lance,
29 Griffith, Bilirakis, Long, Bucshon, Brooks, Mullin, Collins,
30 Carter, Walden (ex officio), Green, Schakowsky, Butterfield,
31 Castor, Sarbanes, Lujan, Schrader, Kennedy, Cardenas, Eshoo, and
32 Pallone (ex officio).

33 Staff present: Jennifer Barblan, Chief Counsel, Oversight
34 & Investigations; Mike Bloomquist, Staff Director; Daniel Butler,
35 Staff Assistant; Karen Christian, General Counsel; Kelly Collins,
36 Staff Assistant; Jordan Davis, Director of Policy and External
37 Affairs; Margaret Tucker Fogarty, Staff Assistant; Melissa
38 Froelich, Chief Counsel, Digital Commerce and Consumer
39 Protection; Adam Fromm, Director of Outreach and Coalitions; Ali
40 Fulling, Legislative Clerk, Oversight & Investigations, Digital
41 Commerce and Consumer Protection; Brittany Havens, Professional
42 Staff, Oversight & Investigations; Peter Kielty, Deputy General
43 Counsel; Ed Kim, Policy Coordinator, Health; Bijan Koohmaraie,
44 Counsel, Digital Commerce and Consumer Protection; Ryan Long,
45 Deputy Staff Director; Drew McDowell, Executive Assistant;
46 Brandon Mooney, Deputy Chief Energy Advisor; Mark Ratner, Policy

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47 Coordinator; Kristen Shatynski, Professional Staff Member,
48 Health; Jennifer Sherman, Press Secretary; Danielle Steele,
49 Counsel, Health; Austin Stonebraker, Press Assistant; Josh Trent,
50 Deputy Chief Health Counsel, Health; Hamlin Wade, Special
51 Advisor, External Affairs; Jessica Wilkerson, Professional
52 Staff, Oversight & Investigations; Andy Zach, Senior Professional
53 Staff Member, Environment; Jacquelyn Bolen, Minority
54 Professional Staff; Jeff Carroll, Minority Staff Director;
55 Elizabeth Ertel, Minority Deputy Clerk; Waverly Gordon, Minority
56 Health Counsel; Tiffany Guarascio, Minority Deputy Staff Director
57 and Chief Health Advisor; Dan Miller, Minority Policy Analyst;
58 Tim Robinson, Minority Chief Counsel; Samantha Satchell, Minority
59 Policy Analyst; Andrew Souvall, Minority Director of
60 Communications, Outreach and Member Services; and Kimberlee
61 Trzeciak, Minority Senior Health Policy Advisor.

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62 Mr. Burgess. The subcommittee will come to order and I'll
63 recognize myself five minutes for an opening statement.

64 And good morning to all. Today, we convene to markup five
65 important bills that will strengthen our public health workforce
66 and protect our country from potential biological threats.

67 Some of these bills will equip our health care system with
68 the tools to maintain a robust well-educated workforce. While
69 the Pandemic and All-Hazards Preparedness Act Reauthorization
70 bill will provide a framework for our emergency preparedness
71 infrastructure to plan for threats such as disease outbreaks.

72 As a physician, I've always supported programs that improve
73 access to care and enhance the patient experience, and the bills
74 before us today seek to accomplish that goal.

75 First, we are considering draft legislation to reauthorize
76 the Pandemic All-Hazards Preparedness Act from the bioterrorism
77 threats after 9/11 to more recent public health threats to our
78 nation such as Zika and H3N2 influenza virus.

79 Our partners at the federal, state, and local levels must
80 have the necessary tools and resources to quickly and effectively
81 respond when disaster strikes.

82 To bolster their efforts, I would also like to see the MISSION
83 ZERO Act, which was passed out of this committee, and language
84 to improve the technological infrastructure of the BioWatch

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85 program included in the Pandemic All-Hazards Preparedness
86 Reauthorization.

87 MISSION ZERO has already passed the House earlier this year
88 with strong bipartisan support and I expect we can reach a
89 bipartisan consensus on both initiatives prior to the
90 legislation's markup at the full committee.

91 This Pandemic All-Hazards Preparedness Act Reauthorization
92 is critical in protecting the lives of all Americans.

93 Again, I want to thank Representatives Susan Brooks and Eshoo
94 for their work and the work of their staff on the draft legislation
95 before us today, and I want to thank Ranking Members Green and
96 Pallone and their staffs for working in such a bipartisan manner
97 to keep this important reauthorization moving forward.

98 Next, we will consider bills that reauthorize the physician
99 workforce programs under Title VII and the nursing workforce
100 programs under Title VIII of the Public Health Services Act.

101 Each of these programs seeks to increase access to providers
102 in underserved areas and promote the training opportunities for
103 medical students and providers to maintain their skills.

104 H.R. 3728, the Educating Medical Professionals and
105 Optimizing Workforce Efficiency Readiness Act, which I introduced
106 with Representatives Schakowsky and Bucshon last year, and H.R.
107 959, the Title VIII Nursing Workforce Reauthorization Act,

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108 introduced by Representative Joyce, will reauthorize these
109 important programs, both of which have expired.

110 While Congress has appropriated funding for these programs
111 in the past, it is essential to reauthorize and ensure longer-term
112 stability, particularly for the future generations of providers.

113 Our medical professionals need to be adequately trained to
114 manage patients with serious illness who are seeking either
115 palliative or hospice care.

116 H.R. 1676, the Palliative Care and Hospice Education and
117 Training Act, written by Representative Engel and co-sponsored
118 by many members on this committee, helps build our palliative and
119 hospice care workforce by establishing and supporting palliative
120 care and hospice education centers through federal grants while
121 enhancing research in palliative care at the National Institute
122 of Health.

123 Lastly, the subcommittee will consider H.R. 5385, the
124 Children's Hospital Graduate Medical Education Support
125 Reauthorization Act, which Ranking Member Green authored.

126 This important legislation reauthorize those payments to
127 children's hospital graduate medical education programs for
128 another five years so that our nation's children's hospitals can
129 continue to provide education to medical school graduates and
130 enhance pediatric research capabilities.

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131 Children in Texas and across the country will benefit from
132 the financial support provided by this bill, ensuring physicians
133 have the preparation and training for the complex reality they
134 will face in their careers as pediatricians.

135 I want to thank all the members and the staff -- a lot of
136 people put hard work into these bills -- and certainly look forward
137 to advancing them out of the -- this subcommittee to the full
138 committee.

139 And I now recognize the gentleman from Texas, Mr. Green, for
140 three minutes for an opening statement.

141 Mr. Green. Thank you, Mr. Chairman, for holding today's
142 subcommittee markup on five public health bills, including
143 Pandemic and All-Hazards Preparedness Reauthorization Act and the
144 Children's Hospital GME Supports Reauthorization Act that we
145 introduced in March.

146 I am proud to have introduced the Children's Hospital GME
147 Support Reauthorization Act with the chairman of our
148 subcommittee, Dr. Burgess.

149 We heard from medical experts from Texas and California last
150 month including the vice chair of pediatrics at Texas Children's
151 Hospital in Houston on the importance of reauthorizing the CHGME
152 program.

153 The CHGME program provides needed funding to train our

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154 nation's pediatric workforce including pediatricians and
155 pediatric subspecialists, which are greatly needed in many
156 communities around the country.

157 CHGME program is necessary due to how federal support for
158 GME is currently structured, compensating hospitals through the
159 percentage of Medicare patients they provide care to.

160 This formula puts freestanding children's hospitals at a
161 clear disadvantage. Our legislation reauthorized CHGME program
162 for five years with an 8 to 10 percent funding increase.

163 As of today, our bipartisan legislation has 61 co-sponsors
164 and I think I have three more to turn in today, Mr. Chairman,
165 including many members of our committee. It has the strong
166 support from many outside stakeholders, including American
167 Hospital Association and the Texas Children's Hospital
168 Association.

169 I thank the chair for including the Children's Hospital GME
170 Support Reauthorization Act in today's markup and I am looking
171 forward to the bill clearing the full committee and its
172 consideration before the entire House.

173 PAHPA is an important law that provides Department of Health
174 and Human Services with the reauthorizations and resources
175 necessary to help American people during emergency or a pandemic.

176 I am happy to see the progress that PAHPA reauthorization

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177 has taken since our legislative hearing three weeks ago. In
178 particular, I am happy to see that the proposed transfer of the
179 Strategic National Stockpile to ASPR would not be codified --
180 instead, would work in coordination with CDC.

181 I plan on supporting a manager's amendment and ask all my
182 colleagues in support of that.

183 Before I conclude, I need to bring up an issue of child
184 separations, which is a jurisdiction of Health and Human Services
185 and, of course, our subcommittee.

186 I disagree with President Trump's zero tolerance policy and
187 the administration's decision to separate children from their
188 parents in the strongest terms. It was inhumane and not
189 reflective of our nation's history and traditions.

190 While the Trump administration has reversed its child
191 separation policy, there is still 2,000 children in the custody
192 of the Office of Refugee Resettlement as a result.

193 As the committee of jurisdiction, it's our responsibility
194 to ensure that these children are being properly cared for as we
195 would want our children to be cared for, and to hear from HHS in
196 an oversight hearing as soon as possible -- as feasibly possible
197 on what is being done to protect these children and how it intends
198 to reunite with their parents.

199 One of the other things, Mr. Chairman, I think anywhere a

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200 member of Congress needs to look at where federal funding is being
201 spent and I know two senators from Virginia, members from Texas,
202 were refused admittance into facilities even with -- even with
203 the permission to request, and I think we need to look at
204 legislation that would make sure that Congress has the ability
205 to see what's -- federal spending, whether it's in this case or
206 any other cases.

207 And I thank the chairman again for holding today's markup
208 and I yield the remaining amount of my time.

209 Mr. Burgess. The gentleman yields back.

210 The chair now recognizes the gentleman from Oregon, the
211 chairman of the full committee, Mr. Walden, for three minutes.

212 The Chairman. Thank you, Mr. Chairman.

213 Today, the subcommittee continues its important work on
214 several pieces of legislation that are bipartisan and also vital
215 to the public health of the nation.

216 First, we will consider the discussion draft to reauthorize
217 the Pandemic and All-Hazards Preparedness Act, known as PAHPA.
218 It has been examined during a legislation hearing earlier this
219 month.

220 PAHPA enables critical partnership between the federal
221 government, state and local authorities, and the private sector
222 to ensure our nation is responsibly prepared for and able to

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223 respond to public health emergencies. It is important that we
224 get this right and that we reauthorize this program on a timely
225 manner.

226 As we continue to move through this process, I really want
227 to thank and commend both our colleagues, Susan Brooks and Anna
228 Eshoo, who took the lead on this, for their hard work on this
229 reauthorization.

230 Between today's markup and the full committee markup, we will
231 continue to work with members on a bipartisan basis to incorporate
232 their policy priorities and ensure we continue bipartisan support
233 for this very, very important reauthorization.

234 Those of us who have been in the classified setting in the
235 briefings understand we need to get this done and not mess around
236 with it.

237 Today, we will also consider four important bills that
238 strengthen the federal government's longstanding investment in
239 the education and training of health care professionals.

240 First, H.R. 959, the Title VIII Nursing Workforce
241 reauthorization Act that's sponsored by our colleague from Ohio,
242 Representative David Joyce -- this bill reauthorized nursing
243 education workforce development programs that are critical to the
244 recruitment, retention, and advanced education of skilled nursing
245 professionals throughout the country.

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246 Next, H.R. 3728 -- this is the Empower Act of 2017, which
247 will reauthorize health professions workforce programs,
248 including the reorganization of the geriatric health professional
249 grant program to reflect changes that the Health Resources and
250 Services Administration has pursued to improve outcomes for
251 geriatric patients.

252 I want to thank our E and C colleagues, Health Subcommittee
253 Chair Michael Burgess and Representative Schakowsky, for leading
254 the work on this very important initiative.

255 We will also consider H.R. 1676, the Palliative Care and
256 Hospice Education and Training Act, sponsored by our colleague,
257 Eliot Engel. It's a cause that's near and dear to my heart and
258 one that I co-sponsored in prior years before becoming chairman.
259 So I am glad to see that it's moving before the committee today.

260 This legislation will authorize the Department of Health and
261 Human Services to award grants or contracts for palliative care
262 and hospice education centers, promote the career development of
263 nurses and physicians in palliative care and promote research and
264 outreach in the delivery of care for patients with serious or
265 life-threatening illnesses.

266 I've heard about this bill's impact from palliative care
267 specialists and disease advocates from Oregon, including Don
268 Frazier in Bend, Oregon, whose daughter, Rhonda, tragically

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269 passed away at the age of 34 after suffering from an early onset
270 Alzheimer's.

271 I'd like to submit for the record, Mr. Chairman, a Bend
272 Bulletin opinion piece that Don wrote about this bill and have
273 that entered into the record.

274 Mr. Burgess. Without objection, so ordered.

275 [The information follows:]

276

277 *****INSERT 1*****

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278 The Chairman. And, finally, we will consider H.R. 5385, the
279 Children's Hospital GME Support Reauthorization Act of 2018,
280 authored by Health Subcommittee Ranking Member Gene Green,
281 Subcommittee Chairman Mike Burgess.

282 H.R. 5385 will reauthorize federal funding for graduate
283 medical education in our nation's freestanding children's
284 hospitals, building a pediatric health workforce to help ensure
285 that every child has access to quality care.

286 These are all really important pieces of legislation in the
287 spirit of bipartisanship and working together for the good of the
288 country that the Energy and Commerce Committee does.

289 So we look forward to a good markup here today. Glad we could
290 work these things out, and I yield back the balance of my time.

291 Mr. Burgess. The chair thanks the gentleman. The
292 gentleman yields back.

293 The chair recognizes the gentleman from New Jersey three
294 minutes for the purpose of an opening statement.

295 Mr. Pallone. Thank you, Mr. Chairman.

296 Today, we are considering five bipartisan public health
297 bills. Taken together, these bills will strengthen our nation's
298 emergency preparedness and response efforts and improve our
299 health workforce.

300 I thank the sponsors for the work they've done today to move

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301 on these important bills.

302 First, H.R. 959, the Title VIII Nursing Workforce
303 Reauthorization Act, introduced by Representatives Joyce and
304 Matsui, which strengthen our nursing workforce by reauthorizing
305 several programs that support the recruitment, training, and
306 retention of nursing professionals, and I am pleased to support
307 this much needed legislation.

308 Next is H.R. 1676, the Palliative Care and Hospice Education
309 and Training Act, introduced by Representatives Engel, Reed, and
310 Carter. It would improve education, training, and research into
311 palliative care and hospice care.

312 These are essential services that help individuals battling
313 complex conditions to better manage their illnesses and to be as
314 comfortable as possible at the end of life.

315 This legislation will help ensure that we have the workforce
316 to meet the growing need for hospice and palliative care and I
317 urge its passage.

318 And then we have H.R. 3728, the Educating Medical
319 Professionals and Optimizing Workforce Efficiency and Readiness,
320 or EMPOWER Act, introduced by Representatives Burgess,
321 Schakowsky, and Bucshon. It would reauthorize programs funded
322 under Title VII of the Public Health Service Act.

323 Investment in these programs helps ensure that we have a an

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324 adequate supply of health care providers. The bill would also
325 boost training for geriatric providers, who are increasingly in
326 demand across the country, and I'd like to especially thank
327 Representative Schakowsky for championing this issue.

328 H.R. 3585, the Children's Hospital GME Support
329 Reauthorization Act, introduced by the subcommittee chair and the
330 ranking member, would reauthorize the CHGME program and,
331 importantly, increase its authorization level.

332 This will allow children's hospitals to bolster their
333 graduate medical education training and, ultimately, to address
334 shortages of pediatric providers. This program is critical to
335 ensure that every child has access to the care they need and I
336 strongly support passage.

337 And finally, I am pleased that we are considering a
338 discussion draft of the Pandemic and All-Hazards Preparedness
339 Reauthorization Act authored by my colleagues, Representatives
340 Brooks and Eshoo. This legislation supports critical programs
341 that are the foundation of our nation's emergency preparedness
342 and response.

343 During our hearing, I raised a number of concerns
344 particularly related to the codification of the administration's
345 decision to move control of the Strategic National Stockpile from
346 CDC to ASPR, and I am glad that my primary concerns are addressed

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347 in the manager's amendment.

348 However, I do want to emphasize that the draft we are
349 considering today is far from a finished product. There are still
350 many important outstanding priorities that I believe should be
351 considered and I am committed to working between now and the full
352 committee to ensure all remaining noncontroversial bipartisan
353 priorities are included.

354 And I thank you, Mr. Chairman, and yield back.

355 Mr. Burgess. The chair thanks the gentleman. The
356 gentleman yields back.

357 The chair recognizes the gentleman from Michigan for one
358 minute.

359 Mr. Upton. Thank you, Mr. Chairman.

360 This is an important day. The Pandemic and All-Hazards
361 Preparedness Reauthorization Act is certainly critical in keeping
362 our citizens safe from dangerous public health hazards, whether
363 they be natural or man-made, and I am also pleased that we are
364 working up the Palliative Care and Hospice Education Training Act,
365 legislation that I've co-sponsored. This is going to remove some
366 of the barriers to patients' access to care that exists today.

367 But the Children's Hospitals Graduate Medical Education was
368 always a priority for me when I was chairman of the full committee
369 and it's great to see that attention to this important program

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370 continue on a bipartisan basis.

371 Children's GME is truly the pediatric training engine for
372 Michigan and across the country and critical for providing
373 essential care.

374 I'd like to point out a very special guest from Michigan,
375 sitting on the end. Claire Wykoff is 10 -- a wonderful young
376 woman. When she was 10, she was diagnosed with a ruptured
377 arteriovenous malformation of the cervical spine.

378 She gets treatment now from three specialists at Children's
379 Hospital of Michigan and this GME program is vital to her and
380 children like her getting the care that they deserve.

381 I yield back. Thank you for being here.

382 [Applause.]

383 Mr. Burgess. The chair thanks the gentleman. The
384 gentleman yields back.

385 And the chair would recognize the gentlelady from
386 California, Ms. Eshoo, for one minute.

387 Ms. Eshoo. Thank you, Mr. Chairman, for holding this markup
388 on these five bipartisan bills. I am proud to co-sponsor three
389 of them. I support all of them.

390 And I am especially proud to have been the original author
391 of PAHPA and to have worked in this Congress with a superb
392 colleague, Susan Brooks, to reauthorize this legislation.

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393 The discussion draft that we are marking up today
394 reauthorizes PAHPA and we all need to understand that this is still
395 a work in progress. There are many member priorities and
396 stakeholder proposals still to be incorporated and I think it's
397 critical for us to reauthorize this legislation before it expires
398 on September 30th.

399 I will continue to work closely with Representative Brooks
400 and certainly with Chairman Walden and our ranking member to
401 finalize the legislation.

402 PAHPA is especially timely because it authorizes ASPR and
403 last Friday HHS announced the creation of an unaccompanied
404 children reunification task force to respond to the crisis the
405 Trump administration has created at the southern border -- that
406 it's going to be run by ASPR.

407 And so I think that this committee really needs to be prepared
408 and to do oversight relative to how ASPR, because it is within
409 our jurisdiction -- how the needs of the families and the children
410 are being met.

411 So with that, Mr. Chairman, thank you again for holding this
412 important markup. These are important bills, and I especially
413 want to salute my partner and wonderful colleague, Susan Brooks,
414 for the enormous amount of time and thoughtfulness that's been
415 put into the process so far.

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416 I yield back.

417 Mr. Burgess. The chair thanks the gentlelady. The
418 gentlelady yields back.

419 The chair recognizes the gentlelady from Tennessee for one
420 minute for an opening statement, please.

421 Mrs. Blackburn. Thank you, Mr. Chairman.

422 I am so pleased to see the bipartisan bills to address
423 provider shortages through Title VII and VIII, as well as the
424 specialist shortages in the Children's Hospital GME program.

425 Vanderbilt, St. Jude, Le Bonheur, are all there in our part
426 of Tennessee and we know how vital this is to them. We have talked
427 about the problems created by the shortages. But in medically
428 underserved areas like much of my rural district in Tennessee,
429 the shortages are acutely felt.

430 Also, I am pleased to see the reauthorization of PAHPA. The
431 bill includes important features that will strengthen our ability
432 to respond in times of emergency and disaster and I look forward
433 to the final version including our Good Samaritan language.

434 And I thank you for the hearing. I yield back my time.

435 Mr. Burgess. The chair thanks the gentlelady. The
436 gentlelady yields back.

437 The chair recognizes the gentleman from Oregon, Mr.
438 Schrader, for one minute.

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21

439 Does not recognize -- the chair recognizes the gentlelady
440 from Illinois, Ms. Schakowsky, for one minute.

441 Ms. Schakowsky. Thank you, Mr. Chairman.

442 I am pleased that we are here today considering critical
443 health workforce bills. I am proud to lead H.R. 5728, the EMPOWER
444 Act, with Chairman Burgess.

445 This bill is critical in ensuring that we have the workforce
446 in place to respond to the needs of older Americans.

447 Reauthorizing the Geriatric Workforce Enhancement program
448 and reestablishing the Geriatric Academic Career Awards will do
449 just that. Not only are we currently facing a geriatric health
450 workforce shortage as Baby Boomers age, we will need more
451 providers who are trained to respond to the unique needs of older
452 Americans.

453 Whether it is in -- whether it is integrating geriatric care
454 into primary care, giving families -- family care givers the tools
455 they need to care for their loved ones with Alzheimer's or
456 expanding teaching centers to reach rural and underserved
457 communities, the EMPOWER Act brings us closer to building the
458 health care workforce or seniors need and deserve.

459 I yield back.

460 Mr. Burgess. The chair thanks the gentlelady. The
461 gentlelady yields back.

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22

462 The chair recognizes the gentleman from New Jersey, Mr.
463 Lance, for one minute for an opening statement. Does not
464 recognize.

465 The chair recognizes the gentlelady from Indiana, Mrs.
466 Brooks, for one minute for an opening statement.

467 Mrs. Brooks. Thank you, Mr. Chairman.

468 Thank you for holding this subcommittee markup as we move
469 forward with the reauthorization of PAHPA. I am proud to be
470 working on this important bill with my good friend, Representative
471 Eshoo, who's been a leader in public health -- a long-time leader.

472 She was one of the first authors -- she was the author of
473 the first PAHPA bill in 2006 as well as the lead author of the
474 last reauthorization in 2013, and so it's critically important
475 that -- and I want to thank our staffs and all those involved for
476 continuing to work toward making sure we get this reauthorized
477 by the end of September.

478 As we heard during testimony at the hearing, and in the
479 classified setting, we face threats around the globe. On May 8th
480 of this year, the Democratic Republic of Congo declared an
481 outbreak of Ebola.

482 This is the country's ninth Ebola outbreak in 40 years, and
483 while previous outbreaks have been in remote and isolated areas,
484 this new outbreak is in a busy port city with more than 1 million

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485 inhabitants.

486 On May 20th, India's government confirmed outbreak of the
487 deadly Nipah virus. By the end of May, 19 cases of Nipah had been
488 reported, 17 of which were fatal.

489 The bill we are considering today creates a public health
490 emergency response fund for the secretary to use as a bridge when
491 we face an outbreak like Ebola or Nipah so that immediate funding
492 is available, which we can then supplement with emergency
493 appropriations bills.

494 It also establishes a pandemic influenza program as well as
495 emerging infectious diseases program at BARDA to deal with known
496 and unknown threats.

497 PAHPA is a unique opportunity to examine our response to
498 these threats. I look forward to continuing to work with all
499 members of this committee and others on this bipartisan effort.

500 I yield back.

501 Mr. Burgess. The chair thanks the gentlelady. The
502 gentlelady yields back.

503 The chair recognizes the gentleman from New Mexico, Mr.
504 Lujan, for one minute for the purpose of an opening statement.

505 Does anyone on the Democratic side seek time for an opening
506 statement?

507 Seeing none, on the Republican side?

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508 Mr. Collins is recognized for one minute.

509 Mr. Collins. Thank you, Mr. Chairman.

510 I commend the efforts of this committee and Congresswoman
511 Susan Brooks for spearheading the Pandemic and All-Hazards
512 Preparedness Reauthorization Act.

513 In considering this legislation, I would like to address a
514 safety issue related to glass breakage, cracks, and particles in
515 glass vials that may pose a threat to the drugs contained in the
516 glass vials.

517 Since December, the FDA has issued five glass recalls and
518 the agency has warned both health care providers and patients that
519 glass particles and cracks can cause blood clots, sepsis and other
520 life-threatening events.

521 As this relates to PAHPA reauthorization, this issue may
522 affect the countermeasures currently in the stockpile. I feel
523 it is important for those overseeing the stockpiles to be made
524 aware of congressional interest in ensuring that safety measures
525 are adhered to and we need the FDA to conduct a study to quantify
526 the status of the current stockpile as it relates to the integrity
527 of the glass vials.

528 I hope to work with the committee and Congresswoman Brooks
529 on ensuring America has safe, secure, and sterile
530 countermeasures.

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25

531 Thank you, and I yield back.

532 Mr. Burgess. The chair thanks the gentleman. The
533 gentleman yields back.

534 Anyone remaining on the Democratic side that would seek time
535 for an opening statement?

536 Seeing none, on the Republican side anyone seeking time for
537 an opening statement?

538 Seeing none, the chair reminds members pursuant to committee
539 rules, all members' opening statements will be made part of the
540 record.

541 The chair calls up H.R. 959 and asks the clerk to report.

542 [The Bill H.R. 959 follows:]

543

544 *****INSERT 2*****

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26

545 The Clerk. H.R. 959, to amend Title VIII of the Public
546 Health Service Act to extend advanced education nursing grants
547 to support clinical nurse specialist programs and for other
548 purposes.

549 Mr. Burgess. Without objection, the first reading of the
550 bill is dispensed with. The bill will be open for amendment at
551 any point. So ordered.

552 The chair recognizes himself to offer an amendment in the
553 nature of the substitute. The clerk will report the amendment.

554 [The Amendment offered by Mr. Burgess follows:]

555

556 *****INSERT 3*****

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27

557 The Clerk. Amendment in the nature of a substitute to H.R.
558 959, offered by Mr. Burgess.

559 Mr. Burgess. Without objection, the reading of the
560 amendment is dispensed with. The chair recognizes himself for
561 five minutes in support of the amendment.

562 The Title VIII Nursing Workforce Reauthorization Act of
563 2018, introduced by Mr. Joyce of Ohio, reauthorizes the Title VIII
564 nursing workforce programs for fiscal years 2019 through 2023.

565 Similar to the Title VII programs, these nursing programs
566 have expired but continue to receive appropriations. This
567 legislation reauthorizes important programs that range from
568 providing advanced practice nurses with additional educational
569 opportunities to increasing nursing workforce diversity.

570 The country is in the midst of a nursing shortage and we must
571 ensure that our health care system has the capacity to educate
572 and retain a qualified workforce that allows for career
573 advancement.

574 This bill includes grants for nurses of different levels of
575 education to obtain further education to advance within their
576 profession.

577 The amendment in the nature of the substitute simply changes
578 the reauthorization levels to reflect the fiscal year 2018 omnibus
579 and subsequent technical assistance from the Department of Health

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580 and Human Services. I urge my colleagues to support the amendment
581 and yield back my time.

582 Is there any other members seeking to speak on this
583 amendment?

584 Seeing none, the question then occurs on the amendment to
585 H.R. 959.

586 All in favor, say aye.

587 All opposed, no.

588 The ayes appear to have it. The ayes have it.

589 The amendment is agreed to.

590 Are there other amendments?

591 If there is no further discussion, the vote occurs.

592 The gentlelady is recognized for five minutes.

593 Ms. Castor. Thank you, Mr. Chairman and Ranking Member
594 Green, for holding this markup on H.R. 959.

595 This is so important. H.R. 959 would reauthorize vital
596 nursing workforce development grants. In my hometown of Tampa,
597 we are fortunate to have one of the preeminent college of nursing
598 -- colleges of nursing in the whole country at the University of
599 South Florida.

600 And I have visited numerous times, most recently in April.
601 Specifically on that visit was to learn how they are treating our
602 veterans.

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603 But every time I go, they tell me they are having to turn
604 away prospective nursing students because they are struggling to
605 find qualified nurse faculty to teach the nurses of tomorrow, and
606 they emphasize how important Title VIII is -- how it helps
607 incentivize nurses to teach.

608 One initiative in Title VIII is the nurse faculty loan
609 program, which aims to increase the number of qualified nursing
610 faculty to teach at accredited schools of nursing to help bolster
611 the nursing workforce.

612 The College of Nursing at USF told me that they have 15 nurse
613 graduates that have just completed the nurse faculty loan program.
614 So getting more nurse faculty in the pipeline and out to schools
615 of nursing with help high growth states like Florida and all of
616 us who are in desperate need of a robust nursing workforce.

617 The dean at the USF College of Nursing, Victoria Rich, says
618 that by 2025, Florida will be short by about 56,000 registered
619 nurses. So it's vital that Title VIII is reauthorized to ensure
620 that we have qualified nurses to fill that gap and to care for
621 our families.

622 So thank you again, Mr. Chairman and Ranking Member Green,
623 for holding this subcommittee markup and I hope that H.R. 959 can
624 quickly make its way through the committee and on to the House
625 floor.

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626 I yield back my time.

627 Mr. Burgess. The gentlelady yields back. The chair thanks
628 the gentlelady.

629 The question now occurs on forwarding H.R. 959 as amended
630 to the full committee.

631 All those in favor, say aye.

632 All those opposed, no.

633 The ayes appear to have. The ayes have it and the bill is
634 agreed to.

635 The chair now calls up H.R. 1676 and asks the clerk to report.

636 [The Bill H.R. 1676 follows:]

637

638 *****INSERT 4*****

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31

639 The Clerk. H.R. 1676, to amend the Public Health Service
640 Act to increase the number of permanent faculty and palliative
641 care at accredited allopathic and osteopathic medical schools,
642 nursing schools, social work schools, and other programs,
643 including physician assistant education programs to promote
644 education and research in palliative care and hospice and to
645 support the development of faculty careers in academic palliative
646 medicine.

647 Mr. Burgess. Without objection, the first reading of the
648 bill is dispensed with and the bill is open for amendment at any
649 point. So ordered.

650 Are there any bipartisan amendments to the bill?

651 Are there any amendments to the bill?

652 For what purposes does the gentleman from Texas seek
653 recognition?

654 Mr. Green. Mr. Chairman, I have an amendment in the nature
655 of a substitute for H.R. 1676.

656 [The Amendment offered by Mr. Green follows:]

657

658 *****INSERT 5*****

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659 Mr. Burgess. The clerk will report the amendment.

660 The Clerk. Amendment in the nature of a substitute to H.R.
661 1676, offered by Mr. Green.

662 Mr. Burgess. Without objection, the reading of the
663 amendment is dispensed with and Mr. Green is recognized for five
664 minutes in support of his amendment.

665 Mr. Green. Thank you, Mr. Chairman.

666 The amendment I have is actually Congressman Eliot Engel's
667 amendment. He was detained in his district in New York. He was
668 one of our survivors in the primaries that we had and but I want
669 to thank my colleague, Congressman Engel, for his hard work on
670 the legislation.

671 I want to also thank the co-sponsors, Representative Buddy
672 Carter of Georgia and Representative Tom Reed of New York, for
673 their work in support of this important legislation.

674 This is a bipartisan amendment making technical edits and
675 adjusts the authorization level and modifies the text to ensure
676 that funding is not diverted from current priorities.

677 Palliative care complements efforts to treat or cure illness
678 by focusing on a patient's quality of life. It's appropriate for
679 patients with serious illness, starting at the point of diagnosis
680 through treatment and on ward through hospice and end of life.

681 Palliative care entails communication with patients, their

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682 families to coordinate care, determine patient preferences, and
683 assist with medical decision making.

684 A growing body of research has documented the benefits of
685 high-quality palliative and hospice care for patients and
686 families, hospitals and payers, and with the health care system
687 as a whole.

688 Palliative and hospice care has been associated with
689 enhanced quality of life for patients to reduce hospital
690 expenditures and lengths of stay and other positive outcomes
691 including longer patient survival time.

692 Despite the benefits of palliative care, many Americans
693 aren't aware of the supports available to them. There is also
694 a shortage of educated providers who can offer quality palliative
695 care.

696 The Palliative Care and Hospice Education and Training Act
697 aims to address these issues. The legislation will help create
698 an infrastructure to improve palliative care training for health
699 care providers, encourage NIH to expand its research on palliative
700 care and pain management, and ensure Americans have an
701 understanding of how palliative care may benefit them and their
702 loved ones.

703 I am proud to be a co-sponsor of this legislation. In fact,
704 the bill has 277 co-sponsors -- nearly two-thirds of the entire

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34

705 House of Representatives.

706 I urge my colleagues to support this amendment and the
707 underlying bill, and I yield back my time.

708 Mr. Burgess. The chair thanks the gentleman. The
709 gentleman yields back.

710 For what purposes does the gentleman from Georgia seek
711 recognition?

712 Mr. Carter. Move to strike the last word, Mr. Chairman.

713 Mr. Burgess. The gentleman is recognized for five minutes.

714 Mr. Carter. Mr. Chairman, I move to strike the last word.

715 I am proud to be an original co-sponsor on this bill that
716 currently has more than 275 bipartisan co-sponsors. This
717 legislation supports funding programs to provide clinical
718 palliative medicine training in a variety of settings including
719 hospice, establishes a program to enable hospice and palliative
720 physicians to train teams of interdisciplinary health care
721 professionals in palliative and hospice care techniques, and
722 expands the types of professionals trained to provide hospice care
723 including nurses and clinical social workers.

724 Before my time in Congress, I served as a pharmacy consultant
725 for hospice care. I've seen firsthand the impact that proper
726 palliative care can have on patients and families going through
727 incredibly difficult decisions at the end of their lives.

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728 This legislation ensures that there is a well-trained
729 palliative care workforce available and ready for those
730 individuals with serious illnesses.

731 I want to thank you, Mr. Chairman, for holding this markup
732 today and expanding options for our aging and seriously ill
733 population.

734 I thank you, and I yield back.

735 Mr. Burgess. The chair thanks the gentleman. The
736 gentleman yields back.

737 Are there any -- is there any other member that wishes to
738 be heard on the Green amendment?

739 Are there any other amendments to the amendment?

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

742 All those in favor shall signify by saying aye.

743 All those opposed, no.

744 The ayes appear to have it. The ayes have it.

745 The amendment in the nature of a substitute is agreed to.

746 The question now occurs on forwarding H.R. 1676 as amended
747 to the full committee.

748 All those in favor, say aye.

749 All those opposed, no.

750 The bill is agreed to and forwarded to the full committee.

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751 The chair calls up H.R. 3728 and asks the clerk to report.

752 [The Bill H.R. 3728 follows:]

753

754 *****INSERT 6*****

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37

755 The Clerk. H.R. 3728, to amend Title VII of the Public
756 Health Service Act to reauthorize certain programs relating to
757 the health profession's workforce and for other purposes.

758 Mr. Burgess. Without objection, the first reading of the
759 bill is dispensed with and the bill is open for amendment at any
760 point. So ordered.

761 And I will recognize myself to offer an amendment in the
762 nature of a substitute and ask the clerk to report.

763 [The Amendment offered by Mr. Burgess follows:]

764

765 *****INSERT 7*****

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38

766 The Clerk. Amendment in the nature of a substitute to H.R.
767 3728, offered by Mr. Burgess.

768 Mr. Burgess. Without objection, the reading of the
769 amendment is dispensed with and the chair recognizes the chair
770 for five minutes in support of the amendment.

771 The Educating Medical Professionals and Optimizing
772 Workforce Efficiency and Readiness Act of 2018 will reauthorize
773 Title VII health professions workforce programs for fiscal years
774 2019 through 2023.

775 Title VII programs have expired but have continued to receive
776 appropriations. In fact, this year the appropriations levels for
777 those programs has increased.

778 The amendment in the nature of a substitute changes the
779 authorization levels included in the bill as originally
780 introduced to reflect fiscal year 2018 omnibus appropriations.

781 The amendment also incorporates technical assistance that
782 we receive from the Department of Health and Human Services.

783 Title VII of the Public Health Service Act includes various
784 programs that are vital to building and maintaining a
785 well-educated well-trained physician workforce.

786 The EMPOWER Act reauthorizes funding for area health
787 education centers at more than \$38 million per year. These
788 centers are critical in providing both medical education and

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789 health care services to medically underserved areas.

790 There are also several programs to incentivize diversity in
791 the work force including the Centers of Excellence program, which
792 this bill authorizes at a level of \$23 million per year.

793 This program provides grants to medical schools that have
794 a disproportionate number of minority students for the purpose
795 of expanding the school's capacity or to improve curriculum.

796 Additionally, the bill authorizes funding for our primary
797 care training and enhancement program at nearly \$43 million per
798 year.

799 This program provides grants to hospitals and health
800 profession schools to develop and operate supplemental primary
801 care training programs.

802 This legislation makes strides towards modernizing the
803 geriatrics workforce enhancement program and the geriatric
804 academic center awards, and authorizes them jointly at a level
805 of about \$40 million per year.

806 With an aging population, our workforce does need to be
807 adequately trained in handling the unique needs of seniors. This
808 provides opportunities to train geriatric specialists to develop
809 geriatric-specific programs in underserved areas.

810 Reauthorizing Title VII programs is long overdue. I urge
811 members on this subcommittee to support the bill.

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812 Are there any bipartisan amendments to the amendment?

813 Seeing none, the discussion -- the vote occurs on the
814 amendment in the nature of a substitute.

815 All those in favor, signify by saying aye.

816 I beg your pardon.

817 For what purpose does the gentlelady from Illinois seek
818 recognition?

819 Ms. Schakowsky. Strike the last word.

820 Mr. Burgess. The gentlelady is recognized for five minutes.

821 Ms. Schakowsky. Thank you.

822 So I am very pleased, Mr. Chairman, to lead H.R. 3728 with
823 you, the EMPOWER Act. This bill includes provisions to
824 reauthorize the geriatric healthcare workforce development grant
825 program. It would -- it works to fully achieve the goal of
826 supporting tomorrow's health providers.

827 Our nation is facing a severe and mounting shortage of health
828 care professionals to meet the need of older Americans. It is
829 estimated that by 2030, 3.5 million trained health care workers
830 will be needed just to maintain the current access level for older
831 Americans.

832 This means that unless we act now, seniors, especially those
833 with multiple chronic conditions and cognitive impairments, may
834 not receive the quality of care they need.

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835 The reauthorization of geriatric workforce enhancement
836 programs and reestablishment of the geriatric academic career
837 awards are critical in addressing the shortage. This bill
838 confronts the challenge head on as the geriatric workforce
839 enhancement program is the only federal program dedicated to
840 developing a health care workforce that maximizes the engagement
841 of older adults and family care givers will improving health
842 outcomes.

843 Taking affirmative steps to achieve these objectives is
844 essential to ensuring that all of us have access to high-quality
845 health care as we age.

846 The geriatric workforce enhancement programs promote
847 interdisciplinary team-based care by integrating geriatrics with
848 primary care delivery systems.

849 These programs improve the quality of care delivered to older
850 Americans by providing education to families and care givers and
851 critical care challenges like Alzheimer's disease and related
852 dementia.

853 In Chicago, Rush University Medical Center is one of the
854 outstanding health and education institutions to receive a grant
855 from the Health Resources and Services Administration to
856 administer a geriatric workforce enhancement program.

857 At Rush, providers are trained to better care for older

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858 adults and this training will continue to benefit more and more
859 people as it expands our workforce.

860 This bill also reestablishes the geriatric academic career
861 awards which allows training programs to reach more under served
862 and rural communities. Since 1998, original geriatric academic
863 career award recipients have trained as many as 65,000
864 professionals in geriatrics and have contributed to geriatrics
865 education, research, and leadership across the United States --
866 these critical programs that train professionals with an emphasis
867 on engaging the whole continuum of care for seniors.

868 This means training geriatric specialists to involve home
869 health care aides, family care givers, and primary care doctors.

870 I was encouraged to see that in last year's appropriations,
871 fiscal year 2018, we increased the funding for these geriatric
872 workforce programs by \$2 million.

873 I am hopeful that as we continue working on this bill we can
874 raise the authorization level to \$51 million so that we can
875 continue to invest in the wellbeing of our nation's seniors,
876 because whether you are young or old, every one of us will need
877 care as we age.

878 Investing now in this workforce is the best way to ensure
879 that we are prepared to provide the health care required. This
880 bill is a great start.

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881 Thank you, Chairman Burgess, for your work with me on this
882 bill and I look forward to reauthorizing these critical programs.

883 Thank you, and I yield back.

884 Mr. Burgess. The gentlelady yields back. The chair thanks
885 the gentlelady for her supportive statements.

886 Are there any other members wishing to be heard on the bill?

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

889 All those in favor will signify by saying aye.

890 All those opposed, no.

891 The ayes appear to have it. The ayes have it and the
892 amendment in the nature of a substitute is agreed to.

893 The question now occurs on forwarding H.R. 3728 --

894 Ms. Castor. Move to strike the last word on the bill.

895 Mr. Burgess. For what purpose does the gentlelady seek --

896 Ms. Castor. Move to strike the last word.

897 Mr. Burgess. The gentlelady is recognized for five minutes.

898 Ms. Castor. Thank you, Mr. Chairman.

899 I want to thank you and Congresswoman Schakowsky and
900 Congressman Bucshon for sponsoring the EMPOWER Act.

901 And just want to mention I know everyone on the committee
902 is very concerned about the modern health care workforce and how
903 we promote diversity within the health care workforce.

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904 And I wanted to mention to everyone -- to members, to the
905 professional staff, to interested members of the public -- that
906 today, in Rayburn 2043, the bipartisan Congressional Academic
907 Medicine Caucus -- yes, there is such a thing -- it's kind of known
908 as the GME Caucus -- that I invite you to attend a bipartisan
909 briefing that is being put on by the Association of American
910 Medical Colleges on just this topic.

911 The lunch briefing will examine how federal policies can
912 support increases in both accessibility and quality of care for
913 underserved communities -- how we address the gaps in workforce
914 diversity.

915 But we have a great panel of experts and medical
916 professionals who are going to lead this briefing. So I encourage
917 everyone to attend and note that lunch will be provided.

918 And I yield to Congresswoman Schakowsky.

919 Ms. Schakowsky. I neglected to thank Representative
920 Bucshon. I thank him very much for participating and
921 co-sponsoring this legislation as well.

922 Thank you. I yield back to --

923 Mr. Burgess. The chair thanks the gentlelady. The
924 gentlelady yields back.

925 Is there further discussion?

926 Seeing none, the question now occurs on forwarding H.R. 3728

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927 as amended to the full committee.

928 All those in favor, say aye.

929 All those opposed, no.

930 The ayes appear to have it. The ayes have it and the motion
931 is agreed to.

932 The chair calls up H.R. 5385 and asks the clerk to report.

933 [The Bill H.R. 5385 follows:]

934

935 *****INSERT 8*****

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46

936 The Clerk. H.R. 5385, to amend the Public Health Service
937 Act to reauthorize the program of payments to children's hospitals
938 to operate graduate medical education programs and for other
939 purposes.

940 Mr. Burgess. Without objection, the first reading of the
941 bill is dispensed with. The bill is open to amendment at any
942 point. So ordered.

943 And I will recognize myself to offer an amendment in the
944 nature of a substitute and the clerk will report the amendment.

945 [The Amendment offered by Mr. Burgess follows:]

946

947 *****INSERT 9*****

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948 The Clerk. Amendment in the nature of a substitute to H.R.
949 5385, offered by Mr. Burgess.

950 Mr. Burgess. Without objection, the reading of the
951 amendment is dispensed with and the chair is recognized for five
952 minutes in support of the amendment.

953 According to the proposed fiscal year 2019, the Labor, Health
954 and Human Services, and Education appropriations bill, Children's
955 Hospital Graduate Medical Education, will receive \$325 million,
956 which is an increase of \$10 million above the enacted fiscal year
957 2018 level.

958 The amendment to H.R. 5385, the Children's Hospital GME
959 Support Reauthorization Act of 2018, updates and aligns the
960 funding levels in the bill with the level established in the fiscal
961 year 2019 House Labor, Health and Human Services, and Education
962 appropriations bill.

963 I think every one of us on this subcommittee agrees that our
964 children deserve the best care available to them and ensuring that
965 we have an adequately prepared pediatric workforce is vital to
966 providing quality health care to our children.

967 Currently, hospitals that receive Children's Hospital
968 Graduate Medical Education funding train nearly half of our
969 nation's pediatricians and pediatric subspecialists.

970 Prior to the establishment of Children's Hospital Graduate

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971 Medical Education, these children's hospitals received minimal
972 graduate medical education funding because Medicare is the
973 primary funding source for graduate medical education programs
974 and children's hospitals have few Medicare patients.

975 The annual \$325 million authorization level for fiscal years
976 2019 through 2023 is a positive step in helping children's
977 hospitals address their workforce shortage issues.

978 I, obviously, urge support of this amendment and the
979 underlying bill.

980 Does any other member seek recognition on the amendment for
981 the purpose -- does Mr. Green seek recognition?

982 Mr. Green. Mr. Chairman, I'd strike the last word --

983 Mr. Burgess. The gentleman is recognized for five minutes.

984 Mr. Green. -- and speak in support of H.R. 5385 and the
985 amendment in the nature of a substitute.

986 The Children's Hospital GME Support Reauthorization Act --
987 I am proud to introduce this legislation with Dr. Burgess that
988 would reauthorize Children's Hospital Graduate Medical Education
989 program.

990 The CHGME payment program was created to authorized payments
991 to children's hospitals, support medical residency training
992 programs.

993 Although most hospitals typically receive GME funding

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994 through Medicare, pediatric hospitals treat very few patients
995 enrolled in Medicare, denying those hospitals similar support
996 from the federal government.

997 CHGME program provides needed funding for training pediatric
998 workforce including pediatricians and pediatric subspecialists
999 as well as physician types and nonpediatric-focused specialists
1000 that rotate through a children's hospital for a period of time
1001 during their residency.

1002 Since its creation, the payment program has made it possible
1003 for thousands of pediatricians to receive training. These
1004 physicians receiving training in one of the 58 free-standing
1005 children's hospitals in 29 states go on to serve in rural and
1006 underserved areas, helping to alleviate the pediatric workforce
1007 shortage impacting communities throughout America.

1008 The CHGME program is needed now more than ever to help train
1009 the pediatric workforce which will be required to meet the needs
1010 of our children and grandchildren.

1011 Our legislation will authorize the CHGME program for five
1012 years with a 10 percent funding increase. The current
1013 authorization will expire at the end of the current fiscal year.
1014 So it's important that we reauthorize this program.

1015 As of today, our bipartisan legislation has 61 co-sponsors,
1016 equally divided between Democrats and Republicans, including many

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1017 members of our committee.

1018 The legislation has strong support from outside stakeholders
1019 including the American Hospital Association and the Children's
1020 Hospital Association, and I ask my colleagues to join Dr. Burgess
1021 and myself in supporting this important legislation.

1022 I yield back my time.

1023 Mr. Burgess. Will the gentleman yield to the gentlelady
1024 from Tennessee?

1025 Mr. Green. Glad to yield to Marsha.

1026 Mrs. Blackburn. Move to strike the last word, and I thank
1027 the gentleman for yielding.

1028 And I do speak in favor of this amendment in the nature of
1029 a substitute. The importance of this should be recognized and
1030 I thank everyone for the bipartisan work on this.

1031 As an example of how this is used, St. Jude Children's
1032 Hospital receives \$2 million a year from this program. They use
1033 this to train 40 physician oncologists in a subspecialty every
1034 year and then these physicians not only serve Tennessee but
1035 children in other states who are suffering from cancer and related
1036 diseases.

1037 So I appreciate the good work on this. I am pleased to be
1038 a co-sponsor and I urge support and yield back.

1039 Mr. Burgess. The gentlelady yields back -- the gentleman

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1040 from Texas, who also yields back.

1041 Are there any other members who seek recognition?

1042 For what purpose does the gentlelady from California seek
1043 recognition?

1044 Ms. Eshoo. Strike the last word.

1045 Mr. Burgess. The gentlelady is recognized for five minutes.

1046 Ms. Eshoo. Thank you, Mr. Chairman.

1047 I just want to say, quickly, how really pleased I am that
1048 the committee comes together to support this magnificent program.

1049 The Graduate Medical Education that produces one generation
1050 after another of just extraordinary physicians that take such
1051 extraordinary care of those that need extraordinary care.

1052 I think it's a jewel in the crown of our health care system
1053 in the country. I see it firsthand at Lucille Packard Children's
1054 Hospital in my district, the children's hospitals, which are a
1055 source of pride to all of us, especially the members that have
1056 children's hospitals in their district.

1057 So bravo to the committee for doing this once again. It's
1058 so important to our country and I think it's really one of the
1059 great sources of pride not only to me but to -- and the members
1060 of the committee but all the members of Congress.

1061 So thank you, and I yield back.

1062 Mr. Burgess. The chair thanks the gentlelady. The

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1063 gentlelady yields back.

1064 If there is no further discussion, the vote occurs on the
1065 amendment in the nature of a substitute.

1066 All those in favor, signify by saying aye.

1067 All those opposed, no.

1068 The ayes appear to have it. The ayes have it and the
1069 amendment in the nature of a substitute is agreed to.

1070 The question now occurs on forwarding H.R. 5385 as amended
1071 to the full committee.

1072 All those in favor, say aye.

1073 All those opposed, no.

1074 The ayes appear to have it. The ayes have it. The motion
1075 is agreed to.

1076 We have one last bill. We will take a quick 15-minute recess
1077 and reconvene at 10:15.

1078 Without objection, so ordered.

1079 [Recess.]

1080 Mr. Burgess. I call the subcommittee back to order and thank
1081 everyone for their -- for their indulgence.

1082 The chair calls up the committee print entitled, Pandemic
1083 All-Hazards Preparedness Reauthorization Act of 2018 and asks the
1084 clerk to report.

1085 [The Bill follows:]

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1087

*****INSERT 10*****

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1088 The Clerk. Discussion draft, to reauthorize certain
1089 programs under the Public Health Service Act and the federal Food,
1090 Drug, and Cosmetic Act with respect to public health security and
1091 all-hazards preparedness and response, and for other purposes.

1092 Mr. Burgess. Without objection, the first reading of the
1093 bill is dispensed with and the bill is open for amendment at any
1094 point. So ordered.

1095 The chair recognizes Mrs. Blackburn of Tennessee to offer
1096 an amendment.

1097 Mrs. Blackburn. Thank you, Mr. Chairman.

1098 I have an amendment at the desk.

1099 Mr. Burgess. The clerk will report.

1100 [The Amendment offered by Mrs. Blackburn follows:]

1101

1102 *****COMMITTEE INSERT 11*****

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55

1103 The Clerk. Amendment to the committee print offered by Mrs.
1104 Blackburn.

1105 Mr. Burgess. Without objection, the reading is dispensed
1106 with and the gentlelady from Tennessee is recognized for five
1107 minutes on her amendment.

1108 Mrs. Blackburn. Thank you, Mr. Chairman.

1109 This amendment requires the assistant secretary for
1110 preparedness and response at HHS to do three things.

1111 First, the amendment requires the assistant secretary to
1112 report to this committee on a weekly basis regarding the status
1113 and welfare of children separated from their parent or guardian
1114 who are awaiting reunification as well as the number of children
1115 in facilities funded by HHS.

1116 Second, the amendment requires the assistant secretary to
1117 submit to the committee a formal strategy to reunify children who
1118 have been separated from their parent or guardian and placed into
1119 a facility funded by HHS.

1120 And finally, this amendment requires the assistant secretary
1121 to submit to the committee a strategy to address deficiencies
1122 identified by the committee as early as 2014 regarding HHS
1123 oversight of and care for unaccompanied children in their custody.

1124 And this is an issue, Mr. Chairman, that you and I have worked
1125 on since 2014, looking at the care and the welfare of the children

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1126 that were in these Office of Refugee Resettlement facilities and
1127 I have a body of letters that we have written -- that we wrote
1128 on 2014, some of them from this committee -- some of them that
1129 you and I wrote, seeking guidance from appropriators, looking to
1130 freeze funds and withhold funds until we made certain that these
1131 children were being properly cared for and that these facilities
1132 were being operated in a way that brought transparency and
1133 accountability so that we knew the welfare of these children were
1134 first and foremost in what was being handled.

1135 And, of course, we realized these facilities are operated
1136 by contractors. This is something you and I and others have
1137 recently in recent days talked with HHS regarding this manner,
1138 and I think that it is appropriate that we ask for these three
1139 simple very specific steps.

1140 And I would be happy to yield time to Mr. --

1141 Mr. Upton. Would the gentlelady yield?

1142 Mrs. Blackburn. I will be happy to yield to Mr. Upton.

1143 Mr. Upton. I want to say I appreciate this amendment and
1144 I am -- I know I join most if not all my colleagues in trying to
1145 find a solution to this zero tolerance policy.

1146 But I just want to remind our colleagues that we have been,
1147 as a committee, engaged in this for some time, and I would like
1148 to put into the record three letters that I wrote as chairman of

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1149 the full committee back in 2015 and 2016 to Secretary Burwell,
1150 asking for information relating to the separation of parents.
1151 The provided a number of documents. We made some progress, I
1152 think, because of this committee's work.

1153 ORR has been dramatically improved. There is more
1154 clinicians available to kids. They are conducting more follow-up
1155 after children are placed with sponsors, and it's an issue that
1156 we shouldn't shy away from and I am very much in support of the
1157 gentlelady's amendment.

1158 I yield back.

1159 Mrs. Blackburn. I appreciate the gentleman's support.

1160 Mr. Burgess. Without objection, so ordered. It will be
1161 made part of the record. The chair thanks the gentlelady.

1162 [The information follows:]

1163

1164 *****COMMITTEE INSERT 12*****

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1165 Mrs. Blackburn. Are other members seeking to speak on this?

1166 Mr. Chairman, I will just say as we have sought to protect
1167 these children that were in the custody of ORR that we make certain
1168 that those case workers who are working so hard to vet and verify
1169 and to make certain that these children are going to someone who
1170 has a family member that we are not placing them in harm's way
1171 -- that they are not being released to individuals who are not
1172 family members -- that we need to have transparency, we need to
1173 have accountability into these facilities. We are fully aware
1174 that they are operating in 17 different states and that there are
1175 over a hundred facilities now.

1176 So I appreciate the agreement -- bipartisan agreement on
1177 looking at these facilities and I yield back my time.

1178 Mr. Burgess. The chair thanks the gentlelady. The
1179 gentlelady yields back.

1180 Other members wishing to be heard on the amendment?

1181 For what purpose does the gentleman from New Jersey seek
1182 recognition?

1183 Mr. Pallone. Speak in support of the amendment.

1184 Mr. Burgess. The gentleman is recognized for five minutes.

1185 Mr. Pallone. I just want our colleagues to understand why
1186 the Democrats proposed these for amendments and I just want to
1187 speak from my own personal experience.

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1188 On Father's Day, I went to the Elizabeth Detention Center
1189 in my home state with seven members of Congress from New York and
1190 New Jersey, and we met with fathers who had been, in some cases
1191 -- all of whom had been separated from their kids or younger
1192 siblings, but three in particular who had been treated -- whose
1193 kids were taken away from them because of the president -- Trump's
1194 zero tolerance policy in the last few months, and neither ICE nor
1195 the prison facilities nor any of the fathers were aware where their
1196 children were, had no communication with the children. They were
1197 taken from them, in some cases, in the middle of the night, all
1198 without their consent, obviously.

1199 And when I asked ICE about the policy I was told there is
1200 no policy to have these fathers know where their kids are or
1201 communicate with them.

1202 Last week, I spoke with the secretary of Health and Human
1203 Services. He said the opposite. He said there is a policy --
1204 they will be reunited -- they can talk to their kids.

1205 But that's not happening. And so as much as I appreciate
1206 the gentlewoman's amendment, because from what I can see -- and,
1207 of course, I just got this, as you just got ours earlier -- it
1208 would seem to incorporate both Mr. Lujan's amendment about the
1209 -- having a strategy and Ms. Schakowsky's amendment about the
1210 weekly reports, and so I do appreciate that and I intend to support

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1211 the amendment.

1212 But it doesn't provide for a hearing, and on June 20th I asked
1213 the chairman -- every Democratic member of this committee asked
1214 the chairman of both the full committee and the subcommittee to
1215 hold a hearing and we have not gotten a response, and my sense
1216 of Congress resolution, which I still intend to move as an
1217 amendment, specifically says that we need to have a hearing
1218 immediately on this.

1219 And I don't say it because I just like to go to hearings.
1220 I mean, you could have it tomorrow or you could have it Friday.
1221 It needs to be done soon, and the reason is because there is so
1222 much confusion about what HHS and ASPR are actually doing or not
1223 doing.

1224 And I am not talking about media reports. Obviously, there
1225 are plenty of media reports that really suggest that they are
1226 completely ineffective and incompetent in what they are doing in
1227 this effort to reunite these kids.

1228 But I am talking from personal experience -- from personal
1229 experience, meeting with fathers, in this case, and others have
1230 met with the mothers in Texas along the border -- that we have
1231 no confidence whatsoever that the department is actually doing
1232 what they say they are going to do.

1233 They are saying they are going to reunite the kids. They

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1234 are saying they are going to be able to talk to their kids. They
1235 are saying all these things.

1236 But it's not the case. It's not happening, and that's why
1237 we need a hearing. Just having weekly reports and saying that
1238 they are going to put together a strategy is not enough because
1239 the proof is in the fact that they haven't actually done these
1240 things.

1241 And I think if you don't have a hearing and if we don't --
1242 this committee doesn't take on that oversight responsibility
1243 immediately, we will not get to the bottom of this.

1244 So as much as I appreciate the gentlewoman's amendment --
1245 and I will support it and I urge my colleagues to support it --
1246 I would request, Mr. Chairman -- either Mr. Walden or Mr. Burgess
1247 -- that we have an immediate hearing and I do intend to pursue
1248 that sense of Congress because of what's actually happening out
1249 there. I am not making this up. I saw it myself, and I continue
1250 to be concerned.

1251 I don't know if any -- I have a minute but I think --
1252 Mrs. Blackburn. If the gentleman would yield.

1253 Mr. Pallone. Yes. Sure, I'll yield.

1254 Mrs. Blackburn. I appreciate that.

1255 In 2014 when I first visited the retention centers and the
1256 reception centers also, it was appalling to me, as a mother, to

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1257 see these conditions, and that is why at that point in time I
1258 started to work on this issue and to bring this forward.

1259 So I think that what we need to do is pull forward this entire
1260 body of work. The letters that Mr. Upton did -- the letters that
1261 Mr. Burgess and I did and --

1262 Mr. Pallone. Let me -- let me just take my time back with
1263 the 30 seconds.

1264 I don't disagree with you. But I am not -- I am not talking
1265 about the conditions of the facilities. I understand you have
1266 that in the -- in your amendment. I don't have a problem. I will
1267 support that.

1268 But what I am saying to you is it's not -- I am not talking
1269 about the conditions of the facilities. That's an ongoing issue
1270 that certainly can be looked into.

1271 I am talking about the fact that I am worried that these kids
1272 are not going to be reunited. I am worried that the parents in
1273 the case of the ones that I am aware of have no knowledge of where
1274 their kids are and no communications with them. That's what needs
1275 to be addressed. You want to add the other, I don't have a
1276 problem.

1277 But that's why we need a hearing to address the immediate
1278 problem of the separation of kids and the failure of the department
1279 to reunite them and have communications with their parents.

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1280 That's my concern right now.

1281 So I -- I am done, Mr. Chairman.

1282 Mr. Burgess. The gentleman's time has expired.

1283 Other members seeking to be heard on the issue?

1284 For what purposes does the gentleman from Texas seek
1285 recognition?

1286 Mr. Green. I move to strike the last word.

1287 Mr. Burgess. The gentleman is recognized for five minutes.

1288 Mr. Green. Thank you, Mr. Chairman, and I want to thank my
1289 colleague from Tennessee for bringing up this amendment.

1290 I have one that would actually require for daily reports to
1291 our committee. A critical aspect of the work of the assistant
1292 secretary for preparedness and response is to track and unify --
1293 reunify families separated from their loved ones as a result of
1294 disasters and public health emergencies.

1295 In fact, ASPR website notes that tracking and reunification
1296 is a key aspect of the disaster management and recovery while
1297 acknowledging it can also be one of the most challenging.

1298 I believe we are facing a man-made disaster at the hands of
1299 the Trump administration as their zero tolerance immigration
1300 policy has resulted in forced separation of children from their
1301 parents at our southern border.

1302 This amendment that would require -- my amendment would

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1303 require the assistant secretary to report on a daily basis. But
1304 I agree with my colleague weekly would be fine, but I want those
1305 reports to come to our Energy and Commerce Committee on the status
1306 and welfare of the children currently in custody of the Department
1307 of Health and Human Services Office of Refugee Resettlement as
1308 well as the number of such children still waiting reunification
1309 with their family.

1310 This is critical information that Congress needs to order
1311 to -- in order to effectively conduct oversight and to understand
1312 the implications of the administration's action. We need
1313 real-time data, information on the status of these children, and
1314 how HHS is working to fix this man-made disaster.

1315 These children must be reunited with their families as
1316 quickly as possible and we know -- and we need to know how the
1317 administration is going to do that.

1318 I also ask that, Mr. Chairman, like my ranking member, that
1319 immediately when we come back after the 4th of July break that
1320 either the Health Subcommittee or the full committee hold a
1321 committee hearing and bring in people from HHS, because that's
1322 our job as a committee member here and in Congress to see how it's
1323 working.

1324 And, Mr. Chairman, I'd like to ask unanimous consent to place
1325 into the record two letters from the American Medical Association

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1326 and the American Psychiatric Association explaining how this
1327 separation is a detriment to these children.

1328 And just imagine -- I have two children that are now grown
1329 but I have four grandchildren -- how it would be on any of us who
1330 would -- couldn't find our children, no matter what we did or how
1331 we got here. They don't know it, and that's what's frustrating
1332 -- we are weeks into it.

1333 I ask unanimous consent to put these into the record, Mr.
1334 Chairman.

1335 Mr. Burgess. Without objection, so ordered.

1336 [The information follows:]

1337

1338 *****COMMITTEE INSERT 13*****

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1339 Mr. Green. And I yield back my time.

1340 Mr. Burgess. The gentleman yields back.

1341 For what purpose does the gentleman from Oregon seek
1342 recognition?

1343 The Chairman. To strike the last word.

1344 Mr. Burgess. The gentleman is recognized five minutes.

1345 The Chairman. I appreciate the comments from all our
1346 colleagues. I think we share a common concern here about the
1347 health and welfare of these young children and their parents, and
1348 that's what leads to the amendment that we have before us today.

1349 I want to commend the gentlelady from Tennessee for offering
1350 up this amendment so we can get more information on a timely basis
1351 and that we get assurance that they have a strategy for
1352 reunification.

1353 I would just suggest to my colleagues on both sides of the
1354 aisle that we are doing our oversight work. We have been in
1355 regular contact with HHS, as I believe you all have as well at
1356 the staff level, and we will be also submitting a series of
1357 questions to HHS and we would welcome your participation in that
1358 letter that we will be putting together, because we want to get
1359 the answers as well.

1360 We know back in 2014, tragically, some children were released
1361 to people that turned out to be less than worthy and ended up in

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1362 forced labor rings in Ohio. That's now been documented.

1363 And so I think it is also in the children's benefit to make
1364 sure that we know who they are being turned over to and that in
1365 some cases it could be the very coyotes that snuck them across
1366 the border who have ill will and evil in their heart.

1367 And so I think it is a difficult situation. We want this
1368 cleaned up, and I believe today on the House floor we will have
1369 an opportunity to vote on a law that would both secure our border,
1370 take care of DACA kids, and resolve some of these issues that are
1371 before us today.

1372 And so we have an opportunity there. We have an opportunity
1373 with this amendment and we will do our due diligence on this issue,
1374 going forward.

1375 And I yield back and ask our colleagues to support this
1376 amendment.

1377 Mr. Burgess. The chair thanks the gentleman. The
1378 gentleman yields back.

1379 Other people seeking recognition?

1380 For what purpose does the gentleman from New Mexico seek
1381 recognition?

1382 I am sorry -- the gentelady from Florida.

1383 Ms. Castor. Well, thank you, Mr. Chairman.

1384 You know, this amendment calls --

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1385 Mr. Burgess. The gentlelady is recognized for five minutes.

1386 Ms. Castor. I move to strike the last word.

1387 This amendment that calls for reports -- written reports
1388 really is an abdication of responsibility by this committee.

1389 There is no substitute for having oversight hearings and we
1390 -- the Democrats last week called for immediate oversight
1391 hearings, and this is really the first response we have had from
1392 our GOP colleagues.

1393 Meanwhile, it's been up to a federal judge now who ruled,
1394 late last night or this morning, that it's, frankly, outrageous
1395 that the Trump administration had no plan to reunify families.

1396 This judge said there is no genuine dispute that the
1397 government was not prepared to accommodate these separated
1398 children.

1399 Measures were not in place to provide for communication
1400 between governmental agencies responsible for detaining parents
1401 and those responsible for housing children nor to provide for
1402 ready communication -- even communication between separated
1403 parents and children.

1404 There was no reunification plan in place, and families have
1405 been separated for months. So now, the only answer from my
1406 colleagues on the other side of the aisle is to -- let's have
1407 reports, rather than ask the agencies to come here and explain.

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1408 What should have happened last week when it became apparent
1409 -- this tragedy became apparent that Congress should have acted.
1410 They should have acted immediately, and at the very least, this
1411 committee that has oversight responsibility for HHS should have
1412 called those agency officials to come and explain how they are
1413 going to reunify families.

1414 If they don't have a plan, we can help them develop a plan.
1415 But now, you're advocating your responsibility as a member of
1416 Congress, leaving it to the courts, when we should be the ones
1417 to take action.

1418 This committee, over the last week, has had hearings on all
1419 sorts of various topics. Are you telling me that all of those
1420 hearings -- the subjects of all of those hearings is more important
1421 than reuniting kids -- some toddlers, some babies -- with their
1422 parents that are hundreds of miles away?

1423 I think that's a real abdication of your responsibility. So
1424 let's -- sure, let's pass this amendment but we have some other
1425 important amendments to pass, too, about actually -- the committee
1426 actually functioning, actually playing its important role in this
1427 democracy, actually representing our families back home who are
1428 ringing our phones off the hooks and demanding action.

1429 So I think this is a -- this is kind of a sorry state of
1430 affairs. Let's actually pass an amendment that's -- let's

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1431 actually have a hearing today.

1432 Why don't we say -- why don't we ask the folks who are working
1433 in the building next door or down the street to come over and
1434 explain what the plan is? We have time to do this today or
1435 tomorrow or Friday. We can do this. We are members of Congress.

1436 Please don't minimize our role here. Let's get these
1437 families together and understand what resources are needed to make
1438 sure that babies, toddlers, other kids who are separated can
1439 actually see their parents.

1440 Otherwise, we know what all the health organizations have
1441 said. Thank you, Mr. Green, for putting this in the record, but
1442 here's the one from the American Psychological Association -- "The
1443 administration's policy of separating children from their
1444 families is not only needless and cruel and threatens the mental
1445 and physical health of both the children and the care givers. The
1446 longer that children and parents are separated, the greater
1447 reported symptoms of anxiety and depression of the children."

1448 And we know what the American Academy of Pediatrics has said,
1449 what faith-based organizations, the Conference of Catholic
1450 Bishops has said -- all across the board.

1451 Why is it the GOP in Congress and in the Energy and Commerce
1452 Committee -- that they are the only ones standing in the way of
1453 really understanding how we get these kids back together quickly

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1454 and safely?

1455 So, sure, we will pass this amendment but let's move on to
1456 the amendments that have meaning and actually setting a hearing,
1457 Mr. Chairman and colleagues.

1458 I'll yield back my time.

1459 Mr. Burgess. The chair thank the gentlelady. The
1460 gentlelady yields back.

1461 Other members seeking to be heard on the --

1462 The gentlelady -- the gentleman from New Mexico seeks
1463 recognition.

1464 Mr. Lujan. Thank you, Mr. Chairman, and --

1465 Mr. Burgess. The gentleman has five minutes.

1466 Mr. Lujan. -- move to strike the last word, sir.

1467 Mr. Chairman, I want to -- again, I'd associate myself with
1468 the remarks of my colleague from Florida, Ms. Castor, as well.

1469 But as it pertains to this amendment introduced by Mrs.
1470 Blackburn, I want to recognize my colleague for recognizing my
1471 amendment. I understand, Mr. Chairman, this amendment was
1472 introduced minutes ago.

1473 Mr. Burgess. Yes, they were filed this morning.

1474 Mr. Lujan. Do we know what time it was introduced, sir?

1475 Mr. Burgess. It would have been introduced at 10:30.

1476 Mr. Lujan. 10:30. Thank you, Mr. Chairman.

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1477 Mr. Barton. It's about an hour after yours.

1478 Mr. Lujan. I appreciate that, and I appreciate Mrs.

1479 Blackburn including what's 99 percent, I think, of the language

1480 in my amendment in this amendment. I know that my colleague has

1481 always worked with Democrats and I appreciate her acknowledging

1482 the good work product of an amendment that was introduced today.

1483 Mr. Chairman, I don't know if it's in order for me to ask

1484 unanimous consent that my name be added to the amendment since

1485 a big chunk of this is theirs. I'd ask unanimous consent that

1486 Lujan be added to Mrs. Blackburn's amendment, Mr. Chairman.

1487 Mr. Burgess. Is there an objection?

1488 Objection, so ordered.

1489 Mrs. Blackburn. No objection.

1490 Mr. Lujan. There is objection?

1491 Mrs. Blackburn. No. No objection.

1492 Mr. Lujan. Oh. Thank you, Mr. --

1493 Mr. Burgess. The gentleman from Oklahoma object?

1494 Mr. Mullin. I'll object to that. Absolutely.

1495 Mr. Burgess. Objection is --

1496 Mr. Lujan. I appreciate the bipartisanship of my good

1497 colleague from Oklahoma there. I am trying to give Mrs. Blackburn

1498 a compliment there, Mr. Chairman.

1499 But nonetheless, Mr. Chairman --

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1500 Mr. Butterfield. Mr. Chairman -- point of order, Mr.
1501 Chairman.

1502 I did not hear which member went on the record not giving
1503 unanimous consent to that. Who was the member?

1504 Mr. Burgess. The objection --

1505 Mr. Mullin. Markwayne Mullin from Oklahoma.

1506 Mr. Butterfield. Thank you. Markwayne Mullin. Thank
1507 you.

1508 Mr. Lujan. So, Mr. Chairman, look, I think that in the end
1509 here, I am not certain why this amendment was needed when we
1510 already had an amendment that was authored as that would be voted
1511 on.

1512 But it's unfortunate that even in the spirit of
1513 bipartisanship that my colleague from Oklahoma would object to
1514 something where we are working together to be able to get our names
1515 authored together as we are trying to move policy and I thought
1516 that bipartisan amendments were embraced by this committee.

1517 So I don't know, Mr. Chairman. I guess I was trying to get
1518 some more support there, Mrs. Blackburn, in the way that you saw
1519 the language that was in here before.

1520 But, Mr. Chairman, as Ms. Castor said as well, the importance
1521 of the amendments that have been filed I certainly hope that,
1522 clearly, the germaneness of the amendments has been made clear

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1523 by allowing us to be able to hear this amendment today and I
1524 certainly hope that the other bills will be kept in order -- the
1525 other amendments will be kept in order because they follow the
1526 same line here so that we can have a thorough conversation about
1527 what's been filed.

1528 So thank you, Mr. Chairman. I would yield to Mr. Sarbanes
1529 from Maryland.

1530 Mr. Sarbanes. I thank the gentleman for yielding.

1531 I just wanted to emphasize, again, the importance of our
1532 having a hearing, following what Congresswoman Castor said, where
1533 we bring professionals in here who can tell us what these long-term
1534 effects are on children of separating them from their parents,
1535 because there is been a lot of discussion of that in the press,
1536 a lot of the organizations that have insight into these long-term
1537 effects -- the toxic effects, really, the assaultive effects that
1538 come from separating young children from their parents.

1539 I've spoken to this. We need to assemble that expertise in
1540 our own committee and the reason is this. I am very much convinced
1541 that it was increasing attention to the long-term health impacts
1542 on children that became consequential in the decision of the
1543 administration to abandon this separation policy as that got more
1544 attention out there in the public.

1545 If we had had that kind of information assembled already,

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1546 we would have been in a position to enter the conversation early
1547 and maybe stop some of these separations from happening. At the
1548 very least we should now try to make up for that omission --
1549 previous omission -- get the professionals in here, assemble that
1550 information and be ready because I fully expect there will come
1551 a time down the line where children may, again, face these kinds
1552 of policy decisions and at that point we need to rapidly present
1553 the information and the evidence that indicates what an impact
1554 this can have -- the long-term health effects of this kind of a
1555 policy.

1556 So we have a responsibility to arm ourselves, equip
1557 ourselves, with that information that can only come from a hearing
1558 that this committee undertakes to get it together so we can be
1559 ready to do our job and to positively contribute to the kind of
1560 discussion about what should happen in terms of this kind of policy
1561 at the border.

1562 So, please, let us have this hearing. As Congresswoman
1563 Castor said, it's our responsibility and obligation to do it, and
1564 I yield back.

1565 Mr. Lujan. I yield back.

1566 Mr. Burgess. The gentleman yields back.

1567 For what purposes does the gentlelady from California seek
1568 recognition?

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1569 Mr. Barton. Mr. Chairman, can we have some majority
1570 recognition also, please?

1571 Mr. Burgess. I beg the indulgence of the former chairman.
1572 I have not seen any hands go up on the Republican side. But you
1573 are now --

1574 Mr. Barton. I did it very quietly.

1575 Mr. Burgess. I see that you always do.

1576 [Laughter.]

1577 For what purpose does the gentleman from Texas seek
1578 recognition?

1579 Mr. Barton. To strike the requisite number of words.

1580 Mr. Burgess. The requisite number of words are stricken and
1581 the gentleman is recognized for five minutes.

1582 Mr. Barton. I probably won't take five minutes. But, you
1583 know, the beauty of our committee, which I've been on 32 years,
1584 is that we do address serious issues, and I want to commend Mr.
1585 Pallone and Mr. Green and all the Democrats. They found an
1586 amendment that is germane to the pending legislation and they
1587 drafted an amendment.

1588 And as soon as Dr. Burgess and Chairman Walden saw the
1589 amendments and their staffs looked at them, they immediately said
1590 they are germane, they have a right to offer them, and we had a
1591 debate or a discussion, really -- it wasn't a debate--and the

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1592 majority of the Republicans wanted to accept the amendments.

1593 So that -- this is an example of the committee acting in a
1594 very responsible fashion in the appropriate way. That's a good
1595 thing.

1596 Now, since the amendments weren't talked about before this
1597 morning, there was some righteous indignation on our side that
1598 we were being a little bit sandbagged, and that may be right, it
1599 may be wrong.

1600 And so, you know, we decided that we were going to offer an
1601 amendment in the second degree and that's what -- that's what the
1602 congresswoman from Tennessee did, and that's a good thing, too.

1603 There is no -- I don't know of anybody on either side of the
1604 aisle in this committee that is for separating children from their
1605 families. I don't know anybody that's for that, whether you're
1606 the hard right or the hard left, or somewhere in between.

1607 But treating that is treating the symptom. It's not the
1608 cause. The cause is a broken immigration system, that we have
1609 some existing law and court rulings that say if you bring a child
1610 illegally into this country you can only detain the child for 20
1611 days and then the child has to be released.

1612 We have, rightfully so, a system of political asylum in this
1613 country that if you're really persecuted anywhere in the world
1614 you can seek political asylum in the United States, and those two

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1615 facts are being used by people that really are not being
1616 politically persecuted and they are being gamed.

1617 Mr. Pallone. Mr. Barton, could I ask you to yield when
1618 you're finished with your statement?

1619 Mr. Barton. Yes, sir, and I'll try to wrap up and give you
1620 at least two seconds to respond. No, I'll give you at least a
1621 minute.

1622 I believe we ought to change the current law. I think we
1623 ought to say go to -- go to the -- go to the consulate or the embassy
1624 in your home country if you want to seek political asylum. That's
1625 the way we used to do it.

1626 Or I would -- if you drag your children 1,500 miles across
1627 Central America and Mexico, sleeping on the ground, exposing them
1628 to all kinds of hardship, instead of doing that, let's try to solve
1629 the problem at its origin.

1630 But if we are going to have a system that you can get a get
1631 out of jail free card and be allowed into the country for two to
1632 five years on personal recognizance under the current system,
1633 there ought to be a way to change that, and that's the cause, in
1634 my opinion.

1635 Anyway, with that, I am going to yield to my friend from New
1636 Jersey.

1637 Mr. Pallone. Let me explain the problem. First if all, the

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1638 immigration larger issue isn't before the committee, so that's
1639 why we are focusing on the separation of families.

1640 I am going to go back to my Father's Day visit. The three
1641 gentlemen that I spoke about whose kids were taken from them and
1642 had no communication and still don't know where their kids are,
1643 one was a fisherman whose business partner was brutally murdered.

1644 He was escaping with his daughter because he was afraid that
1645 he or his daughter would be murdered or, in the case of the daughter,
1646 raped.

1647 Mr. Barton. We are not trying to deny that.

1648 Mr. Pallone. I understand that. But that person and the
1649 other person who brought his seven-year-old younger brother, who
1650 was a soldier and was escaping because the drug cartel was now
1651 targeting him and his younger brother, seven years old, because
1652 they had gone after the cartel.

1653 They can't go to the authorities in their Central American
1654 country and sit there for two or three years or six months or
1655 whatever and wait for political asylum.

1656 They are fleeing the violence and coming here. They both
1657 turned themselves in when they came over to the border.

1658 Mr. Barton. Well --

1659 Mr. Pallone. All I am saying here is that you -- if you're
1660 going to reunite these kids, you can't just say to the HHS, give

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1661 me your strategy, because they've proven they have no strategy
1662 and they are not competent. That's why we have to have a hearing.

1663 Mr. Barton. Let me reclaim my last five seconds here.

1664 Mr. Pallone. That's why we have to have a hearing to get
1665 to the bottom of it.

1666 Mr. Barton. When they do go before a magistrate, 90 percent
1667 or more are not considered to be valid claims -- somewhere between
1668 5 and 10 percent.

1669 Mr. Pallone. But I am just saying you can't let the --

1670 Mr. Barton. So there are legitimate claims, Mr. Pallone,
1671 but they are also overwhelmed by the illegitimate claims that are
1672 seeking to scam the --

1673 Mr. Pallone. They can't wait. They can't stay in that
1674 country.

1675 Mr. Burgess. The gentleman from Texas controls the time,
1676 and the time has expired.

1677 Mr. Pallone. They have to flee.

1678 Mr. Burgess. For what purposes does the gentlelady from
1679 California seek recognition?

1680 The gentlelady is recognized for five minutes.

1681 Ms. Eshoo. Thank you, Mr. Chairman.

1682 It is more than evident that there are long held positions
1683 wrapped around emotions relative to immigration and the hundreds

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1684 of subsets of issues that are a part of it and we just heard some
1685 of it.

1686 I respect where everyone is coming from. I think we need
1687 to understand something before we can accept or reject it and I
1688 think that one of the most important things that Congress does,
1689 and I always remind my constituents about this, is to do oversight,
1690 to do hearings, to learn from professionals what we need to know
1691 so that that becomes foundational relative to our legislating.

1692 In this case, relative to the separation of children, our
1693 committee -- and I think we all agree -- the chairman, the ranking
1694 member -- that this committee has jurisdiction because HHS has
1695 a role to play in this as does now ASPR as of -- as I mentioned
1696 in my opening statement, as of last Friday.

1697 I went to Texas this weekend, went to Border Patrol intake
1698 facilities and on to the Port Isabel ICE Center, and I never
1699 thought that I would ever witness a policy that our country would
1700 be carrying out.

1701 On the point of the children, I am a first generation
1702 American. My mother immigrated with her mother. My grandfather
1703 was already in the United States.

1704 They came through Ellis Island. My mother was separated
1705 from her mother. She told that story all her life. She didn't
1706 know the language. She didn't know where she was. She didn't

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1707 know what people were going to do to her.

1708 All she wanted was her mother. She sobbed. She couldn't
1709 sleep. She couldn't eat. She always talked about all the tags
1710 that were on her, and there was someone that recognized her surname
1711 as being Armenian and the woman spoke Armenian to her and comforted
1712 her and laid down on her cot with her, sang to her so that she
1713 could fall asleep.

1714 Now, at 90-plus years old, two nights before she died in her
1715 sleep, she was still calling out for her mother. That remained
1716 with her her entire life.

1717 So Mr. Chairman, this committee has the responsibility to
1718 get in and under issues. I support the language that the
1719 gentlewoman has brought forward and I think the members on my side
1720 of the aisle do, too.

1721 But we do a disservice to what's taking place in the country
1722 to understand it and have these agencies. When I was in Texas,
1723 one of the things that was apparently clear -- and these agencies
1724 and the -- and the people that are Border Patrol and ICE, they
1725 have very tough jobs. They are trying to do their jobs.

1726 But I am not exaggerating when I say it's chaos. They don't
1727 know exactly. They are conflating the policies. We need to know
1728 what HHS is actually going to do.

1729 This is not a ploy, and I think that some members think that

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1730 it is. Look, Representative Brooks and I want more than anything
1731 else for our legislation to be taken to the full committee and
1732 reauthorized.

1733 So but we really have the responsibility to do more. We need
1734 to do more, and I think in your heart of hearts -- I know many
1735 members on other side. Look, who's for the separation of children
1736 from their parents? No one is, when you get down to it.

1737 But we need to make sure that we know the agency that's under
1738 the jurisdiction of this committee what exactly they are going
1739 to do. My mother's name was Alice. I don't want more Alices
1740 created, and that's what's going on.

1741 I saw it, I met with them, talked to the mothers. This is
1742 a stain on the soul of our country. But, professionally, we need
1743 to have the agency come before us.

1744 So I would ask, Mr. Chairman, that there be a hearing
1745 scheduled ASAP -- ASAP. We have the responsibility to do that,
1746 and I yield back.

1747 Mr. Burgess. The gentlelady -- the gentlelady's time has
1748 expired.

1749 Ms. Eshoo. Thank you.

1750 Mr. Burgess. For what purpose does the gentlelady from
1751 Indiana seek recognition?

1752 Mrs. Brooks. Move to strike the last word.

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1753 Mr. Burgess. The gentlelady is recognized for five minutes.

1754 Mrs. Brooks. Thank you, Mr. Chairman, and I appreciate my
1755 good friend and colleague's story about her mother, and thank you
1756 for sharing that, and I agree that we must do more.

1757 And I do want to enter into the record a letter that 41 of
1758 my colleagues signed last week to Secretary Nielsen, to Secretary
1759 Azar, and to Attorney General Sessions -- a two-page letter with
1760 eight very pointed questions about the policies and procedures
1761 that they are using as decisions are being made about the
1762 separations of the families with the emphasis that we, like all
1763 of our colleagues here, believe there is nothing more important
1764 than family and that we do not -- and we believe in protecting
1765 the wellbeing of these children and of the parents.

1766 And so I would ask unanimous consent. But I think in a letter
1767 such as this, asking for the type of training, the type of
1768 procedures that are being used, asking for numbers, asking for
1769 policies it goes into in an even greater detail than what we could
1770 even get out of a hearing in many ways by requiring and asking
1771 them for written response to very detailed policy questions.

1772 And so I'd ask unanimous consent to submit this letter that
1773 --

1774 Ms. Eshoo. Would the gentlewoman yield?

1775 Mrs. Brooks. -- while -- and there was a short period --

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1776 I understand there was a short period of time that maybe members
1777 had, at least on our side of the aisle, to get onto this letter.

1778 But yes, I would yield and then I'd also like to yield to
1779 --

1780 Ms. Eshoo. I just have a quick question. I appreciate what
1781 the gentlewoman is sharing with us. Have you had a response from
1782 anyone?

1783 Mrs. Brooks. It was just sent on June 21st and I would have
1784 to ask Mr. Stivers as to what kind of response he has gotten. He
1785 led the letter. But I believe that there will be a response and,
1786 if not, we will resend this letter.

1787 But 42 of us in a very short period of time signed onto a
1788 letter last week and --

1789 Ms. Eshoo. Well, and I would just comment that I think that
1790 that's --

1791 Mr. Burgess. Is there objection to including in the record
1792 -- the letter in the record?

1793 Seeing none, so ordered.

1794 [The information follows:]

1795

1796 *****COMMITTEE INSERT 14*****

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1797 Mrs. Brooks. Thank you. I would yield the balance --

1798 Mr. Pallone. Would the gentlewoman yield? Would you just
1799 yield?

1800 Mrs. Brooks. I'd like -- yes, I'd like to yield some time
1801 to the congresswoman from Tennessee, who asked for some time.

1802 Mr. Burgess. The gentlelady from Tennessee.

1803 Mrs. Blackburn. Thank you, Mr. Chairman.

1804 One thing I want to point out as we discuss this is yes, you
1805 know, all of us, as Ms. Eshoo said, when you're a parent nobody
1806 -- no one wants to see children separated from their parents and
1807 it is heartbreaking, and the issue is broader.

1808 As we look at these children and consider their wellbeing,
1809 children that came to the border, and reading from a letter that
1810 I sent on -- back in March of 2015, ORR released 53,500
1811 unaccompanied alien children into our country to adult sponsors
1812 in 2014.

1813 Now, here is where this is an issue that is so heartbreaking.
1814 We have caseworkers in these facilities and they seek to vet these
1815 individuals that are receiving these children.

1816 They don't know if these individuals are in the country
1817 legally, if they are, indeed, related to the child, if they were
1818 going to be in labor groups or sex trafficking which, in my
1819 opinion, is horrific and is modern-day slavery. They don't know

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1820 if they are going to gangs.

1821 And so we have sought to make some policies. So as we all
1822 are seeking to bring transparency and accountability and to clean
1823 this up, let's go back to this agency's inception, which is what
1824 we had started to do in -- or sought to do in 2014.

1825 Let's make certain that these children and these parents know
1826 that these children are being appropriately cared for when they
1827 are released to individuals.

1828 Let's make certain that these are individuals who have the
1829 child's welfare at heart. So let's do this job. Let's gather
1830 this information.

1831 Mrs. Brooks has noted the letter that they have submitted
1832 requesting information, and then, in a bipartisan manner, let's
1833 address this issue and clean up this Office of Refugee
1834 Resettlement and make certain there is transparency and
1835 accountability brought to these facilities.

1836 And I yield back to the gentlelady from Indiana.

1837 Mrs. Brooks. I am sorry to the ranking member. My time is
1838 up, and I yield back.

1839 Mr. Burgess. The gentlelady yields back.

1840 Other members seeking to be heard?

1841 The gentlelady from Illinois -- for what purpose do you seek
1842 recognition?

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1843 Ms. Schakowsky. I, too, am the --

1844 Mr. Burgess. The gentlelady is recognized for five minutes.

1845 Ms. Schakowsky. Oh. Thank you. I appreciate that, Mr.
1846 Chairman.

1847 I, too, am the child of parents not born in the United States.
1848 Came as children. They were fleeing persecution as Jews -- their
1849 families -- from Russia, and made a great life for themselves.

1850 My grandfather, pulling a horse and wagon down the alleys
1851 of Humble Park in Chicago and selling vegetables, schlepping them
1852 upstairs in the back alleys, and sending four children to college.

1853 I want to say that I am happy that the amendment offered by
1854 my colleague from Tennessee does include what I was going to offer
1855 as an amendment. The weekly reports -- and by the way, this is
1856 a week since that letter was sent by 41 Republicans and still,
1857 apparently, have not received a response. Or maybe -- I don't
1858 know if there is one.

1859 But I am really, really perplexed. Given all the hearings
1860 that we have and all the members -- all the representatives from
1861 agencies, the top people coming in and sitting before us and asking
1862 questions about issues that are important, but not as important
1863 as this one.

1864 And the suggestion that we needed to somehow separate the
1865 children in order to verify the relationship with the person that

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1866 brought them is not really what the law is.

1867 The law, until there was an exclusion by the -- by the
1868 attorney general for people victims of life-threatening
1869 situations -- gangs and domestic violence -- that they were
1870 entitled to, and that's the law to have an asylum process that
1871 would not separate the children, and that process would reveal
1872 whether or not they were legitimate and I would argue that these
1873 are families, by and large -- maybe a couple situations that we
1874 want to investigate that aren't -- of loving parents bringing
1875 their children so that they aren't the victims of the violence
1876 that some of their other children have been.

1877 We know of parents whose one child has been killed, another
1878 paralyzed, and this desperate mother brought the last child with
1879 her to seek refuge in a country that has offered that since our
1880 beginnings.

1881 I think the Statue of Liberty is weeping today over the way
1882 that we have treated children. I want to quote from the -- Blase
1883 Cupich, Archbishop of Chicago, on this policy: "There is nothing
1884 remotely Christian, American, or morally defensible about a
1885 policy that takes children away from their parents and warehouses
1886 them in cages. This is being carried out in our name and the shame
1887 is on all of us."

1888 But this committee has an opportunity to shine the light that

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1889 is needed -- to ask directly to the people who are in charge, how
1890 is it that there was no policy -- how is it that there was no plan
1891 -- how are you going to implement the amendment I hope we pass
1892 today that says every week we want to know about the children that
1893 have been reunited.

1894 We have heard about a child -- and maybe this is common --
1895 that whose mother has been deported. This child is in foster care
1896 and now there are efforts to end parental rights and put this child
1897 up for adoption. Imagine that -- a loving mother somewhere in
1898 this world and that child of hers would be adopted.

1899 You know, Cardinal Cupich ended with, "Every so often history
1900 presents circumstances that test the soul of a nation. We are
1901 living in one of those moments. Whatever this nation of
1902 immigrants for the least of these brothers and sisters of ours
1903 will define us for decades to come in the world's eyes and in
1904 God's."

1905 We have an opportunity to have a hearing and focus the light
1906 of the world on what is happening here and come up with an answer
1907 -- answers -- answers to the questions that must be asked.

1908 And so I think, in the name of humanity, let's not just write
1909 letters, not just pass amendments, but let's ask these questions
1910 in the public eye because people want to know, deserve to know.
1911 The American soul is at stake.

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1912 I yield back.

1913 Mr. Burgess. The chair thanks the gentlelady. The
1914 gentlelady yields back.

1915 Other members seeking recognition?

1916 For what purpose does the gentlewoman -- oh, sorry.

1917 The gentleman from North Carolina, for what purpose do you
1918 seek recognition?

1919 Mr. Butterfield. Mr. Chairman, I ask to strike the last
1920 word, please.

1921 Mr. Burgess. The gentleman is recognized for five minutes.

1922 Mr. Butterfield. Thank you very much, Mr. Chairman.

1923 Mr. Chairman, I was listening to the gentlelady from
1924 Tennessee a few moments ago and I really appreciate her remarks,
1925 particularly as it relates to how we need to work together on this
1926 issue in a bipartisan manner.

1927 But I want to continue to express my disapproval and
1928 disappointment, rather, that Mr. Markwayne Mullin was unwilling
1929 to accept Mr. Lujan's name as an original co-sponsor of the
1930 amendment.

1931 Mr. Lujan offered almost an identical amendment at 9:30 this
1932 morning and the other amendment from my friend was introduced at
1933 10:30. Something just that simple flies in the face of
1934 bipartisanship that the gentlelady has talked about.

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1935 And so I just want to --

1936 Mr. Burgess. Will the gentleman yield?

1937 Mr. Butterfield. -- to ask him to please reconsider
1938 allowing Mr. Lujan to join the amendment.

1939 Yes. Yes, Mr. Chairman.

1940 Mr. Burgess. I'd just point out to the gentleman that when
1941 I sat on the minority side of the dais and Chairman Waxman was
1942 in this chair, we were required to submit all of our amendments
1943 two hours prior to -- prior to them being heard.

1944 Mr. Butterfield. Reclaiming my time. This is such --

1945 Mr. Burgess. As a courtesy -- as a courtesy to the minority
1946 --

1947 Mr. Butterfield. Yes. Yes.

1948 Mr. Burgess. -- that policy is not enforced currently. It
1949 is possible to go back to the ways of Chairman Waxman and I am
1950 considering that very strongly this morning.

1951 So I thank the gentleman for his comments.

1952 Mr. Butterfield. Thank you. Thank you. Reclaiming my
1953 time.

1954 And thank you for that, Mr. Chairman. I didn't know where
1955 you were going with it, but thank you -- thank you so very much.

1956 Let me also go on record.

1957 Mr. Mullin. If the gentleman would yield, I'd like to answer

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1958 your question.

1959 Mr. Butterfield. Yes, if we can do it briefly --

1960 Mr. Mullin. Sure.

1961 Mr. Butterfield. -- because I also want to yield to Mr.
1962 Pallone.

1963 But yes.

1964 Mr. Mullin. Well, I get that, but you asked me to reconsider
1965 and here's my objection to this.

1966 Mr. Lujan wanted to be asked to be added to the bill after
1967 he gave an extremely backhanded compliment to Marsha. If he wants
1968 to be on it, that's fine.

1969 But don't be -- don't be a smart aleck by going out there
1970 and saying when was it -- when was it amended -- it sure seems
1971 a lot like mine.

1972 I get that. I want to work in a bipartisan fashion, too.
1973 But don't go out there and start being --

1974 Mr. Butterfield. Reclaiming my time. I'll ask --

1975 Mr. Lujan. Mr. Butterfield, could I just ask to be
1976 recognized?

1977 Mr. Butterfield. Yes. Reclaiming my time. I would just
1978 ask respectfully that you think this through. All of your
1979 colleagues over there were ready to accept Mr. Lujan as an original
1980 cosponsor until you objected at the very last minute.

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1981 That flies in the face of what Mrs. Blackburn was talking
1982 about and doing stuff in a bipartisan way, and I just -- it's very
1983 disappointing, particularly on an issue as sensitive and as
1984 important as this issue is.

1985 Mr. Lujan, I'll yield to you momentarily.

1986 Mr. Lujan. Mr. Butterfield, all I would just like to do is
1987 respond to my colleague from Oklahoma.

1988 Mr. Mullin, not even the sponsor of the amendment objected.
1989 It was you.

1990 Mr. Mullin. Yes.

1991 Mr. Lujan. So I apologize if you were insulted in any way.
1992 We are talking about an important policy that was put together,
1993 drafted, language was recognized, it was included, and the
1994 strength of this committee has always been how we work in a
1995 bipartisan way.

1996 So I apologize with whatever's going on today, Mr. Mullin,
1997 but I certainly would hope that you would reconsider and see how
1998 we can work together.

1999 If not, you know, I'll still vote for it. But I was just
2000 asking. Thank you, Mr. Butterfield.

2001 Mr. Butterfield. Reclaiming my time.

2002 Mr. Mullin. Fair enough.

2003 Mr. Butterfield. Yes.

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2004 Mr. Mullin. I'll -- fair enough. I'll reconsider.

2005 Mr. Butterfield. Yes.

2006 Mr. Mullin. That's what the whole comment was about. I'll
2007 reconsider it with that apology -- to Marsha. Now --

2008 Mr. Butterfield. That's bipartisanship.

2009 Mr. Mullin. -- you said -- you just said -- you just said
2010 that you'll apologize if you did -- I'm --

2011 Mr. Butterfield. Yes.

2012 Mr. Mullin. Okay.

2013 Mr. Butterfield. Reclaiming -- reclaiming my time.

2014 Thank you, Mr. Mullin. That's bipartisanship. Thank you.

2015 I yield the remainder of my time to my ranking member, Mr.
2016 Pallone.

2017 Mr. Pallone. I just wanted to say, briefly, you know, I
2018 guess it goes back to Mr. Barton again.

2019 Again, when I talk about these people that I met with on
2020 Father's Day -- and I am speaking from personal experience -- that
2021 these were fathers, or in one case an older brother of a
2022 seven-year-old, who are escaping violence to protect their kids
2023 and they did not -- or a younger sibling -- they did not have the
2024 time and they could certainly not wait for some, you know, despotic
2025 government and sit in that country while they applied for
2026 political asylum.

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2027 But I just wanted to say again to Mrs. Blackburn I have no
2028 problem with this additional provision in your amendment that
2029 looks into the unaccompanied kids. But I would -- and I'll
2030 support it.

2031 But we cannot -- the issue now is the separation of families
2032 and the reason we need a hearing and we can't just go along with
2033 Mrs. Brooks' letter, as well intended as it is, is because when
2034 I got a response from the secretary to my letter and actually had
2035 a talk with him last Friday, he basically yessed me to death. I
2036 appreciate his calling.

2037 But he said, you know, all these fathers should be aware of
2038 where their kids are -- they should be able to talk to their kids
2039 -- I don't know why they can't.

2040 And my response was, in a nice way -- I didn't say it -- well,
2041 obviously, there is something wrong with your department and we
2042 are not going to get that by sending another letter.

2043 We have to have a hearing and challenge them and the people
2044 in the department and say, why aren't you doing what you say you're
2045 going to do. You say you're going to reunite these kids. You
2046 say they can talk to their parents.

2047 But it's not the case, and that's why we have to bring them
2048 in here so we can challenge them and say, I love what you're saying
2049 but it's not happening. That's why we need a hearing.

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2050

Thank you.

2051

Mr. Burgess. The gentleman's time has expired.

2052

Other members seeking recognition?

2053

For what purpose does the gentleman from Massachusetts seek

2054

recognition?

2055

Mr. Kennedy. Strike the last word, please, Mr. Chairman.

2056

Mr. Burgess. The gentleman is recognized for five minutes.

2057

Mr. Kennedy. I won't use it all, Mr. Chairman.

2058

A couple of things. First off, I appreciate the support of

2059

our colleagues on both sides of the aisle trying to end this

2060

policy.

2061

I do -- forgive me, but I do think it's important when we

2062

all say that no one here believes that separating the children

2063

from families is the right policy response. I believe that is

2064

true.

2065

The policy also got there somehow by somebody in the

2066

administration and was marketed by the administration as a

2067

deterrent.

2068

So before we sit there and say this is such a heinous that

2069

no one in their right mind would ever want, this was a direct

2070

objective sought by members of this administration to do to use

2071

as a deterrent, period.

2072

So let's not whitewash that away and say that that didn't

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2073 happen because it did and the record is very clear. Now, I am
2074 heartened by a bipartisan response in our legislative branch to
2075 try to adjust that policy that is cruel and inhumane beyond words.

2076 But I'd point out two things. One, there is a young woman
2077 -- a mother from Brazil -- who presented herself from asylum at
2078 the U.S.-Mexico border. Was found out with her -- I believe it's
2079 a seven-year-old boy -- nine-year-old boy -- she was found to have
2080 a credible claim of asylum because of domestic violence because
2081 of the violence back in her home, and after being detained,
2082 examined, and released, was able to move to Massachusetts with
2083 the help of her stepfather.

2084 She had no way of tracking down her son. Gone. By word of
2085 mouth, she happened to find that there was a young boy with the
2086 same nickname at a facility in Chicago. It turns out that they
2087 were able to find her son in Chicago.

2088 The son is still being held by authorities in Chicago. Mom
2089 has found -- been found to have a credible claim of asylum,
2090 released, free. I saw her last week. She cannot get her son.

2091 So I appreciate the efforts that are taking place on a
2092 bipartisan nature. I do not believe for a second that there is
2093 any one parent or any one colleague that could possibly try to
2094 defend the policies put in place.

2095 I do think, given the fact that these policies about

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2096 reunification were, clearly, not put in place when this -- the
2097 decision went forward -- that it's worth pushing the
2098 administration to figure out how they are going to do this now,
2099 because there is a young boy that is still searching for his
2100 mother, a mom that, with DHS permission, got on a plane and is
2101 in Chicago waiting for his release and still cannot get her son.

2102 We should be able to do this, and if the administration, for
2103 whatever reason there is a delay on it, we should be pushing.

2104 Last thing I will say, I do not believe there is any way you
2105 solve the crisis of what has taken place at our border on our
2106 border. A number of us have visited Guatemala, Honduras, El
2107 Salvador, a number of other countries where a number of these
2108 individuals are coming from.

2109 This is a long hard problem. But you do not solve it by
2110 addressing -- by trying to deport more people more quickly without
2111 understanding some of the circumstances that our Republican
2112 colleagues have spoken eloquently about -- violence, sexual
2113 trafficking, cartels, murder.

2114 Those don't get solved on our border, either. They get
2115 solved by actually rolling up your sleeves and doing some long
2116 hard work and trying to increase governance and development in
2117 those communities.

2118 And if any of you are willing to do that, I am all in. But

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2119 to think that we are going to increase deportation rates and that
2120 that's going to stop people from fleeing sexual trafficking for
2121 their daughter, it's just not going to happen, because if it was
2122 my daughter, I'd do the exact same damn thing.

2123 Yield back.

2124 Mr. Burgess. The gentleman yields back.

2125 The chair recognizes himself for five minutes to strike the
2126 last word. Look, this is a complicated problem.

2127 I want to share with the committee I am also on the Helsinki
2128 Commission, and a hearing at the Helsinki Commission a couple of
2129 years ago -- Chris Smith convened the hearing -- and we heard from
2130 two young women who had been brought to this country and had been
2131 trafficked, and they had been trafficked by family members.

2132 So don't tell me that it doesn't happen because it does, and
2133 we heard about it in our committee. But I want to speak to a story
2134 of separation -- a story of separation that I have in my district
2135 back home.

2136 And there is a constituent I have -- his name is Chris.
2137 Served his country in Iraq. Put on the uniform. The government
2138 said, we need your help. He went, and while he was serving his
2139 country in Iraq, his wife, unfortunately, contracted cancer and
2140 died.

2141 So Chris comes home. Now he's a single dad and he's got a

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2142 pre-teen or teenage daughter. Against his better judgment, he
2143 lets her go to a sleep over one night. Kids being kids, they go
2144 to a convenience store across a busy street. She's struck by a
2145 car and killed.

2146 So about a year and a half later, Chris comes to see me and
2147 he's tried everything in the world he could because the person
2148 who was driving the car that struck his daughter was in the country
2149 without the benefit of legal status.

2150 And Chris' question for me, and it still -- it still resounds
2151 -- it still reverberates today, I put on the uniform and defended
2152 my country -- I went and did what was required of me -- I did my
2153 job. Mr. Congressman, your job was to defend the border, and had
2154 you been doing your job, my daughter would be here today.

2155 And that is a tough story and one that each and every one
2156 of us has to examine within ourselves. These are tough decisions.
2157 They are not all in the jurisdiction of our committee. This one
2158 happens to fall in the -- in the Department of Health and Human
2159 Services.

2160 But if we are looking for easy answers, there are none.
2161 There are hard answers. And the good news for the gentleman from
2162 Massachusetts is there will be a bill on the floor today, and he's
2163 welcome to support it and see if he can't further the cause of
2164 immigration reform.

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2165 Are there other -- I will yield back my time -- are there
2166 other members seeking time on the resolution?

2167 If there is no further discussion, the vote occurs on the
2168 amendment from the lady.

2169 Mr. Pallone. Mr. Chairman, I'd like to have a roll call.

2170 Mr. Burgess. Wait a minute. I can only do one thing at a
2171 time.

2172 Does the gentleman from Texas have a unanimous consent
2173 request?

2174 Mr. Green. Mr. Chairman, I'd like to amend my earlier
2175 unanimous consent request for the other statements from the
2176 American Academy of Pediatrics, the American College of
2177 Physicians, the National Academies of Science, Engineering, and
2178 Medicine, and American College of Emergency Physicians and the
2179 American Public Health Association, and these -- along with the
2180 American Academy of Child and Adolescent Psychiatry on the impact
2181 on children of their detentions. I ask unanimous consent to place
2182 in the record.

2183 Mr. Burgess. Is there objection to the gentleman from Texas
2184 revising his unanimous consent request?

2185 Seeing none, so ordered.

2186 [The information follows:]

2187

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2188

*****COMMITTEE INSERT 15*****

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2189 Mr. Burgess. For what purpose does the gentlelady from
2190 Washington seek recognition?

2191 Mrs. McMorris Rodgers. Strike the last word.

2192 Mr. Burgess. The gentlelady is recognized for five minutes.

2193 Mrs. McMorris Rodgers. Thank you, Mr. Chairman.

2194 You know, as Americans we are grateful every day to live in
2195 the land of freedom and opportunity.

2196 We celebrate America as the melting pot and we are warriors
2197 for human rights, human dignity, and I think we all agree that
2198 separating families is inconsistent with our nation's values and
2199 everything we stand for.

2200 Now, the president has said that Congress needs to act. I
2201 think we agree. Many Republicans and Democrats at Congress needs
2202 to act to address the underlying issue of the separation.

2203 I just wanted to take a minute and remind the committee that
2204 the House is voting today on legislation that addresses the issue
2205 of family separation at the border -- a solution that would clarify
2206 the Flores settlement to ensure accompanied alien minors
2207 apprehended at the border are not to be separated from their parent
2208 or legal guardian.

2209 This legislation would also authorize additional funds for
2210 family facilities to ensure that there is space to keep families
2211 together through the adjudication. It also includes important

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2212 provisions to address border security and make sure that we are
2213 taking steps on the national security perspective, which is also
2214 very important.

2215 I just wanted to make the committee aware of that as we are
2216 working through this issue today that there is other legislation
2217 that's also under consideration in Congress today that would take
2218 a very important step immediately.

2219 And with that, I'll yield to the lady from Tennessee.

2220 Mrs. Blackburn. I thank the gentlelady for yielding and,
2221 again, I appreciate so much the bipartisan attention to this
2222 issue. As I said, we have tried to pull this issue forward since
2223 2014.

2224 And I just -- going back to another letter that -- from 2014
2225 when we were raising this issue with families, Customs and Border
2226 Patrol reported that there was a 412 percent increase in family
2227 unit apprehensions in 2014.

2228 Now, this is why I say this is a broader issue, and yes, we
2229 have to address the issue of separation. But bear in mind, while
2230 you saw those 53,000-plus unaccompanied alien children that were
2231 going through the facilities, you saw this dramatic increase in
2232 the family units and we sought at that time to say Office of Refugee
2233 Resettlement and your contractors, let's get our arms around this
2234 issue.

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2235 We are dealing with human beings. We are dealing with
2236 children. We are dealing with families. You have to be
2237 transparent. You have to be responsible. You have to be
2238 accountable.

2239 You have to bear in mind the fragile nature of these
2240 individuals that are coming to you for protection, for safety --
2241 when you're in these facilities, the health care -- dealing with
2242 these issues, and yes, it was -- it was encouraging to me when
2243 I saw news reports this weekend of our colleagues going to those
2244 facilities and seeing this firsthand.

2245 That was something that was so encouraging because it said
2246 to me we are going to come at this on a bipartisan basis. We are
2247 going to get these answers, and we are going to clean these
2248 practices up.

2249 So I appreciate the support. I look forward to making this
2250 a bipartisan amendment and I would like to add Mr. Lujan to the
2251 amendment if there are no objections and have this move forward
2252 in a bipartisan way.

2253 Mr. Burgess. Without objection, so ordered.

2254 Mrs. Blackburn. I yield back.

2255 Mr. Burgess. Without objection, the gentleman's name will
2256 be added to the amendment.

2257 Without further discussion, vote occurs on the amendment.

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2258 All those in favor shall signify by saying aye.

2259 All those opposed, nay.

2260 Mr. Pallone. Mr. Chairman, I'd ask for a recorded vote.

2261 Mr. Burgess. The request for a roll call vote has been made.

2262 The clerk will call the roll.

2263 The Clerk. Mr. Guthrie.

2264 Mr. Guthrie. Aye.

2265 The Clerk. Mr. Guthrie votes aye.

2266 Mr. Barton.

2267 Mr. Barton. Aye.

2268 The Clerk. Mr. Barton votes aye.

2269 Mr. Upton.

2270 Mr. Upton. Aye.

2271 The Clerk. Mr. Upton votes aye.

2272 Mr. Shimkus.

2273 Mr. Shimkus. Aye.

2274 The Clerk. Mr. Shimkus votes aye.

2275 Mrs. Blackburn.

2276 Mrs. Blackburn. Aye.

2277 The Clerk. Mrs. Blackburn votes aye.

2278 Mr. Latta.

2279 Mr. Latta. Aye.

2280 The Clerk. Mr. Latta votes aye.

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2281 Mrs. McMorris Rodgers.
2282 [No response.]
2283 Mr. Lance.
2284 Mr. Lance. Aye.
2285 The Clerk. Mr. Lance votes aye.
2286 Mr. Griffith.
2287 Mr. Griffith. Aye.
2288 The Clerk. Mr. Griffith votes aye.
2289 Mr. Bilirakis.
2290 Mr. Bilirakis. Aye.
2291 The Clerk. Mr. Bilirakis votes aye.
2292 Mr. Long.
2293 Mr. Long. Aye.
2294 The Clerk. Mr. Long votes aye.
2295 Mr. Bucshon.
2296 Mr. Bucshon. Aye.
2297 The Clerk. Mr. Bucshon votes aye.
2298 Mrs. Brooks.
2299 Mrs. Brooks. Aye.
2300 The Clerk. Mrs. Brooks votes aye.
2301 Mr. Mullin.
2302 Mr. Mullin. Aye.
2303 The Clerk. Mr. Mullin votes aye.

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2304 Mr. Hudson.

2305 [No response.]

2306 Mr. Collins.

2307 Mr. Collins. Aye.

2308 The Clerk. Mr. Collins votes aye.

2309 Mr. Carter.

2310 Mr. Carter. Aye.

2311 The Clerk. Mr. Carter votes aye.

2312 Chairman Walden.

2313 The Chairman. Aye.

2314 The Clerk. Chairman Walden votes aye.

2315 Mr. Green.

2316 Mr. Green. Aye.

2317 The Clerk. Mr. Green votes aye.

2318 Mr. Engel.

2319 [No response.]

2320 Ms. Schakowsky.

2321 Ms. Schakowsky. Aye.

2322 The Clerk. Ms. Schakowsky votes aye.

2323 Mr. Butterfield.

2324 Mr. Butterfield. Aye.

2325 The Clerk. Mr. Butterfield votes aye.

2326 Ms. Matsui.

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2327 [No response.]

2328 Ms. Castor.

2329 Ms. Castor. Aye.

2330 The Clerk. Ms. Castor votes aye.

2331 Mr. Sarbanes.

2332 Mr. Sarbanes. Aye.

2333 The Clerk. Mr. Sarbanes votes aye.

2334 Mr. Lujan.

2335 Mr. Lujan. Aye.

2336 The Clerk. Mr. Lujan votes aye.

2337 Mr. Schrader.

2338 Mr. Schrader. Aye.

2339 The Clerk. Mr. Schrader votes aye.

2340 Mr. Kennedy.

2341 Mr. Kennedy. Aye.

2342 The Clerk. Mr. Kennedy votes aye.

2343 Mr. Cardenas.

2344 [No response.]

2345 Ms. Eshoo.

2346 Mr. Cardenas. Aye.

2347 The Clerk. Mr. Cardenas votes aye.

2348 Ms. Eshoo.

2349 Ms. Eshoo. Aye.

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2350 The Clerk. Ms. Eshoo votes aye.

2351 Ms. DeGette.

2352 [No response.]

2353 Mr. Pallone.

2354 Mr. Pallone. Aye.

2355 The Clerk. Mr. Pallone votes aye.

2356 Chairman Burgess.

2357 Mr. Burgess. Aye.

2358 The Clerk. Chairman Burgess votes aye.

2359 Mrs. McMorris Rodgers.

2360 Mrs. McMorris Rodgers. Aye.

2361 The Clerk. Mrs. McMorris Rodgers votes aye.

2362 Mr. Burgess. Are there other members wishing to be
2363 recorded?

2364 The clerk will report.

2365 The Clerk. Mr. Chairman, on that vote, there were 29 ayes
2366 and zero nays.

2367 Mr. Burgess. The -- 29 ayes and zero nays -- the amendment
2368 is agreed to.

2369 Are there further amendments?

2370 For what purpose does the gentleman from New Jersey seek
2371 recognition?

2372 Mr. Pallone. Mr. Chairman, I seek to offer an amendment.

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2373 I don't know if it's numbered but it's the first of the four
2374 Democratic amendments that deals with the sense of Congress on
2375 having a hearing.

2376 Mr. Burgess. The clerk will report.

2377 [The Amendment offered by Mr. Pallone follows:]

2378

2379 *****COMMITTEE INSERT 16*****

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2380 The Clerk. Amendment to the discussion draft offered by Mr.
2381 Pallone.

2382 Mr. Burgess. Without objection, the reading is dispensed
2383 with. The amendment is open for amendment at any point.

2384 For what purpose does the gentleman from --

2385 Mr. Pallone. Strike the last word.

2386 Mr. Burgess. The gentleman is recognized for five minutes
2387 on his amendment.

2388 Mr. Pallone. Thank you, Mr. Chairman.

2389 As this committee is well aware, we are currently watching
2390 not only a moral crisis but also a public health crisis unfold
2391 along our southern border as families have been ripped apart as
2392 a result of President Trump's zero tolerance immigration policy,
2393 and I continue to have grave concerns about the wellbeing of the
2394 children currently in the custody of the Department of Health and
2395 Human Services Office of Refugee Resettlement and the federal
2396 government's ability to swiftly reunify each child separated from
2397 their parent or guardian as a result of this policy.

2398 Congress must exercise its oversight function and this
2399 committee should immediately hold a hearing on this issue so we
2400 can understand what the administration is doing to care for these
2401 children and what steps they are taking to reunify them with their
2402 families.

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2403 This amendment expresses the sense of Congress that the
2404 Committee on Energy and Commerce should hold a hearing to examine
2405 the current status and welfare of those children who have been
2406 forcibly separated from their families as well as the long-term
2407 implications of this policy and this administration's actions on
2408 the health of these children.

2409 This amendment echoes the request that was sent to Chairman
2410 Walden and Chairman Burgess from each Democratic member of this
2411 committee last week that we hold a hearing on this matter
2412 immediately to examine both the current status of these children
2413 and the long-term health implications.

2414 And, Mr. Chairman, I have that letter that was sent to you
2415 and Chairman Walden. I'd ask unanimous consent that it be
2416 included in the record.

2417 Mr. Burgess. Without objection, so ordered.

2418 [The information follows:]

2419

2420 *****INSERT 17*****

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2421 Mr. Pallone. Thank you.

2422 The American Academy of Pediatrics has stated that the trauma
2423 from separating these children from their parents and guardians
2424 can cause irreparable harm and can affect a child's short-term
2425 and long-term health.

2426 I believe this could be a man-made public health emergency
2427 created by the Trump administration that will have lasting impacts
2428 on the, roughly, 2,000 children that were ripped away from their
2429 families for purely political reasons.

2430 We have an obligation to conduct and oversight and understand
2431 how these children are being cared for, how and if they can be
2432 reunited, and how this dark chapter in our lives could impact them
2433 in the future.

2434 Now, Secretary Azar said yesterday that he believes there
2435 is, quote, "no reason why any parent would not know where their
2436 child is located and that he can personally locate any child within
2437 HHS' care within seconds."

2438 But we have given no indication on how this is feasibly
2439 possible or how long it can take to reunite each child with their
2440 parent or guardian.

2441 And as I stated before, I am not talking secondhand or from
2442 media reports. I met with five fathers, or in one case, an older
2443 brother, three of whom were separated, forcibly, in the last few

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2444 months when the -- when the zero tolerance policy from the
2445 president was in effect. They had no knowledge of where their
2446 kids were. They had no way of communicating with them. And when
2447 I asked the person who was in charge of the corrections facility
2448 from ICE what policy they had, they said there is no policy.

2449 So even though the secretary has personally called me -- and
2450 I appreciate that -- next Friday and assured me that, you know,
2451 parents will be reunited with their kids, that they can easily,
2452 you know, communicate with them and that they will be told where
2453 they are, we know that that's not true. And I am not saying he's
2454 a liar. I just don't think he knows what he's talking about or
2455 what the reality is.

2456 And so that's why we need a hearing. These are the kinds
2457 of questions this committee must get answers to and the most
2458 efficient way to do that is to call the key officials involved
2459 in front of our committee to testify.

2460 This should not be a partisan amendment as I believe all
2461 members of this committee care about the welfare of children in
2462 the custody of HHS and how we can ensure that they are reunited
2463 with their families as quickly as possible.

2464 And, again, even though I am talking about a handful of people
2465 that I -- of fathers that I met with, it's obvious, from media
2466 reports, that we still have no idea what the HHS' policy is on

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2467 reunification and communication with their kids, and there are
2468 many, many of these parents that still have not been reunified
2469 and have no communication.

2470 So for this reason, I urge my colleagues to support this
2471 amendment.

2472 I yield to the gentleman from California.

2473 Mr. Cardenas. Thank you very much, Ranking Member Pallone.
2474 Thank you so much for this substantive amendment.

2475 Hearings are what we should be having on this issue that is
2476 facing us. I don't know how many hearings were held by Congress
2477 when people were held in internment camps. I don't know how many
2478 hearings were held when generations of families in the Native
2479 American community were torn away -- children were torn away from
2480 their parents.

2481 But here we are today with the opportunity for us, the
2482 Congress of the United States of America, to have hearings and
2483 to have right before us the head of the Health and Human Services
2484 and the Office of Refugee Resettlement to answer the questions
2485 of the duly elected members of Congress, who are here to represent
2486 the people of America and anyone who steps on our soil. Justice
2487 should be served and we should have those hearings.

2488 Thank you very much. I yield back.

2489 Mr. Pallone. Thank you, and I yield back, Mr. Chairman.

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2490 Mr. Burgess. The chair thanks the gentleman. The
2491 gentleman yields back.

2492 Other members wishing to be heard on the Pallone amendment?

2493 Seeing none, the vote occurs on the amendment.

2494 All those in favor shall signify by saying --

2495 Mr. Pallone. I'd like to request a roll call.

2496 Mr. Burgess. The gentleman requests a roll call vote. The
2497 clerk will call the roll.

2498 The Clerk. Mr. Guthrie.

2499 Mr. Guthrie. No.

2500 The Clerk. Mr. Guthrie votes no.

2501 Mr. Barton.

2502 Mr. Barton. No.

2503 The Clerk. Mr. Barton votes no.

2504 Mr. Upton.

2505 [No response.]

2506 Mr. Shimkus.

2507 Mr. Shimkus. No.

2508 The Clerk. Mr. Shimkus votes no.

2509 Mrs. Blackburn.

2510 Mrs. Blackburn. No.

2511 The Clerk. Mrs. Blackburn votes no.

2512 Mr. Latta.

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2513 Mr. Latta. No.

2514 The Clerk. Mr. Latta votes no.

2515 Mrs. McMorris Rodgers.

2516 [No response.]

2517 Mr. Lance.

2518 Mr. Lance.

2519 Mr. Lance. No.

2520 The Clerk. Mr. Lance votes no.

2521 Mr. Griffith.

2522 Mr. Griffith. No.

2523 The Clerk. Mr. Griffith votes no.

2524 Mr. Bilirakis.

2525 Mr. Bilirakis. No.

2526 The Clerk. Mr. Bilirakis votes no.

2527 Mr. Long.

2528 Mr. Long. No.

2529 The Clerk. Mr. Long votes no.

2530 Mr. Bucshon.

2531 Mr. Bucshon. No.

2532 The Clerk. Mr. Bucshon votes no.

2533 Mrs. Brooks.

2534 Mrs. Brooks. No.

2535 The Clerk. Mrs. Brooks votes no.

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2536

Mr. Mullin.

2537

Mr. Mullin. No.

2538

The Clerk. Mr. Mullin votes no.

2539

Mr. Hudson.

2540

[No response.]

2541

Mr. Collins.

2542

Mr. Collins. No.

2543

The Clerk. Mr. Collins votes no.

2544

Mr. Carter.

2545

Mr. Carter. No.

2546

The Clerk. Mr. Carter votes no.

2547

Chairman Walden.

2548

The Chairman. No.

2549

The Clerk. Chairman Walden votes no.

2550

Mr. Green.

2551

Mr. Green. Aye.

2552

The Clerk. Mr. Green votes aye.

2553

Mr. Engel.

2554

[No response.]

2555

Ms. Schakowsky.

2556

Ms. Schakowsky. Aye.

2557

The Clerk. Ms. Schakowsky votes aye.

2558

Mr. Butterfield.

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2559 Mr. Butterfield. Aye.

2560 The Clerk. Mr. Butterfield votes aye.

2561 Ms. Matsui.

2562 [No response.]

2563 Ms. Castor.

2564 Ms. Castor. Aye.

2565 The Clerk. Ms. Castor votes aye.

2566 Mr. Sarbanes.

2567 Mr. Sarbanes. Aye.

2568 The Clerk. Mr. Sarbanes votes aye.

2569 Mr. Lujan.

2570 Mr. Lujan. Aye.

2571 The Clerk. Mr. Lujan votes aye.

2572 Mr. Schrader.

2573 Mr. Schrader. Aye.

2574 The Clerk. Mr. Schrader votes aye.

2575 Mr. Kennedy.

2576 Mr. Kennedy. Aye.

2577 The Clerk. Mr. Kennedy votes aye.

2578 Mr. Cardenas.

2579 Mr. Cardenas. Aye.

2580 The Clerk. Mr. Cardenas votes aye.

2581 Ms. Eshoo.

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2582 Ms. Eshoo. Aye.

2583 The Clerk. Ms. Eshoo votes aye.

2584 Ms. DeGette.

2585 [No response.]

2586 Mr. Pallone.

2587 Mr. Pallone. Aye.

2588 The Clerk. Mr. Pallone votes aye.

2589 Chairman Burgess.

2590 Mr. Burgess. No.

2591 The Clerk. Chairman Burgess votes no.

2592 Mrs. McMorris Rodgers.

2593 Mrs. McMorris Rodgers. No.

2594 The Clerk. Mrs. McMorris Rodgers votes no.

2595 Mr. Upton.

2596 Mr. Upton. No.

2597 The Clerk. Mr. Upton votes no.

2598 Mr. Bilirakis.

2599 Mr. Bilirakis. No.

2600 The Clerk. Mr. Bilirakis votes no.

2601 Oh, he is recorded. Sorry.

2602 Mr. Chairman, on that vote there were 11 ayes and 18 nays.

2603 Mr. Burgess. Eleven ayes, 18 nays. The amendment is not

2604 agreed to.

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2605 For what purpose does the gentlelady from Indiana seek
2606 recognition?

2607 Mrs. Brooks. I have an amendment to the bill.

2608 Mr. Burgess. Does the lady have an amendment at the desk?

2609 The clerk will report.

2610 [The Amendment offered by Mrs. Brooks follows:]

2611

2612 *****INSERT 18*****

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2613 The Clerk. Amendment to the discussion draft, offered by
2614 Mrs. Brooks.

2615 Mr. Burgess. Without objection, the reading is dispensed
2616 with and the gentlelady is recognized or five minutes on her
2617 amendment -- on her -- yes, on her amendment.

2618 Mrs. Brooks. Thank you, Mr. Chairman.

2619 I want to thank my colleagues on the committee for their work
2620 and contributions to this legislation that we are marking up
2621 today.

2622 I especially want to recognize our chairman, ranking member
2623 -- Subcommittee Chairman Burgess, Subcommittee Ranking Member
2624 Green -- for their efforts and leadership on this legislation.

2625 I am particularly proud to be working with the original
2626 author, Representative Eshoo and all of the staff involved. I
2627 look forward, as we have also heard, in strengthening the bill
2628 as we move forward by adding provisions such as Representative
2629 Blackburn's Good Samaritan bill, Representative Burgess' MISSION
2630 ZERO bill, language from Representative DeGette addressing
2631 emerging threats to maternal and pediatric health, language from
2632 Representative Castor addressing a children's preparedness unit,
2633 working with Representative Hudson to address drug shortages,
2634 working with Representative Shimkus and Cardenas to address
2635 anti-microbial resistance, working with Representative Carter on

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2636 language directing CDC to award grants that study health care
2637 acquired infections in hospital settings, and working with
2638 Representative Collins on concerns regarding storage containers
2639 used for the vaccines put into the Strategic National Stockpile.

2640 Our discussion draft includes several priorities from the
2641 FDA, CDC, ASPR, BARDA, and HHS. It includes several priorities
2642 from the bipartisan Blue Ribbon Study Panel on Biodefense.

2643 I look forward to, as we move forward, adding the rest of
2644 their recommendations as we can to this bill.

2645 But I must say that the manager's amendment does make
2646 technical and clarifying changes to the bill that incorporates
2647 a bipartisan agreement with the ranking member.

2648 Specifically, the amendment will eliminate the transfer
2649 authority in the Public Health Emergency Fund. This important
2650 fund creates the bridge when we face an outbreak like Ebola so
2651 that immediate funding is available that we can then supplement
2652 with emergency appropriations bills.

2653 In addition, the amendment requires the secretary as well
2654 as GAO to conduct a review of the fund including policies that
2655 may be needed to improve the fund, resources available in the fund,
2656 and the ability to use this emergency resources during a public
2657 health emergency.

2658 Additionally, the amendment changes the Strategic National

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2659 Stockpile so that CDC and ASPR will work in coordination to run
2660 the Strategic National Stockpile instead of -- and codifying a
2661 full transfer to the ASPR.

2662 And finally, the amendment simplifies the cybersecurity
2663 language to explicitly incorporate cybersecurity into the
2664 National Health Security Strategy and put ASPR in charge of
2665 continuity of care in the event of a cyberattack.

2666 And with that, Mr. Chairman, I yield back.

2667 Mr. Burgess. The chair thanks the gentlelady. The
2668 gentlelady yields back.

2669 For what purpose does the gentlelady from California seek
2670 recognition?

2671 Ms. Eshoo. Support of the manager's amendment.

2672 Mr. Burgess. The gentlelady is recognized for five minutes.

2673 Ms. Eshoo. Thank you, Mr. Chairman.

2674 I want to thank, once again, my friend and co-sponsor,
2675 Congresswoman Brooks, for the magnificent work that she's done
2676 on this legislation and for the time -- the time, for almost two
2677 years -- the time that she's put in on this.

2678 I support the bipartisan manager's amendment because it
2679 makes important changes to the PAHPA reauthorization discussion
2680 draft that we are marking up today.

2681 The manager's amendment eliminates the transfer authority

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2682 language in the Public Health Emergency Fund and replaces it with
2683 that of the Senate bill, which identifies how this funding can
2684 be spent and it requires a review of this fund by the secretary
2685 of HHS and GAO. I think this is very important.

2686 The fund is an important element of a public health emergency
2687 response and the manager's amendment strengthens our legislation
2688 in order to encourage direct appropriations to be made into the
2689 fund.

2690 The manager's amendment also changes the Strategic National
2691 Stockpile language, which has been a concern of members from both
2692 sides of the aisle, so that both CDC and ASPR work in coordination
2693 to run it instead of a full transfer to ASPR.

2694 It's imperative that the CDC maintain the important role in
2695 this strategic stockpile, offering subject matter expertise in
2696 establishing and maintaining relationships -- very important
2697 relationships with state and local health officials.

2698 Lastly, the manager's amendment makes much needed changes
2699 to the cybersecurity language in the discussion draft. It's a
2700 matter of when, not if, a cyberattack will target our nation's
2701 health care system.

2702 So the changes in this amendment will appropriately address
2703 the existing cyber capabilities at HHS.

2704 Each of these changes make improvements to our legislation

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2705 and I am pleased that the committee could reach agreement on these
2706 important issues. I'll continue my active involvement with
2707 Congresswoman Brooks relative to additional changes, work with
2708 the stakeholders, and see that this is the best reauthorization
2709 of PAHPA.

2710 I yield back.

2711 Mr. Burgess. The chair thanks the gentlelady. The
2712 gentlelady yields back.

2713 Mr. Pallone. Mr. Chairman.

2714 Mr. Burgess. For what purpose does the gentleman from New
2715 Jersey seek recognition?

2716 Mr. Pallone. Strike the last word in support of the
2717 manager's amendment.

2718 Mr. Burgess. The gentleman's recognized for five minutes.

2719 Mr. Pallone. Mr. Chairman, I support the changes made by
2720 the bipartisan manager's amendment.

2721 As you know, I raised three major concerns at the legislative
2722 hearing -- one, the use of transfer authority by the Public Health
2723 Emergency Response Fund; two, codification of the
2724 administration's decision to move the Strategic National
2725 Stockpile from the Centers for Disease Control and Prevention to
2726 the assistant secretary preparedness and response; and three, the
2727 inclusion of cybersecurity language that I had concerns about.

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2728 I am pleased that we could reach bipartisan agreement on all
2729 three of these concerns. First, we incorporated language from
2730 S. 2852, the Pandemic and All-Hazards Preparedness and Advancing
2731 Innovation Act, passed and reported out by Senate HELP, which
2732 would add requirements to the Rapid Response Fund but not require
2733 that the fund be funded through transfer authority.

2734 Next, rather than codify the SNS under the ASPR's direction,
2735 we have added ASPR to the statute clarifying that the secretary
2736 shall collaborate with ASPR and CDC in operating the SNS while
2737 continuing to provide the secretary the flexibility to determine
2738 which division within HHS is best positioned to direct the SNS.

2739 And finally, we reached agreement on several cybersecurity
2740 provisions to promote public health in health care sector
2741 preparedness and response capabilities in the case of a public
2742 health emergency caused by a cybersecurity incident.

2743 Those provisions would clarify the ASPR has the lead
2744 responsibility within HHS for ensuring continuity of care if such
2745 an incident occurs and require the National Health Security
2746 Strategy to include a strategy for cybersecurity threats for
2747 establishing an effective and prepared health -- and health care
2748 system.

2749 I am pleased that we reached agreement on these important
2750 provisions. But I know there is still more work to do and I am

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2751 disappointed that we couldn't find -- we couldn't get further
2752 before the subcommittee markup.

2753 And I know there are a lot of members who have priorities
2754 that they would like to see in the bill and I know there are a
2755 lot of stakeholders who would like to see things added as well,
2756 and I am committed to working with not only Chairman Walden but
2757 the sponsors -- Ms. Eshoo as well as Mrs. Brooks, and other members
2758 of this committee on a bipartisan basis to reach agreement on
2759 legislation as we move forward.

2760 We will, obviously, cooperate with the sponsors. So I urge
2761 my colleagues to support this amendment and I yield back.

2762 Mr. Burgess. The chair thanks the gentleman. The
2763 gentleman yields back.

2764 For what purpose does the gentleman from Illinois seek
2765 recognition?

2766 Mr. Shimkus. Thank you, Mr. Chairman. You're very kind to
2767 recognize me. I appreciate that.

2768 Mr. Burgess. The gentleman is recognized for five minutes.

2769 Mr. Shimkus. I appreciate, obviously, Congresswomen Eshoo
2770 and Brooks in their work and for Susan mentioning the work that
2771 Congressman Cardenas and I are doing to add another piece to this,
2772 which is anti-microbial resistance.

2773 And many of you have heard me talk about it for many, many

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2774 years. We just can't keep up, and then if something occurs we
2775 don't have a stockpile to be able to comply, and then the real
2776 concern is we are hoping people have on the shelf, obviously, stuff
2777 to stop bacteria and in hopes that we never use it.

2778 So how do you finance that? So we have got a lot of reports
2779 from BARDA and had stuff from the PCAST report. We are trying
2780 to push that together to make sure this gets included.

2781 I appreciate my colleague from California and his work, and
2782 we hope to bring that. And I'd like to yield to Congressman
2783 Cardenas for -- if Congressman Eshoo would stop talking to him.
2784 Then I'd like to yield to Congressman Cardenas for comments on
2785 the amendment that we are going to submit at the full committee.

2786 Mr. Cardenas. Thank you very much, and it's been a pleasure
2787 working with you, Mr. Shimkus -- Congressman Shimkus, and also
2788 I'd like to thank Congresswomen Eshoo and Brooks for the fine work
2789 that they've been doing and all the -- all the stakeholders and
2790 everybody involved and all of our colleagues.

2791 I just want to remind us that this -- there are few of these
2792 matters that are in development right now and that's dangerous
2793 because antibiotic R and D needs to flourish and needs to continue,
2794 and let me just give you an example of what's going on today in
2795 our world and in the United States of America.

2796 Two million people get serious antibiotic-resistant

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2797 infections each year, and in addition to the human costs we are
2798 talking about \$20 billion in medical costs and \$35 billion in lost
2799 productivity and wages every year.

2800 This is something that we can get in front of and this bill
2801 and what we have been able to involve in it is going to make a
2802 tremendous, tremendous difference, not only for America as a whole
2803 but we will be able to make sure that this proliferates around
2804 the world.

2805 The United States of America can and should always remain
2806 the leader in many areas, but it when it comes to health care and
2807 when it comes to this matter as a whole, I think that this is fine
2808 work that we have done and we always have more work to do and this
2809 is the kind of work that has been going on in both Houses.

2810 For example, some of what's in this bill is actually -- shares
2811 the same policy goals as Senator Sanders' Antibiotic Prize bill.

2812 So we are talking about a bipartisan bicameral effort that
2813 we hope to see come to fruition as soon as possible because this
2814 is an issue that we, as the United States of America, can and should
2815 be in front of, and I am very proud of the work that we have been
2816 able to do in this bill together.

2817 So I yield back to Mr. Shimkus.

2818 Mr. Shimkus. And reclaiming my time, I'd like to yield to
2819 Congresswoman Blackburn. She wanted to say I talk on another

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2820 amendment.

2821 Mrs. Blackburn. I thank the gentleman for yielding and I
2822 want to thank Mrs. Brooks and Ms. Eshoo for the work that they
2823 have done.

2824 And Mrs. Brooks mentioned the Good Samaritan Health
2825 Protection Act, and getting this is in so that we provide some
2826 civil liability for these health care professionals who want to
2827 come in and help when there is a natural or a national disaster.

2828 This first came to light after Katrina as we desperately
2829 sought to get health care into the New Orleans issued area and
2830 then, of course, after the Boston bombings at the marathon it
2831 became an issue once again.

2832 So I thank them. I look forward to having that included in
2833 the final version, and I yield back to the gentleman from Illinois.

2834 Mr. Shimkus. And I yield back my time. Thank you, Mr.
2835 Chairman.

2836 Mr. Burgess. The chair thanks the gentleman. The
2837 gentleman yields back.

2838 Other members seeking recognition?

2839 For what purpose does the gentleman from North Carolina seek
2840 recognition?

2841 Mr. Butterfield. Move to strike the last word.

2842 Mr. Burgess. The gentleman is recognized for five minutes.

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2843 Mr. Butterfield. Thank you again, Mr. Chairman.

2844 Mr. Chairman, I am hopeful that we can include priorities
2845 that pertain to children and disasters as we move this legislation
2846 forward.

2847 I, too, want to thank Representative Eshoo and
2848 Representative Brooks for introducing this important bill and for
2849 considering improvements for pediatric care in emergencies.

2850 As co-chair of the Pediatric Trauma Caucus along with my good
2851 friend, Mr. Hudson, the reauthorization of the Pandemic and
2852 All-Hazards Preparedness and Advancing Innovation Act is an
2853 opportunity to advance health care for children.

2854 And so I am pleased that this bill includes language
2855 reauthorizing the HHS National Advisory Committee on Children and
2856 Disasters. As we move forward, Mr. Chairman, I hope we can
2857 include the same language as the Senate version.

2858 I also hope that we can include a provision authorizing the
2859 Children's Preparedness Unit at the CDC. Both of these
2860 provisions were included in the Senate Bill Sections 304 and 305.

2861 The language has been thoroughly vetted and if we could
2862 include those provisions in our bill, it would be one less thing
2863 to have to tackle during a conference with the Senate.

2864 These provisions are critically important to addressing the
2865 persistent gaps in our nation's preparedness and response for our

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2866 most vulnerable children.

2867 With each disaster, Mr. Chairman, including the most recent
2868 -- devastating hurricanes -- we find inadequate supplies for
2869 children including diapers and infant formula, inadequate drugs
2870 and medical devices that are appropriate for children.

2871 We face problems transporting children to get their medical
2872 care. We continue to face inadequate access to mental health
2873 services for children coping with grief and trauma and loss after
2874 a disaster.

2875 So, Mr. Chairman, I am going to ask that my colleagues work
2876 with us to include these very important provisions prior to it
2877 going to the full committee and I want to absolutely align myself
2878 with the comments of Ms. Eshoo, who requested that you work with
2879 us between now and the full committee to include the relevant
2880 sections in the base text.

2881 Thank you for listening. I yield back.

2882 Mr. Burgess. The chair thanks the gentleman. The
2883 gentleman yields back.

2884 Other members seeking recognition?

2885 For what purpose does the gentlelady from Illinois seek
2886 recognition?

2887 Ms. Schakowsky. I move to strike the last word.

2888 Mr. Burgess. The gentlelady is recognized for five minutes.

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2889 Ms. Schakowsky. As we consider the Pandemic All-Hazards
2890 Preparedness Act -- PAHPA -- we must remember that the workforce
2891 is the backbone of disaster preparedness. We must have expert
2892 first responders in place to respond to public health emergencies.

2893 That's why I am proud to have introduced the H.R. 5998, the
2894 Securing Experts to Control, Understand, and Respond to
2895 Emergencies -- or the SECURE -- Act to support and build a robust
2896 disaster preparedness workforce.

2897 This bill would reauthorize a critical loan repayment
2898 program for Epidemic Intelligence Service -- that's EIS --
2899 officers serving at the Centers for Disease Control.

2900 The program is crucial to recruiting the very best medical
2901 professionals to keep our country safe from biohazards. I am
2902 hopeful that this program can be reauthorized as a part of the
2903 underlying bill.

2904 EIS officers are health professionals who serve on the front
2905 lines of public health emergencies as boots on the ground, quote,
2906 "disease detectives," unquote, who investigate outbreaks and
2907 assist in natural disasters.

2908 Since its creation in 1951, the EIS program has trained more
2909 than 3,600 officers including Dr. Stephen Redd, the director of
2910 the Public Health Preparedness at the CDC, who testified before
2911 our committee on PAHPA reauthorization.

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2912 Dr. Redd said that he would not have been in the position
2913 he is today without the EIS program. These EIS officers are based
2914 in state and local public health department across the country
2915 to serve on the front lines of the public health emergencies,
2916 protecting Americans and the global community.

2917 They are -- they deploy more than 200 times each year to
2918 respond to public health emergencies at home and abroad. In the
2919 past, EIS officers have responded to many major health threats
2920 like anthrax, SARS, swine flu, and avian flu, smallpox eradication
2921 and provide disaster relief -- 911 and Hurricane Harvey and Irma
2922 and Maria and Katrina.

2923 Mr. Chairman, Ms. Eshoo, and Mrs. Brooks, I would like very
2924 much to get your help in including this reauthorization in the
2925 bill before it goes to the floor.

2926 I would also like to add that I am concerned with the
2927 inclusion of market entry rewards for pharmaceutical corporations
2928 and transferable intelligence of intellectual property as an
2929 incentive for anti-microbial drug development.

2930 I spent -- while I support investment in research and
2931 development of anti-microbial products, we must also focus on not
2932 overusing the anti-microbials that we have.

2933 The overuse and misuse of anti-microbial products in
2934 livestock production for disease prevention has caused bacteria

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2935 to evolve and become resistant.

2936 This means more and more bacteria cannot be killed with
2937 traditional anti-microbials, making them less effective and
2938 humans vulnerable to super bacteria that can kill.

2939 As my late friend and champion on this issue for many decades,
2940 Representative -- the late Representative Louise Slaughter,
2941 pointed out, quote, "Feeding farm animals antibiotics for disease
2942 prevention is like sprinkling them on your children's Cheerios
2943 in the morning to keep them from getting sick. It's just
2944 unconscionable," end quote.

2945 We must safeguard the antibiotics that we have and overuse
2946 in food production cannot be accepted.

2947 I thank you and yield back my time.

2948 Mr. Burgess. The chair thanks the gentlelady. The
2949 gentlelady yields back.

2950 The chair recognizes -- for what purpose does the gentleman
2951 from Florida seek recognition?

2952 Mr. Bilirakis. Strike the last word.

2953 Mr. Burgess. The gentleman is recognized for five minutes.

2954 Mr. Bilirakis. Thank you very much. I prepared to speak
2955 on the overall bill, Mr. Chairman.

2956 I want to commend my good friend, Susan Brooks, and also my
2957 good friend, Anna Eshoo, for putting for this really good

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2958 legislation. Appreciate it so much.

2959 Since Hurricane Andrew made landfall in 1995, Florida has
2960 been bracing for the next big one each hurricane season and its
2961 implications, especially for a state with significant population
2962 growth over the last few years a sizeable portion age 55 and older.

2963 Last year, America's health care system responded to four
2964 natural disasters -- Hurricane Harvey, Irma, Maria, and Nate.
2965 From storm-related injuries and illnesses to delivery and
2966 logistic issues, last year's historically costly season tested
2967 the mettle of our health care delivery system.

2968 Renowned scientist Louis Pasteur said, and I quote, "Chance
2969 favors the prepared mind." As a native Floridian, I appreciate
2970 the opportunity to work with my colleagues to improve our nation's
2971 preparedness efforts and support our medical community.

2972 I look forward to continuing to work with the committee on
2973 proactively assessing mission readiness, surge capacity, and
2974 other outstanding challenges, lest we suffer a catastrophic --
2975 God forbid -- failure of our health care system when we need it
2976 most.

2977 So I yield back, Mr. Chairman, and thank you so very much.

2978 Mr. Burgess. The chair thanks the gentleman. The
2979 gentleman yields back.

2980 Other members seeking recognition?

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2981 For what purpose does the gentleman from Georgia seek
2982 recognition?

2983 Mr. Carter. Thank you, Mr. Chairman.

2984 I want to speak on the overall bill.

2985 Mr. Burgess. The gentleman is recognized for five minutes.

2986 Mr. Carter. Mr. Chairman, I am pleased that the committee
2987 is moving swiftly on this critical legislation to reauthorize the
2988 Pandemic All-Hazards Preparedness Act.

2989 This legislation reauthorizes key preparedness and response
2990 programs that are vital to our national security. I want to thank
2991 Representatives Brooks and Eshoo for their willingness to work
2992 with our office to include a grant program to study health care
2993 acquired infections in hospital settings.

2994 According to the CDC, on any given day, about one in 25
2995 hospital patients has at least one health care associated
2996 infection. I applaud the CDC for producing the National and State
2997 Health Care Associate Infectious progress report, but I believe
2998 there is still more that can be done to develop best practices
2999 for preventing HAIs from occurring.

3000 I want to thank you, Mr. Chairman, for holding this markup
3001 today to ensure that our nation can appropriately respond to
3002 public health threats.

3003 I thank you, and I yield back.

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3004 Mr. Burgess. The chair thanks the gentleman. The
3005 gentleman yields back.

3006 Other members seeking to be heard on the Brooks amendment?

3007 If there is no further discussion, the vote occurs on the
3008 amendment.

3009 All those in favor, signify by saying aye.

3010 All those opposed, no.

3011 The ayes appear to have it. The ayes have it. The amendment
3012 is agreed to.

3013 The question now occurs on forwarding the committee print
3014 as amended to the full committee.

3015 All those in favor, say aye.

3016 All those opposed, no.

3017 The ayes have it and the bill is agreed to, without objection.
3018 Staff is authorized to make technical and conforming changes to
3019 the legislation approved by the subcommittee today. So ordered.

3020 Without objection, the subcommittee is adjourned.

3021 [Whereupon, at 12:12 p.m., the committee was adjourned.]

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