



House Committee on Energy and Commerce

Markup of Thirty Bills

July 15, 2020

11:00AM, Remote Markup Via Cisco WebEx

Purpose:

The purpose of the proceedings was to markup thirteen health bills H.R. 1426, the "Timely Review of Infrastructure Act", H.R. 3079, the "Energy Savings through Public-Private Partnerships Act of 2019", H.R. 3361, the "Reliable Investment in Vital Energy Reauthorization Act", H.R. 5541, the "Tribal Power Act", H.R. 5758, the "Ceiling Fan Improvement Act of 2020", H.R. 2477, the "Beneficiary Enrollment Notification an Eligibility Simplification (BENES) Act of 2019" H.R. 3935, the "Protecting Patients Transportation to Care Act", H.R. 5201, the "Telemental Health Expansion Act of 2019", H.R. 7539, the "Strengthening Behavioral Parity Act", H.R. 1646, the "Helping Emergency Responders Overcome (HERO) Act of 2019", H.R. 2117, the "Food Allergy Safety, Treatment, Education, and Research (FASTER) Act of 2019", H.R. 2271, the "Scarlett's Sunshine on Sudden Unexpected Death Act", H.R. 2468, the "School-Based Allergies and Asthma Management Program Act", H.R. 4564, the "Suicide Prevention Lifeline Improvement Act of 2019", H.R. 4585, the "Campaign to Prevent Suicide Act", H.R. 4712, the "Fairness in Orphan Drug Exclusivity Act", H.R. 4866, the "National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2019", H.R. 5619, the "Suicide Prevention Act", H.R. 5663, the "Safeguarding Therapeutics Act", H.R. 5668, the "Making Objective Drug Evidence Revisions for New (MODERN) Labeling Act of 2020", H.R. 7574, the "Strengthening America's Strategic National Stockpile Act of 2020", H.R. 451, the "Don't Break Up the T-Band Act of 2019", H.R. 549, reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity, H.R. 4194, the "National Suicide Hotline Designation Act of 2019", H.R. 5567, the "Measuring the Economics Driving Investments and Access for (MEDIA) Diversity Act of 2020", H.R. 5918, a bill to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting, H.R. 6096, the "Reliable Emergency Alert Distribution Improvement (READI) Act of 2020", H.R. 6624, the "Utilizing Strategic Allied (USA) Telecommunications Act of 2020", H.R. 7310, the "Spectrum IT Modernization Act of 2020"

Opening Statements:

Chairman Pallone said today the full committee meets to consider 30 consensus, bipartisan bills. Many of these bills were marked up in the corresponding sub-committees. H.R. 5441 is a bill that would help to provide tribal communities with the necessary IT infrastructure to operate in the 21st century. Furthermore, there are several health bills being considered today. These bills are timely as the nation continues to struggle to respond to the COVID-19 pandemic. Members on this committee should support all 30 bills.

Ranking member Walden said that it is important to incentivize energy efficiency and renewable resources. There are a number of bills today that would accomplish this. Several of the bills being considered today would also work to improve access to mental health to many

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individuals all across the country. Finally, Americans are relying more than ever on the internet for their daily activities. Thus, the internet must be secure and accessible to everyone. Many of the bills in front of the committee today will work to expand this accessibility and security.

Rep. Rush said that today, this committee continues its commitment to deliver change to the American people. Today, 30 pieces of bipartisan legislation will be advanced to the full house. These bills could not come at a more important time. As the nation faces the unprecedented challenges of COVID-19, legislation is needed to help the American people.

Rep. Upton said that today's full committee markup is a bipartisan effort. The five energy bills being considered today are vital and should be advanced to the full house.

Rep. Eshoo said that 17 of the bills being considered today have come out of the health subcommittee. Many of these bills are related to the COVID-19 pandemic. However, many of these bills address problems that have existed for a long time now.

Rep. Burgess said that today's markup is an important step in delivering change to the American people. COVID-19 has occupied significant bandwidth within Congress. However, today this committee seeks to address issues that have existed long before the global pandemic.

Rep. Latta said that H.R. 7310 is essential to our nations IT infrastructure. Several other bills seek to make additional improvements in this area.

Rep. Schakowsky said that H.R. 5758 is a bipartisan bill which provides an important fix to an energy and conservation rule related to ceiling fans.

Rep. Mullin said that H.R. 5541 is needed to ensure that tribal communities are no longer left behind in the energy sector.

Rep. Peters said that it is time to support emission free energy generated through hydropower.

Rep. Scalise said that protecting the nation's telecommunication infrastructure is essential. Furthermore, resupplying the national strategic stock pile is an important step. The national stockpile has been critical in delivering supplies to localities.

Rep. Engel said that H.R. 5663 should be advanced to the full House today.

Bill Consideration:

H.R. 1426 the "Timely Review of Infrastructure Act"

Rep. Olson and Doyle spoke in support of H.R. 1426.

H.R. 1426, the "Timely Review of Infrastructure Act", as amended, was reported favorably to the full House by a vote of 48-3.

H.R. 3079, the "Energy Savings through Public-Private Partnerships Act of 2019"

Rep. Kinzinger, Rush and Welch spoke in support of the bill.

H.R. 3079, the "Energy Savings through Public-Private Partnerships Act of 2019" was reported favorably to the full House by a voice vote.

H.R. 3361, the "Reliable Investment in Vital Energy Reauthorization Act"

Rep. Loeb sack spoke in support of the bill.

H.R. 3361, the "Reliable Investment in Vital Energy Reauthorization Act", was reported favorably to the full House by a voice vote.

H.R. 5541, the "Tribal Power Act"

Rep. O'Halleran and **Chairman Pallone** spoke in support of the bill.

Rep. O'Halleran offered a Managers Amendment. **Rep. O'Halleran** said that the amendment makes changes to technical issues raised by the Department of Energy. The amendment also makes terminology used throughout the bill consistent.

The Manager's Amendment to H.R. 5541 was agreed to by a voice vote.

H.R. 5541, the "Tribal Power Act" was reported favorably to the full House by a voice vote.

H.R. 5758, the "Ceiling Fan Improvement Act of 2020"

Rep. Guthrie spoke in support of the bill.

H.R. 5758, the "Ceiling Fan Improvement Act of 2020" was reported favorably to the full House by a voice vote.

H.R. 2477, the "Beneficiary Enrollment Notification an Eligibility Simplification (BENES) Act of 2019"

Rep. Ruiz, Bucshon and Bilirakis spoke in support of the bill. **Rep. Hudson** spoke in opposition to the bill.

Rep. Ruiz offered a Managers Amendment to H.R. 2477. **Rep. Ruiz** said the amendment makes minor changes as a result of technical input and bipartisan negotiations.

Rep. Schrader offered a Managers Amendment to 2477. **Rep. Schrader** said the amendment eliminates the late penalties for seniors who forget to enroll in Medicare on time.

Rep. Schrader withdrew his Managers Amendment.

Rep. Ruiz withdrew his Managers Amendment

H.R. 2477, the "Beneficiary Enrollment Notification an Eligibility Simplification (BENES) Act of 2019" was reported favorably to the full House by a voice vote.

H.R. 3935, the "Protecting Patients Transportation to Care Act"

Rep. Burgess spoke in support of the bill.

Rep. Cardenas offered an Amendment in the Nature of the Substitute (AINS). **Rep. Cardenas** said that this amendment makes technical changes to the bill.

The AINS to H.R. 3935 was agreed to by a voice vote.

H.R. 3935, the "Protecting Patients Transportation to Care Act" was reported favorably to the full House by a voice vote.

H.R. 5201, the "Telemental Health Expansion Act of 2019"

Rep. Johnson spoke in support of the bill. **Rep. Johnson** said that this is a common sense bill. Experts have testified that missing regular mental health appointments can be disastrous. Emergency temporary waivers for telemental health proved to be an important lifeline. It is time to make these changes permanent.

Rep. Matsui offered an AINS. **Rep. Matsui** said that her AINS would simply reflect technical changes recommended by CMS.

The AINS to H.R. 5210 was agreed to by a voice vote.

H.R. 5201, the "Telemental Health Expansion Act of 2019" was reported favorably to the full House by a voice vote.

H.R. 5534, the "Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2019"

Rep. Eshoo and Bucshon spoke in support of the bill.

Rep. Burgess offered an AINS. **Rep. Burgess** said that his AINS would make technical change to address issues raised by CMS. Specifically, it would clarify language surrounding eligibility.

The AINS to H.R. 5534 was agreed to by a voice vote.

H.R. 5534, the "Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2019" was reported favorably to the full House by a voice vote.

H.R. 7539, the "Strengthening Behavioral Parity Act"

Chairman Eshoo, Rep. Bilirakis, Kennedy and Upton spoke in favor of the bill.

Rep. Kennedy offered a Managers Amendment. **Rep. Kennedy** said the amendment makes the bill better and stronger, everyone should support it.

The Managers Amendment to H.R. 7539 was agreed to by a voice vote

H.R. 7539, the "Strengthening Behavioral Parity Act", was reported favorably to the full House by a voice vote.

H.R. 1646, the "Helping Emergency Responders Overcome (HERO) Act of 2019"

Rep. Burgess offered an AINS. **Rep. Burgess** said the amendment includes technical changes following conversations with HHS. The Amendment also adds much needed support surrounding mental health for front line workers.

The AINS to H.R. 1646, was agreed to by a voice vote.

Rep. Kuster spoke in support of the underlying bill.

H.R. 1646, the "Helping Emergency Responders Overcome (HERO) Act of 2019", as amended, was reported favorably to the full House by a voice vote.

H.R. 2117, the "Food Allergy Safety, Treatment, Education, and Research (FASTER) Act of 2019"

Rep. Eshoo and Matsui spoke in support of the bill.

H.R. 2117, the "Food Allergy Safety, Treatment, Education, and Research (FASTER) Act of 2019" was reported favorably to the full House by a voice vote.

H.R. 2271, the "Scarlett's Sunshine on Sudden Unexpected Death Act"

Rep. Doyle and Kuster spoke in support of the bill.

H.R. 2271, the "Scarlett's Sunshine on Sudden Unexpected Death Act" was reported favorably to the full House by a voice vote.

H.R. 2468, the "School-Based Allergies and Asthma Management Program Act",

H.R. 2468, the "School-Based Allergies and Asthma Management Program Act", as amended, was reported favorably to the full House by a voice vote.

H.R. 4564, the "Suicide Prevention Lifeline Improvement Act of 2019"

H.R. 4564, the "Suicide Prevention Lifeline Improvement Act of 2019", as amended, was reported favorably to the full House by a voice vote.

H.R. 4585, the "Campaign to Prevent Suicide Act"

Rep. Cardenas offered an AINS. **Rep. Cardenas** said that his amendment makes technical and conforming changes based on feedback from HHS and bipartisan conversations. **Rep. Eshoo** spoke in support of the Amendment.

The AINS to H.R. 4585, was agreed to by a voice vote.

H.R. 4564, the "Suicide Prevention Lifeline Improvement Act of 2019", as amended, was reported favorably to the full House by a voice vote.

H.R. 4712, the "Fairness in Orphan Drug Exclusivity Act"

Rep. Burgess spoke in support of the bill.

Rep. Veasey offered a Managers Amendment. **Rep. Veasey** said that this amendment makes a technical change requiring the FDA to consider all sales of a manufacturer's drugs under the same orphan drug designation when making a determination about the drug's potential ability to recoup costs. **Rep. Schakowsky** spoke in support of the amendment.

The Managers Amendment to H.R. 4712, was agreed to by a voice vote.

H.R. 4712, the "Fairness in Orphan Drug Exclusivity Act", as amended, was reported favorably to the full House by a voice vote.

H.R. 4866, the "National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2019"

Chairman Pallone, Rep. Guthrie and Eshoo spoke in support of the bill.

H.R. 4866, the "National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2019" as amended, was reported favorably to the full House by a voice vote.

H.R. 5619, the "Suicide Prevention Act"

Rep. Matsui offered an AINS. **Rep. Matsui** said that this amendment offers technical changes to the bill.

The AINS to H.R. 5619, was agreed to by a voice vote.

H.R. 5619, the "Suicide Prevention Act" as amended, was reported favorably to the full House by a voice vote.

H.R. 5663, the "Safeguarding Therapeutics Act"

Rep. Guthrie offered an AINS. **Rep. Guthrie** said that this amendment includes technical changes to help FDA destroy harmful products.

The AINS to H.R. 5663, was agreed to by a voice vote.

H.R. 5663, the "Safeguarding Therapeutics Act" as amended, was reported favorably to the full House by a voice vote.

H.R. 5668, the "Making Objective Drug Evidence Revisions for New (MODERN) Labeling Act of 2020"

Rep. Matsui offered an AINS. **Rep. Matsui** said that this amendment further clarifies the timeline and process for selecting generic drugs eligible for label changes. **Rep. Guthrie** spoke in support of the Amendment.

The AINS to H.R. 5668, was agreed to by a voice vote.

H.R. 5668, the "Making Objective Drug Evidence Revisions for New (MODERN) Labeling Act of 2020" as amended, was reported favorably to the full House by a voice vote.

H.R. 7574, the "Strengthening America's Strategic National Stockpile Act of 2020"

Rep. Eshoo, DeGette, Brooks, Burgess, Soto and Chairman Pallone spoke in support of the bill.

Rep. Dingell offered a Managers Amendment. **Rep. Dingell** said her amendment would incorporate technical feedbacks and revisions from agency stakeholders. **Rep. Brooks** spoke in support of the Amendment.

The Managers Amendment to H.R. 7574, was agreed to by a voice vote.

H.R. 7574, the "Strengthening America's Strategic National Stockpile Act of 2020" as amended, was reported favorably to the full House by a voice vote.

H.R. 451, the "Don't Break Up the T-Band Act of 2019"

H.R. 451, the "Don't Break Up the T-Band Act of 2019", was reported favorably to the full House by a voice vote.

H.R. 549, reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity

H.R. 549, reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity, was reported favorably to the full House by a voice vote.

H.R. 4194, the "National Suicide Hotline Designation Act of 2019"

Rep. Dingell spoke in support for the bill.

Chairman Pallone offered an AINS on behalf of **Rep. Clarke**.

The AINS to H.R. 4194 was agreed to by a voice vote.

H.R. 4194, the "National Suicide Hotline Designation Act of 2019", was reported favorably to the full House by a voice vote.

H.R. 5567, the "Measuring the Economics Driving Investments and Access for (MEDIA) Diversity Act of 2020"

Rep. Veasy, Soto, and Ranking member Walden, spoke in support of the bill.

H.R. 5567, the "Measuring the Economics Driving Investments and Access for (MEDIA) Diversity Act of 2020", was reported favorably to the full House by a voice vote.

H.R. 5918, a bill to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting

Rep. Eshoo spoke in support of the bill.

Rep. Bilirakis offered an AINS. **Rep. Bilirakis** said that his Amendment would strengthen the bill by ensuring that the FCC has the time it needs to conduct a proper review of any sustained activation of the disaster activation reporting system during a time of crisis. **Rep. Matsui** spoke in support of the amendment.

The AINS to H.R. 5918, was agreed to by a voice vote

H.R. 5918, a bill to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting, as amended, was reported favorably to the full House by a voice vote.

H.R. 6096, the "Reliable Emergency Alert Distribution Improvement (READI) Act of 2020"

Rep. McNerney and Bilirakis spoke in support of the bill.

H.R. 6096, the "Reliable Emergency Alert Distribution Improvement (READI) Act of 2020" was reported favorably to the full House by a voice vote.

H.R. 6624, the "Utilizing Strategic Allied (USA) Telecommunications Act of 2020"

Rep. Eshoo, Matsui and Guthrie spoke in support of the bill.

H.R. 6624, the "Utilizing Strategic Allied (USA) Telecommunications Act of 2020" was reported favorably to the full House by a voice vote.

H.R. 7310, the "Spectrum IT Modernization Act of 2020"

Rep. Doyle spoke in support of the bill.

H.R. 7310, the "Spectrum IT Modernization Act of 2020" was reported favorably to the full House by a voice vote.