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Union Calendar No. 597

116th Congress, 2d Session – – – – – – – – – – – – – House Report 116–713

ACTIVITY REPORT

OF THE

COMMITTEE ON ENERGY AND COMMERCE

OF THE

HOUSE OF REPRESENTATIVES

FOR THE

ONE HUNDRED SIXTEENTH CONGRESS



DECEMBER 31, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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U.S. GOVERNMENT PUBLISHING OFFICE

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THE COMMITTEE ON ENERGY AND COMMERCE

ONE HUNDRED SIXTEENTH CONGRESS

(Ratio 31–24)

FRANK PALLONE, JR., New Jersey, *Chairman*

BOBBY L. RUSH, Illinois
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ELIOT L. ENGEL, New York
DIANA DEGETTE, Colorado
MICHAEL F. DOYLE, Pennsylvania
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GREG GIANFORTE, Montana

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 31, 2020.

Hon. CHERYL L. JOHNSON,
Clerk, House of Representatives,
Washington, DC.

DEAR MADAM CLERK: Pursuant to clause 1(d) of Rule XI of the Rules of the House of Representatives, I present herewith a report on the activities of the Committee on Energy and Commerce for the 116th Congress, including the Committee's review and study of legislation within its jurisdiction and the oversight activities undertaken by the Committee.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

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Union Calendar No. 597

116TH CONGRESS *2d Session* } HOUSE OF REPRESENTATIVES { REPORT 116–713

ACTIVITY REPORT OF THE COMMITTEE ON ENERGY AND COMMERCE OF THE HOUSE OF REPRESENTATIVES FOR THE ONE HUNDRED SIXTEENTH CONGRESS

DECEMBER 31, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PALLONE, from the Committee on Energy and Commerce, submitted the following

R E P O R T

JURISDICTION

The jurisdiction of the Committee on Energy and Commerce, as prescribed by clause 1(f) of Rule X of the Rules of the House of Representatives, is as follows:

(1) Biomedical research and development.

(2) Consumer affairs and consumer protection.

(3) Health and health facilities (except health care supported by payroll deductions).

(4) Interstate energy compacts.

(5) Interstate and foreign commerce generally.

(6) Exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.

(7) Conservation of energy resources.

(8) Energy information generally.

(9) The generation and marketing of power (except by Federally chartered or Federal regional power marketing authorities); reliability and interstate transmission of, and ratemaking for, all power; and siting of generation facilities (except the installation of interconnections between Government waterpower projects).

(10) General management of the Department of Energy and management and all functions of the Federal Energy Regulatory Commission.

(11) National energy policy generally.

(12) Public health and quarantine.

(13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.

(14) Regulation of interstate and foreign communications.

(15) Travel and tourism.

The committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy.

In addition, clause 3(e) of Rule X of the Rules of the House of Representatives provides that the Committee on Energy and Commerce shall review and study on a continuing basis laws, programs, and Government activities relating to nuclear and other energy and nonmilitary nuclear energy research and development including the disposal of nuclear waste.

RULES FOR THE COMMITTEE ON ENERGY AND COMMERCE U.S. HOUSE OF REPRESENTATIVES, 116TH CONGRESS

(Adopted January 24, 2019)

Rule 1. General Provisions

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Energy and Commerce (the "Committee") and its subcommittees so far as is applicable.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

Rule 2. Business Meetings/Markups

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his or her discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings. The chairman may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) Notice. The date, time, place, and subject matter of any meeting of the Committee (other than a hearing) shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. In no event shall such meeting commence earlier than the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which members have notice thereof.

(d) Agenda. The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) Availability of Texts. No bill, recommendation, or other matter shall be considered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of

a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) Waiver. The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chairman with the concurrence of the ranking member, as the case may be.

Rule 3. Hearings

(a) Notice. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) Memorandum. Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) Witnesses. (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of any Federal grants or contract or foreign government contracts and payments related to the subject matter of the hearing received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness. The disclosure shall include (i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and (ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(d) Questioning. (1) The right to interrogate the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. The chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present

when the meeting was called to order have been recognized in the order of seniority on the Committee or relevant subcommittee, as the case may be.

(2) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side. The chairman with the concurrence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(3) Each member may submit to the chairman of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record. After consultation with the ranking minority member, the chairman is authorized to close the hearing record no earlier than 120 days from the date the questions were transmitted to the appropriate witness.

Rule 4. Vice Chairmen; Presiding Member

The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the most senior ranking member of the majority party who is present shall preside at the meeting or hearing.

Rule 5. Open Proceedings

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

Rule 6. Quorum

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee or subcommittee in question. A majority of the members of the Committee or subcommittee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

Rule 7. Official Committee Records

(a)(1) Documents reflecting the proceedings of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House not more than 24 hours after each meeting has adjourned, including a record showing those present at each meeting; and a record of the vote on any question on which a record vote is demanded, including a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(2) Record Votes. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum.

(b) Postponement of Votes. In accordance with clause 2(h)(4) of Rule XI of the Rules of the House, the chairman of the Committee or a subcommittee, after consultation with the ranking minority member of the Committee or subcommittee, may (A) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and (B) resume proceedings on a postponed question at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(c) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4 of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

Rule 8. Subcommittees

(a) Establishment. There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

(b) Powers and Duties. Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of

the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(c) Ratio of Subcommittees. The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

(d) Selection of Subcommittee Members. Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(e) Ex Officio Members. The chairman and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

Rule 9. Opening Statements

(a) Written Statements. All written opening statements at hearings and business meetings conducted by the committee shall be made part of the permanent record.

(b) Length. (1) At full committee hearings, the chairman and ranking minority member shall be limited to 5 minutes each for an opening statement, and may designate another member to give an opening statement of not more than 5 minutes. At subcommittee hearings, the subcommittee chairman and ranking minority member of the subcommittee shall be limited to 5 minutes each for an opening statement. In addition, the full committee chairman and ranking minority member shall each be allocated 5 minutes for an opening statement for themselves or their designees at subcommittee hearings.

(2) At any business meeting of the Committee, statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. The chairman may further limit opening statements for Members (including, at the discretion of the chairman, the chairman and ranking minority member) to one minute.

Rule 10. Reference of Legislation and Other Matters

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full Committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his or her discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also

refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

Rule 11. Managing Legislation on the House Floor

The chairman, in his or her discretion, shall designate which member shall manage legislation reported by the Committee to the House.

Rule 12. Committee Professional and Clerical Staff Appointments

(a) Delegation of Staff. Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he or she may delegate such staff member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) Sufficient Staff. The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) Fair Treatment of Minority Members in Appointment of Committee Staff. The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Contracts for Temporary or Intermittent Services. Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chair-

man and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

Rule 13. Supervision, Duties of Staff

(a) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as they determine is appropriate.

(b) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

Rule 14. Committee Budget

(a) Administration of Committee Budget. The chairman of the Committee, in consultation with the ranking minority member, shall for the 116th Congress attempt to ensure that the Committee receives necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight.

(b) Monthly Expenditures Report. Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

Rule 15. Broadcasting of Committee Hearings

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

Rule 16. Subpoena Power

The power to authorize and issue subpoenas is delegated to the chairman of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The chairman shall notify the ranking minority member

prior to issuing any subpoena under such authority. To the extent practicable, the chairman shall consult with the ranking minority member at least 72 hours in advance of a subpoena being issued under such authority. The chairman shall report to the members of the Committee on the issuance of a subpoena as soon as practicable but in no event later than one week after issuance of such subpoena.

Rule 17. Travel of Members and Staff

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations that involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

Rule 18. Website

The chairman shall maintain an official Committee website for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities, including communicating information about the activities of the minority members of the Committee to Committee members and other members of the House.

Rule 19. Conferences

The chairman of the Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chairman considers it appropriate.

MEMBERSHIP AND ORGANIZATION

ONE HUNDRED SIXTEENTH CONGRESS

COMMITTEE ON ENERGY AND COMMERCE

(Ratio 31–24)

FRANK PALLONE, JR., New Jersey, *Chairman*

BOBBY L. RUSH, Illinois
ANNA G. ESHOO, California
ELIOT L. ENGEL, New York
DIANA DEGETTE, Colorado
MICHAEL F. DOYLE, Pennsylvania
JANICE D. SCHAKOWSKY, Illinois
G.K. BUTTERFIELD, North Carolina
DORIS O. MATSUI, California
KATHY CASTOR, Florida
JOHN P. SARBANES, Maryland
JERRY MCNERNEY, California
PETER WELCH, Vermont
BEN RAY LUJÁN, New Mexico
PAUL TONKO, New York
YVETTE D. CLARKE, New York, *Vice Chair*
DAVID LOEBSACK, Iowa
KURT SCHRADER, Oregon
JOSEPH P. KENNEDY III, Massachusetts
TONY CÁRDENAS, California
RAUL RUIZ, California
SCOTT H. PETERS, California
DEBBIE DINGELL, Michigan
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ANN M. KUSTER, New Hampshire
ROBIN L. KELLY, Illinois
NANETTE DIAZ BARRAGÁN, California
A. DONALD MCEACHIN, Virginia
LISA BLUNT ROCHESTER, Delaware
DARREN SOTO, Florida
TOM O'HALLERAN, Arizona

GREG WALDEN, Oregon, *Ranking Member*
FRED UPTON, Michigan
JOHN SHIMKUS, Illinois
MICHAEL C. BURGESS, Texas
STEVE SCALISE, Louisiana
ROBERT E. LATTA, Ohio
CATHY MCMORRIS RODGERS, Washington
BRETT GUTHRIE, Kentucky
PETE OLSON, Texas
DAVID B. MCKINLEY, West Virginia
ADAM KINZINGER, Illinois
H. MORGAN GRIFFITH, Virginia
GUS M. BILIRAKIS, Florida
BILL JOHNSON, Ohio
BILLY LONG, Missouri
LARRY BUCSHON, Indiana
BILL FLORES, Texas
SUSAN W. BROOKS, Indiana
MARKWAYNE MULLIN, Oklahoma
RICHARD HUDSON, North Carolina
TIM WALBERG, Michigan
EARL L. "BUDDY" CARTER, Georgia
JEFF DUNCAN, South Carolina
GREG GIANFORTE, Montana

SUBCOMMITTEE MEMBERSHIPS AND JURISDICTION

SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

(Ratio 18–13)

MICHAEL F. DOYLE, Pennsylvania, *Chairman*

JERRY MCNERNEY, California
YVETTE D. CLARKE, New York
DAVID LOEBSACK, Iowa
MARC A. VEASEY, Texas
A. DONALD MCEACHIN, Virginia
DARREN SOTO, Florida
TOM O'HALLERAN, Arizona
ANNA G. ESHOO, California
DIANA DEGETTE, Colorado
G.K. BUTTERFIELD, North Carolina
DORIS O. MATSUI, California, *Vice Chair*
PETER WELCH, Vermont
BEN RAY LUJÁN, New Mexico
KURT SCHRADER, Oregon
TONY CÁRDENAS, California
DEBBIE DINGELL, Michigan
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

ROBERT E. LATTA, Ohio, *Ranking Member*
JOHN SHIMKUS, Illinois
STEVE SCALISE, Louisiana
PETE OLSON, Texas
ADAM KINZINGER, Illinois
GUS M. BILIRAKIS, Florida
BILL JOHNSON, Ohio
BILLY LONG, Missouri
BILL FLORES, Texas
SUSAN W. BROOKS, Indiana
TIM WALBERG, Michigan
GREG GIANFORTE, Montana
GREG WALDEN, Oregon
(*Ex Officio*)

Jurisdiction: electronic communications, both interstate and foreign, including voice, video, audio and data, whether transmitted by wire or wirelessly, and whether transmitted by telecommunications, commercial or private mobile service, broadcast, cable, satellite, microwave, or other mode; technology generally; emergency and public safety communications; cybersecurity, privacy, and data security; the Federal Communications Commission, the National Telecommunications and Information Administration, the Emergency Communications Division in the Department of Homeland Security; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON CONSUMER PROTECTION AND COMMERCE

(Ratio 14–10)

JANICE D. SCHAKOWSKY, Illinois, *Chairwoman*

KATHY CASTOR, Florida
MARC A. VEASEY, Texas
ROBIN L. KELLY, Illinois
TOM O'HALLERAN, Arizona
BEN RAY LUJÁN, New Mexico
TONY CÁRDENAS, California, *Vice Chair*
LISA BLUNT ROCHESTER, Delaware
DARREN SOTO, Florida
BOBBY L. RUSH, Illinois
DORIS O. MATSUI, California
JERRY MCNERNEY, California
DEBBIE DINGELL, Michigan
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

CATHY MCMORRIS RODGERS, Washington, *Ranking Member*
FRED UPTON, Michigan
MICHAEL C. BURGESS, Texas
ROBERT E. LATTA, Ohio
BRETT GUTHRIE, Kentucky
LARRY BUCSHON, Indiana
RICHARD HUDSON, North Carolina
EARL L. "BUDDY" CARTER, Georgia
GREG GIANFORTE, Montana
GREG WALDEN, Oregon
(*Ex Officio*)

Jurisdiction: interstate and foreign commerce, including all trade matters within the jurisdiction of the full committee; regulation of commercial practices (the Federal Trade Commission), including sports-related matters; consumer affairs and consumer protection, including privacy matters; data security; consumer product safety (the Consumer Protection Safety Commission); product liability; motor vehicle safety; and regulation of travel, tourism, and time.

SUBCOMMITTEE ON ENERGY

(Ratio 19–14)

BOBBY L. RUSH, Illinois, *Chairman*

SCOTT H. PETERS, California
MICHAEL F. DOYLE, Pennsylvania
JOHN P. SARBANES, Maryland
JERRY MCNERNEY, California, *Vice Chair*
PAUL TONKO, New York
DAVID LOEBSACK, Iowa
G.K. BUTTERFIELD, North Carolina
PETER WELCH, Vermont
KURT SCHRADER, Oregon
JOSEPH P. KENNEDY, III, Massachusetts
MARC A. VEASEY, Texas
ANN M. KUSTER, New Hampshire
ROBIN L. KELLY, Illinois
NANETTE DIAZ BARRAGÁN, California
A. DONALD MCEACHIN, Virginia
TOM O'HALLERAN, Arizona
LISA BLUNT ROCHESTER, Delaware
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

FRED UPTON, Michigan, *Ranking Member*
ROBERT E. LATTA, Ohio
CATHY MCMORRIS RODGERS, Washington
PETE OLSON, Texas
DAVID B. MCKINLEY, West Virginia
ADAM KINZINGER, Illinois
H. MORGAN GRIFFITH, Virginia
BILL JOHNSON, Ohio
LARRY BUCSHON, Indiana
BILL FLORES, Texas
RICHARD HUDSON, North Carolina
TIM WALBERG, Michigan
JEFF DUNCAN, South Carolina
GREG WALDEN, Oregon
(*Ex Officio*)

Jurisdiction: national energy policy; fossil energy; renewable energy; nuclear energy; nuclear facilities; the Department of Energy; the Nuclear Regulatory Commission; the Federal Energy Regulatory Commission; synthetic and alternative fuels; energy conservation; energy information; utility issues; interstate energy compacts; energy generation, marketing, reliability, transmission, siting, exploration, production, efficiency, cybersecurity, and ratemaking for all generated power; pipelines; all laws, programs, and government activities affecting energy matters, including all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON ENVIRONMENT AND CLIMATE CHANGE

(Ratio 14–10)

PAUL TONKO, New York, *Chairman*

YVETTE D. CLARKE, New York
SCOTT H. PETERS, California
NANETTE DIAZ BARRAGÁN, California
A. DONALD MCEACHIN, Virginia
LISA BLUNT ROCHESTER, Delaware
DARREN SOTO, Florida
DIANA DEGETTE, Colorado
JANICE D. SCHAKOWSKY, Illinois
DORIS O. MATSUI, California
JERRY MCNERNEY, California
RAUL RUIZ, California, *Vice Chair*
DEBBIE DINGELL, Michigan
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

JOHN SHIMKUS, Illinois, *Ranking Member*
CATHY MCMORRIS RODGERS, Washington
DAVID B. MCKINLEY, West Virginia
BILL JOHNSON, Ohio
BILLY LONG, Missouri
BILL FLORES, Texas
MARKWAYNE MULLIN, Oklahoma
EARL L. "BUDDY" CARTER, Georgia
JEFF DUNCAN, South Carolina
GREG WALDEN, Oregon
(*Ex Officio*)

Jurisdiction: the Clean Air Act and air emissions; all matters related to soil, air, and water contamination, including Superfund and the Resource Conservation and Recovery Act; the regulation of solid, hazardous, and nuclear wastes, including mining, nuclear, oil, gas, and coal combustion waste; emergency environmental response; industrial plant security, including cybersecurity; the regulation of drinking water (Safe Drinking Water Act), including underground injection of fluids (e.g., deep well injection or hydrofracking); toxic substances (Toxic Substances Control Act); noise; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON HEALTH

(Ratio 19–14)

ANNA G. ESHOO, California, *Chairwoman*

ELIOT L. ENGEL, New York
G.K. BUTTERFIELD, North Carolina,
Vice Chair
DORIS O. MATSUI, California
KATHY CASTOR, Florida
JOHN P. SARBANES, Maryland
BEN RAY LUJÁN, New Mexico
KURT SCHRADER, Oregon
JOSEPH P. KENNEDY, III, Massachusetts
TONY CARDENAS, California
PETER WELCH, Vermont
RAUL RUIZ, California
DEBBIE DINGELL, Michigan
ANN M. KUSTER, New Hampshire
ROBIN L. KELLY, Illinois
NANETTE DIAZ BARRAGÁN, California
LISA BLUNT ROCHESTER, Delaware
BOBBY L. RUSH, Illinois
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

MICHAEL C. BURGESS, Texas,
Ranking Member
FRED UPTON, Michigan
JOHN SHIMKUS, Illinois
BRETT GUTHRIE, Kentucky
H. MORGAN GRIFFITH, Virginia
GUS M. BILIRAKIS, Florida
BILLY LONG, Missouri
LARRY BUCSHON, Indiana
SUSAN W. BROOKS, Indiana
MARKWAYNE MULLIN, Oklahoma
RICHARD HUDSON, North Carolina
EARL L. "BUDDY" CARTER, Georgia
GREG GIANFORTE, Montana
GREG WALDEN, Oregon
(*Ex Officio*)

Jurisdiction: public health and quarantine; hospital construction; mental health; biomedical research and development; health information technology, privacy, and cybersecurity; public health insurance (Medicare, Medicaid) and private health insurance; medical malpractice and medical malpractice insurance; the regulation of food, drugs, devices, cosmetics, and tobacco (the Food and Drug Administration); drug abuse; the Department of Health and Human Services; the National Institutes of Health; the Centers for Disease Control; Indian Health Service; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

(Ratio 11–8)

DIANA DEGETTE, Colorado, *Chair*

JANICE D. SCHAKOWSKY, Illinois
JOSEPH P. KENNEDY, III, Massachusetts,
Vice Chair
RAUL RUIZ, California
ANN M. KUSTER, New Hampshire
KATHY CASTOR, Florida
JOHN P. SARBANES, Maryland
PAUL TONKO, New York
YVETTE D. CLARKE, New York
SCOTT H. PETERS, California
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

BRETT GUTHRIE, Kentucky,
Ranking Member
MICHAEL C. BURGESS, Texas
DAVID B. MCKINLEY, West Virginia
H. MORGAN GRIFFITH, Virginia
SUSAN W. BROOKS, Indiana
MARKWAYNE MULLIN, Oklahoma
JEFF DUNCAN, South Carolina
GREG WALDEN, Oregon
(*Ex Officio*)

Jurisdiction: responsibility for oversight of agencies, departments, and programs related to the jurisdiction of the full committee, and for conducting investigations.

COMMITTEE STAFF

MAJORITY COMMITTEE STAFF

JEFFREY C. CARROLL, *Staff Director*
TIFFANY GUARASCIO, *Deputy Staff Director*
ANDREW W. SOUVALL, *Director of Communications, Outreach, and Member Services*
RICK KESSLER, *Staff Director, Energy and Environment and Senior Policy Advisor*
CHRISTOPHER KNAUER, *Staff Director, Oversight and Investigations*
UNA LEE, *Chief Health Counsel*
KIMBERLEE R. TRZECIAK, *Chief Health Advisor*
ALEX D. HOEHN SARIC, *Chief Counsel—Communications and Consumer Protection*
TIMOTHY R. ROBINSON, *Chief Counsel*
WAVERLY L. GORDON, *Deputy Chief Counsel*
SHARON E. DAVIS, *Chief Clerk*
WILLIAM C. BENJAMIN, *Systems Administrator*
ELIZABETH B. ERTEL, *Office Manager*
AUSTIN J. FLACK, *Staff Assistant*
EVAN GILBERT, *Deputy Press Secretary*
PERRY H. HAMILTON, *Deputy Chief Clerk*
ZACHARY L. KAHAN, *Outreach and Member Services Coordinator*
ELYSA A. MONTFORT, *Press Secretary*
KAITLYN D. PEEL, *Digital Director*
LINO PEÑA MARTINEZ, *Staff Assistant*
ALIVIA P. ROBERTS, *Press Assistant*
CHLOE V. RODRIGUEZ, *Deputy Chief Clerk/Policy Analyst*
EDWARD L. WALKER, *Technology Director*
CAROLINE E. WOOD, *Legislative Assistant*
CJ YOUNG, *Press Secretary*
JACQUELINE COHEN, *Chief Environment Counsel*
ADAM S. FISCHER, *Junior Professional Staff Member*
JEAN FRUCI, *Policy Advisor, Energy and Environment (retired)*
ANTHONY J. GUTIERREZ, *Professional Staff Member*
CAITLIN HABERMAN, *Professional Staff Member*
BRENDAN LARKIN, *Policy Coordinator—Environment and Climate Change*
DUSTIN J. MAGHAMFAR, *Air and Climate Counsel*
JOURDAN M. LEWIS, *Policy Coordinator—Energy*
JOHN MARSHALL, *Policy Coordinator—Energy (resigned)*
MEDHA SURAMPUDY, *Professional Staff Member*
REBECCA J. TOMILCHIK, *Policy Analyst, Energy and Environment*
J. TULEY WRIGHT, *Senior Energy and Environment Policy Advisor*
PETER J. RECHTER, *Counsel*
MOHAMMAD ASLAMI, *Oversight Counsel*
KEVIN S. BARSTOW, *Chief Oversight Counsel*
JESSECA L. BOYER, *Professional Staff Member*
MANMEET K. DHINDSA, *Counsel*
JUDITH B. HARVEY, *Counsel*
EDWARD M. KACZAMARSKI, *Professional Staff Member*
KEVIN G. MCALOON, *Oversight Investigator*
JON MONGER, *Oversight Counsel*
NIKKI ROY, *Policy Coordinator—Oversight and Investigations*
BENJAMIN S. TABOR, *Junior Professional Staff Member and Policy Analyst, Oversight*
JOE BANEZ, *Professional Staff Member*
JACQUELYN L. BOLEN, *Health Counsel*
KIMBERLY L. ESPINOSA, *Professional Staff Member*
STEPHEN M. HOLLAND, *Health Counsel*
SAHA KHATERZAI, *Professional Staff Member*
AISLING E. MCDONOUGH, *Policy Coordinator—Health*
MEGHAN K. MULLON, *Policy Analyst, Health*
ROBERTO SADA III, *Policy Coordinator*
SAMANTHA N. SATCHELL, *Professional Staff Member*
RICHARD A. VAN BUREN, *Health Counsel*
AJ BROWN, *Counsel*
JENNIFER L. EPPERSON, *Counsel*
GERALD B. LEVERICH III, *Senior Counsel*
DANIEL A. MILLER, *Junior Professional Staff Member*
PHILIP H. MURPHY, *Policy Coordinator—Communications and Technology*

JOSEPH S. ORLANDO, *Policy Analyst, Communications and Technology*
ELISA R. GOLDMAN, *Senior Counsel*
DANIEL M. GREENE, *Professional Staff Member*
SYDNEY L. TERRY, *Policy Coordinator—Consumer Protection and Commerce*
ANNA YU, *Professional Staff Member*

GOVERNMENT DETAILEES

WAYNE LAUFERT, *Government Publishing Office*
PATRICIA MANGRUM, *Government Publishing Office*
EMILY RYAN, *Government Accountability Office*
MEGAN HOWARD, *Food and Drug Administration*
PARUL DESAI, *Federal Communications Commission*
ELISABETH OLSON, *Federal Energy Regulatory Commission*
CATHERINE GILJOHANN, *Federal Energy Regulatory Commission*
ANNE MARIE HIRSCHBERGER, *Federal Energy Regulatory Commission*

MINORITY COMMITTEE STAFF

MICHAEL D. BLOOMQUIST, *Staff Director (retired)*
RYAN C. LONG, *Deputy Staff Director/Staff Director (appointed 10/05/2020)*
PETER KIELTY, *General Counsel*
JENNIFER BARBLAN, *Chief Counsel*
ZACH RODAY, *Director of Communications*
NOLAN W. AHERN, *Professional Staff Member*
LORISSA M. BOUNDS, *Policy Coordinator*
SARA KATHERINE BOWENS, *Press Secretary*
WILLIAM B. CLUTTERBUCK, *Staff Assistant*
GERALD S. COURI III, *Deputy Chief Counsel for Environment*
JORDAN DAVIS, *Senior Advisor*
JUSTIN DISCIGIL, *Press Secretary*
THERESA N. GAMBO, *Financial and Office Administrator*
MARISSA GERVASI, *Counsel*
CALEB M. GRAFF, *Deputy Chief Counsel, Health*
TYLER J. GREENBERG, *Staff Assistant*
BRITTAN HAVENS, *Professional Staff Member*
TIFFANY HAVERLY, *Communications Director*
MOLLY JENKINS, *Press Secretary*
BIJAN KOOHMARAIE, *Deputy Chief Counsel, Consumer Protection & Commerce & Coalitions Director*
TIMOTHY KURTH, *Chief Counsel, Consumer Protection and Commerce*
MARY K. MARTIN, *Chief Counsel, Energy and Environment*
BRANDON P. MOONEY, *Deputy Chief Counsel, Energy*
CATHERINE O'CONNOR, *Chief Counsel, Communications and Technology*
JP PALUSKIEWICZ, *Chief Counsel*
CLAIRE M. PAOLETTA, *Policy Analyst*
BRANNON T. RAINS, *Policy Analyst*
MARK D. RATNER, *Policy Coordinator*
KRISTIN T. SEUM, *Counsel*
KRISTEN E. SHATYNSKI, *Professional Staff Member*
ALAN M. SLOBODIN, *Chief Investigative Counsel*
NATALIE SOHN, *Counsel*
PETER SPENCER, *Senior Professional Staff*
CALLIE STROCK, *Press Secretary*
MATTHEW THOMAS, *Research Associate*
EVAN M. VIAU, *Professional Staff Member*
EVERETT G. WINNICK, *Director of Information Technology*

GOVERNMENT DETAILEES

KRISTINE FARGOTSTEIN, *Federal Communications Commission*
MICHAEL ENGEL, *Federal Communications Commission*
DAVID BRODIAN, *Department of Commerce*
DIANE CUTLER, *Department of Health and Human Services, Office of the Inspector General*

COMMITTEE ORGANIZATION AND HISTORICAL NOTES

COMMITTEE ORGANIZATION

The Committee on Energy and Commerce organized on January 24, 2019, the Honorable Frank Pallone, Jr. (D–NJ), presiding. The size of the full Committee remained the same as it was in the 115th Congress, bringing the total number of members on the Committee to 55 (31 Democrats and 24 Republicans). Nine were new to the Committee: Representatives Veasey of Texas, Kuster of New Hampshire, Kelly of Illinois, Barragán of California, McEachin of Virginia, Blunt Rochester of Delaware, Soto of Florida, O'Halleran of Arizona, and Gianforte of Montana. Representative Yvette D. Clarke of New York was designated as Vice Chair for the full Committee for the 116th Congress.

In the 116th Congress, there were no changes in the Committee membership following its organization, an exceptional occurrence that had not happened during the previous 25 years.

During the January 24, 2019, organizational meeting, the Committee adopted the Rules of the Committee for the 116th Congress. The subcommittee jurisdictions, ratios, and memberships were approved, as well. While the jurisdiction and ratios of the subcommittees remained the same as in the 115th Congress, two subcommittee names were changed. The new names were the Subcommittee on Consumer Protection and Commerce, in the 115th Congress previously named the Subcommittee on Digital Commerce and Consumer Protection; and the Subcommittee on Environment and Climate Change, previously named the Subcommittee on Environment. The following members were elected to serve as subcommittee chairs and Chairman Pallone later designated the vice chairs of the six subcommittees:

- *Subcommittee on Communications and Technology*
  Michael Doyle of Pennsylvania, *Chairman*
  Doris O. Matsui of California, *Vice Chair*
- *Subcommittee on Consumer Protection and Commerce*
  Janice D. Schakowsky of Illinois, *Chairwoman*
  Tony Cárdenas of California, *Vice Chair*
- *Subcommittee on Energy*
  Bobby L. Rush of Illinois, *Chairman*
  Jerry McNerney of California, *Vice Chair*
- *Subcommittee on Environment and Climate Change*
  Paul Tonko of New York, *Chairman*
  Raul Ruiz of California, *Vice Chair*
- *Subcommittee on Health*
  Anna G. Eshoo, California, *Chairwoman*
  G.K. Butterfield of North Carolina, *Vice Chair*
- *Subcommittee on Oversight and Investigations*
  Dianna DeGette of Colorado, *Chair*

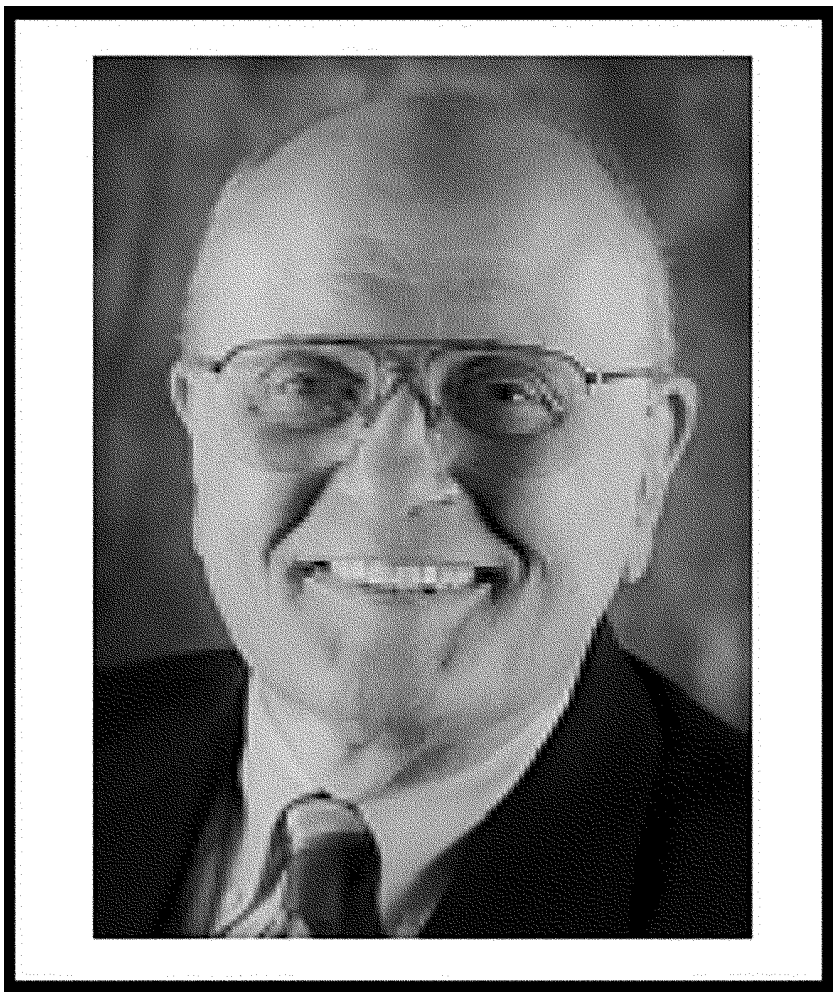
Joseph P. Kennedy III of Massachusetts, *Vice Chair*

As the 116th Congress concludes, 10 committee members will not return for the next congress due to their decision to retire or because of electoral outcomes.

Among those leaving the House at the end of this congress is the Honorable Greg Walden (R–OR), who serves as the full Committee's Republican leaders and Ranking Member in the 116th Congress. Mr. Walden was first elected to Congress in 1998 and has served 21 years in the House of Representatives, with 19 of those years as a Member of this Committee. From the 112th through the 114th Congress, he served as chairman of the Subcommittee on Communications and Technology. In the 115th Congress, Mr. Walden was elected and served as the Chairman of the full Committee on Energy and Commerce. In October of 2019, Mr. Walden announced his plan to retire at the end of the 116th Congress. At that time, Chairman Pallone noted that the Committee on Energy and Commerce had "a proud tradition of bipartisanship, and during both his time as Chairman and Ranking Member, Greg has lived up to that tradition." He concluded that Mr. Walden's "voice, ideas and leadership will be missed in the House."

HISTORICAL NOTES

JOHN D. DINGELL, JR. (1926–2019)



Shortly after the first session of the 116th Congress began, and a new chairman was elected to lead the Committee on Energy and Commerce, the committee lost a former member and chairman, the late Honorable John D. Dingell of Michigan. Mr. Dingell died on February 7, 2019, at the age of 92 at his home in Dearborn, Michigan. Mr. Dingell, who retired from the House at the end of the 113th Congress, was the longest-ever serving member of Congress in American history, representing Michigan for more than 59 years.

A year following Mr. Dingell's first election to the House, he was appointed a member of this Committee in 1957, at that time named the Committee on Interstate and Foreign Commerce. More than two decades later, he was elected Chairman of the Committee on

Energy and Commerce. Mr. Dingell's chairmanship encompassed the years of 1981 to 1995 and again from 2007 to 2009. In 2010, Mr. Dingell was named Chairman Emeritus of the Committee, a title he held until his retirement in 2015.

Also, in 1995 of the 104th Congress, Mr. Dingell became the longest continuously serving member of the House of Representatives, making him the Dean of the House of Representatives. As Dean of the House, Mr. Dingell gave the oath of office to the Speaker-elect in each new Congress. His tenure as Dean was also the longest of any other in history. During the 20 years he held that title, Mr. Dingell swore in 10 Speakers of the House of Representatives.

In 2013, the main hearing room of the Committee on Energy and Commerce, room 2123 of the Rayburn House Office Building, was named the John D. Dingell Room in honor of the former Chairman.

225TH ANNIVERSARY OF THE COMMITTEE

On December 14, 2020, the Committee on Energy and Commerce marked its 225th anniversary as the oldest continuous standing committee in the House of Representatives, originally named the Committee on Commerce and Manufactures in 1795.

More than two centuries ago, the Fourth Congress determined to establish several permanent legislative panels, or standing committees. The first of these standing committees to be established was the Committee on Commerce and Manufacturers. It was believed that such a permanent committee would better address the multitude of petitions and memorials being presented to the new Federal legislature. Prior to using standing committees, the first congresses created special or select committees that would disband once their immediate assignments were completed. By 1795, Congress recognized its repeated reliance on a smaller number of representatives to finalize legislative language and produce a bill that the Congress had considered and would subsequently pass. Congressional founding fathers envisioned that the establishment of a standing committee, one that endured through each passing congress, would promote a more efficient way to address and dispose of the congressional workload, especially related to the Commerce Clause of the Constitution. It was further expected that having a committee with a more stable membership of representatives would, over time, not only allow those members to gain experience with and knowledge about matters under the Committee's jurisdiction, but also carry out their work more efficiently and effectively to present a legislative measure to the entire Congress. Over the centuries, the system of standing committees has remained a key function of House of Representatives in lawmaking and government oversight and has proven to be the workhorse of the Congress.

THE COMMITTEE AND THE COVID–19 PANDEMIC OF 2020

Shortly after the start of the second session of the 116th Congress, the first case of the coronavirus disease of 2019 (COVID–19) in the United States was reported by the Centers for Disease Control and Prevention (CDC) on January 21, 2020. Ten days later on

January 31, the Secretary of the Department of Health and Human Services (HHS) declared the disease a public health emergency. The first death in the United States of an individual known to have COVID–19 occurred on February 6. The World Health Organization declared the disease a pandemic on March 11, and on March 13, President Trump declared a national emergency.

As a result of the spreading national COVID–19 pandemic, the Committee on Energy and Commerce staff was instructed to begin the unprecedented actions of working remotely from their homes beginning on March 16, 2020, which continued through the end of the 116th Congress. The Capitol complex and the House office buildings were closed to the public. No hearings or markups were held from that point on until late May.

At the direction of Chairman Pallone, the committee staff began work to determine the best tools available to enable its members to safely convene and work together on the important issues under the Committee's jurisdiction, especially in the area of public health.

With the goal of safeguarding the health and wellbeing of the American people, Chairman Pallone further directed committee staff to prepare a series of fact sheets for the Committee's website as well as for use as a shared resource not only by Members of Congress but also for the public at large. These COVID–19 fact sheets (https://energycommerce.house.gov/covid-19-responses) were prepared on a range of topics related to the pandemic, including information on what a national emergency declaration means; the availability of testing by State; shortages of personal protective equipment and medical supplies; vaccine development and how will it be distributed; and a number of links to government websites where individuals can file claims or receive further information. The fact sheets also included information about the Committee's ongoing activity to oversee and question the White House Coronavirus Task Force and other Federal agencies regarding what was being done to develop a national COVID–19 strategy and its deployment.

During the spring of 2020, the House leadership worked on revising the House rules to allow remote work on the House floor and in committees during the pandemic. At the same time, this Committee focused on how it would work during the pandemic, starting with its majority and minority caucuses holding discussions that contributed to determining the priority issues relating to the pandemic. The Committee Chairman and Ranking Minority Member then began holding bipartisan forums through teleconferencing to share information on the COVID–19 pandemic. These forums usually included an individual or government official with expertise on the pandemic. This type of forum was later held on other issues within the Committee's jurisdiction.

Meanwhile, the committee staff researched and obtained the technology needed to conduct remote meetings, hearings, and markups with video conferencing software. The committee members and staff received practice sessions on using this equipment in preparation for the transition to virtually conducting committee business.

There was one subcommittee hearing held in May 2020, prior to adoption of House rules for remote House activities. That hearing,

although held in-person, utilized social distancing as determined by the Architect of the Capitol and followed the guidelines of the CDC and the Attending Physician of the Capitol to ensure participant safety and avoid transmission of the novel virus.

By June of 2020, the House of Representatives approved changes to the House rules enabling committees to conduct fully remote virtual hearings and markups. Committees also had the option of holding a hybrid hearing, which allowed committee members to choose whether to attend remotely or in-person. The Committee continued to enforce the CDC and Attending Physician of the Capitol guidelines for this type of hearing. Hybrid hearings were necessary as the Trump Administration only permitted its department officials to testify in person. Except for those instances, Chairman Pallone, as a matter of public health, only allowed virtual hearings and markups to be held for the remainder of the 116th Congress. From the point of the adoption of the House remote work rules, the Committee on Energy and Commerce held 17 virtual hearings and two hybrid hearings during the second session. The Committee also held two virtual full Committee markup sessions that favorably approved a total of 68 measures to the House. Finally, for the first time, the Committee on Energy and Commerce filed House reports electronically with the Clerk of the House on a total of 51 bills and resolutions approved for House consideration.

LEGISLATIVE AND OVERSIGHT ACTIVITY OF THE COMMITTEE

STATISTICAL SUMMARY OF COMMITTEE ACTIVITIES

Total Bills and Resolutions Referred to Committee	2,222*
Public Laws	26
Bills and Resolutions Reported to the House	95
Hearings Held:	
Days of Hearings	129
Full Committee	4
Subcommittee on Consumer Protection and Commerce	19
Subcommittee on Communications and Technology	17
Subcommittee on Energy	17
Subcommittee on Environment and Climate Change	25
Subcommittee on Health	30
Subcommittee on Oversight and Investigations	21
Hours of Sitting	361:13
Full Committee	18:58
Subcommittee on Consumer Protection and Commerce	49:12
Subcommittee on Communications and Technology	46:12
Subcommittee on Energy	23:27
Subcommittee on Environment and Climate Change	65:19
Subcommittee on Health	106:15
Subcommittee on Oversight and Investigations	54:45
Legislative Markups:	
Days of Markups	23
Full Committee	8
Subcommittee on Consumer Protection and Commerce	2
Subcommittee on Communications and Technology	4
Subcommittee on Energy	3
Subcommittee on Environment and Climate Change	2
Subcommittee on Health	4
Hours of Sitting	83:47
Full Committee	59:45
Subcommittee on Consumer Protection and Commerce	01:25
Subcommittee on Communications and Technology	07:04
Subcommittee on Energy	04:02
Subcommittee on Environment and Climate Change	04:16
Subcommittee on Health	07:15
Business Meetings:	
Days of Meetings	1
Full Committee	1
Subcommittee on Oversight and Investigations	0
Hours of Sitting	00:28
Full Committee	00:28
Subcommittee on Oversight and Investigations	0

*As of December 28, 2020. (H.R. 9056)

LEGISLATIVE AND OVERSIGHT ACTIVITY OF THE COMMITTEE

SUMMARY

The full Committee and its six subcommittees were extremely active during the 116th Congress and had a significant record of achievement. Of the 2,222 bills referred to the Committee, at least 27 measures became law, and many additional legislative measures were pending action by the President as a result of the Committee's work when this report was filed. The full Committee and its subcommittees held a combined total of 129 hearings and 23 markups.

As the Nation confronted the unprecedented public health crisis of the coronavirus disease of 2019 (COVID–19) pandemic and the resulting severe economic downturn, the Committee worked expeditiously on the following measures that were enacted into law:

- The Families First Coronavirus Response Act included provisions that guaranteed all Americans have access to coronavirus testing free of charge and expanded Federal funding for State and territorial Medicaid programs;
- The Coronavirus Aid, Relief, and Economic Security (CARES) Act provided assistance to the American people, health care workers, hospitals, small businesses, and State, local, Tribal and territorial governments, as well as funding for research and development of vaccines and therapeutics; and
- The Paycheck Protection Program and Health Care Enhancement Act included funding for testing and contact tracing, as well as funding to reimburse hospitals and health care providers for COVID–19 expenses and losses.

Other key accomplishments included crafting legislation through the Committee that was enacted into law, including legislation that will:

- End surprise medical bills by holding patients harmless when they receive a surprise bill from an out-of-network health care provider.
- Phase down the production and consumption of hydrofluorocarbons, a greenhouse gas, in order to avoid up to 0.5 degree Celsius of warming.
- Update the Federal pipeline safety program to better protect our communities and help combat climate change by mandating the repair of methane leaks.
- Provide long-term extensions of expiring public health programs, including Community Health Centers, the National Health Service Corps, Teaching Health Centers, and Special Diabetes Programs.
- Stop the onslaught of annoying robocalls by requiring carriers to offer call-authentication technology to consumers at no additional charge to enable consumers to block calls they don't want.
- Protect consumers from scammers who are exploiting the COVID–19 pandemic to commit fraud.
- Improve America's broadband maps to promote the deployment of high-speed service to Americans living in unserved and underserved areas.

- Secure America's wireless future to better serve all Americans and guarantee our networks are secure from foreign adversaries that may wish to do us harm.
- Protect consumers from dangerous products and ensure the Consumer Product Safety Commission acts quickly to enforce the law and educate consumers about common household dangers.
- Further the march toward our clean energy future by helping Federal, State, and local officials use renewable power, make facilities more energy efficient and acquire zero emissions vehicles and the infrastructure to fuel them.

The Committee also crafted legislation through the Committee that will:

- Enhance the Affordable Care Act to make health care more affordable and accessible, and protect people with pre-existing conditions.
- Make prescription drugs more affordable by empowering the Federal Government to negotiate the price of prescription drugs and capping out-of-pocket costs for seniors.
- Rebuild America through a comprehensive infrastructure package that combats climate change, expands broadband access, and protects public health and the environment.
- Restore a free and open internet to spark innovation and protect small businesses by reversing the Federal Communications Commission's repeal of net neutrality protections.
- Protect consumers and workers by banning the manufacture, import, processing, and distribution of asbestos, which kills nearly 40,000 Americans every year.
- Enhance the security of our electric grid and other energy infrastructure by protecting them against cyberattacks.
- Stop the youth tobacco epidemic by raising the minimum purchase age, prohibiting flavors in tobacco products, and protecting kids from predatory marketing.
- Protect consumers from PFAS contamination and exposure through a protective drinking water standard, ensuring contaminated sites are cleaned up, and establishing a new grant program to filter the chemicals out of Americans' drinking water.

In January 2020, after holding 15 hearings addressing the climate crisis, the Committee released the draft Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act—a comprehensive proposal of sector-specific and economy-wide solutions to address the climate crisis by achieving net-zero greenhouse gas pollution.

The Committee's oversight and investigative efforts were as robust as its legislative efforts, including:

- Scrutinizing the Administration's failures in its response to the COVID–19 pandemic.
- Examining how vaccine manufacturers are spending billions in Federal dollars and partnering with the Federal Government for COVID–19 vaccine development, manufacturing, and equitable distribution.
- Overseeing Federal agencies' efforts to turn the tide against the opioid epidemic.

• Demanding answers from manufacturers and pharmacy middlemen on the skyrocketing price of insulin.
• Examining the role of the Department of Health and Human Services in carrying out the Administration's inhumane family separation policy.
• Investigating the rise of youth vaping in America, the Food and Drug Administration's response, and e-cigarette manufacturers' impact on public health.
• Questioning the Environmental Protection Agency's (EPA) lack of enforcement of environmental violations and its troubling reliance on industry self-reporting, particularly during COVID–19.
• Scrutinizing EPA's efforts to rollback pollution protections and dismiss independent science by removing independent scientific experts and undermining protections against mercury air toxics and automobile emissions;
• Examining the Department of Energy's (DOE) nuclear waste cleanup efforts and skyrocketing environmental liabilities.
• Investigating Short-Term Insurance Plans that put consumers' health at risk.

Full Committee on Energy and Commerce

Legislative Activities

LEADING INFRASTRUCTURE FOR TOMORROW'S AMERICA ACT OR LIFT AMERICA ACT

H.R. 2741

To rebuild and modernize the Nation's infrastructure to expand access to broadband and Next Generation 9–1–1, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment, and for other purposes.

Summary

The "Leading Infrastructure For Tomorrow's America Act", or LIFT America Act, sets out five years of funding for essential infrastructure improvements, job growth, and greater protections for public health and the environment. The LIFT America Act includes investments in several key areas including: $40 billion for the deployment of secure and resilient broadband to expand access for communities nationwide while promoting security by design; $22.56 billion for drinking water infrastructure to protect public health and create jobs, including increased investment in drinking water State Revolving Funds and additional funding to replace lead service lines, address lead in school drinking water, and prepare for the effects of climate change; more than $17 billion for energy infrastructure, including $4 billion for modern, secure, efficient, and resilient electric grid infrastructure, $9 billion for resilient and renewable energy supply, including methane pipeline replacement, and more than $4 billion for energy efficiency efforts and smart communities; more than $3 billion for healthcare infrastructure, to revive the successful Hill-Burton hospital infrastructure program, fund medical facilities in Indian Country, support State labs on the frontlines of fighting Zika and other infectious diseases, and expand community based health care facilities; and $2.7 billion for Brownfields redevelopment to revitalize communities and create jobs by returning valuable land to productive use.

The LIFT America Act will invest in programs with proven records of job creation, including the drinking water State Revolving Fund and the Brownfields Redevelopment program. The legislation requires the use of American made iron and steel for drinking water projects and hospital construction and requires the payment of prevailing wages. The bill will also spur new high-paying technology jobs by supporting deployment of smart buildings, smart grid, and Smart Communities technology.

The LIFT America Act also provides much-needed funding to repair and replace aging infrastructure that will have significant public health benefits, especially for children. The bill includes funding to get lead out of school drinking water, replace polychlorinated biphenyl (PCB)-laden lighting fixtures with safer and more energy efficient alternatives in schools, and reduce diesel emissions from school buses.

Legislative History

On May 15, 2019, H.R. 2741 was introduced by Representative Pallone (NJ–06) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Science, Space, and Technology, Ways and Means, Transportation and Infrastructure, and Education and Labor.

On May 22, 2019, the Committee on Energy and Commerce held a legislative hearing on H.R. 2741. The witnesses included Mignon L. Clyburn, Principal, MLC Strategies, LLC; John Auerbach, MBA, President and CEO, Trust for America's Health; Jessica Eckdish, Legislative Director, BlueGreen Alliance; the Honorable Brian Wahler, Mayor, Piscataway Township New Jersey, on behalf of the U.S. Conference of Mayors; Daniel Lyons, Visiting Fellow, American Enterprise Institute (AEI); and Christopher Guith, Acting President, Global Energy Institute, U.S. Chamber of Commerce.

No further action was taken on H.R. 2741 in the 116th Congress.

OVERSIGHT ACTIVITIES

OVERSIGHT OF THE TRUMP ADMINISTRATION'S RESPONSE TO THE COVID–19 PANDEMIC

On June 23, 2020, the Committee on Energy and Commerce held a hearing entitled "Oversight of the Trump Administration's Response to the COVID–19 Pandemic." The purpose of the hearing was to review the Trump Administration's response to the COVID–19 pandemic to better understand what efforts are working, what still needs to be improved, and what more can Congress do to help. The witnesses included Anthony Fauci, M.D., Director, National Institute for Allergy and Infectious Diseases, National Institutes of Health; Adm. Brett P. Giroir, M.D., Assistant Secretary for Health, U.S. Department of Health and Human Services; Stephen M. Hahn, M.D., Commissioner, U.S. Food and Drug Administration; and Robert R. Redfield, M.D., Director, Centers for Disease Control and Prevention.

ADDRESSING THE URGENT NEEDS OF OUR TRIBAL COMMUNITIES

On July 8, 2020, the Committee on Energy and Commerce held a hearing entitled "Addressing the Urgent Needs of Our Tribal Communities." The purpose of the hearing was to examine the growing health, environmental, and accessibility needs of tribal communities across the country. The witnesses included Charles Grim, D.D.S., M.H.S.A., Secretary, Chickasaw Nation Department of Health; Jonathan Nez, President, Navajo Nation; the Honorable Christine Sage, Chairman, Southern Ute Indian Tribe; Fawn Sharp, President, National Congress of American Indians; and Pilar M. Thomas, Partner, Quarles & Brady LLP.

MEMBER DAY

On July 25, 2019, the Committee on Energy and Commerce held a hearing entitled "Member Day." The purpose of the hearing was to offer the opportunity for all Members of the House of Representatives to highlight specific legislation or issues of importance to them, their constituents, and districts.

The witnesses appearing before the Committee on Member Day included the following Members of the U.S. House of Representatives: Anthony Brindisi (NY–22), Ed Case (HI–01), Elissa Slotkin (MI–08), Bill Pascrell, Jr. (NJ–09), Sanford Bishop, Jr. (GA–02), Mark Takano (CA–41), Ted Lieu (CA 33), Marcy Kaptur (OH 09), Glenn Grothman (WI 6), Dean Phillips (MN–03), Mike Levin (CA–49), Sean Casten (IL–06), Deb Haaland (NM–1), David Schweikert (AZ–06), Donna Shalala (FL–27), Bonnie Watson Coleman (NJ–12), Grace Meng (NY–06), Lucy McBath (GA–06), Gregorio Kilili Camacho Sablan (MP–00), Grace Napolitano (CA–32), Andy Levin (MI–09), Daniel Lipinski (IL–03), Lucille Roybal-Allard (CA–40), Jaime Herrera Beutler (WA–03), David Trone (MD–06), Eric Swalwell (CA–15), Jared Golden (ME–02), Rosa DeLauro (CT–03), James P. McGovern (MA–02), Jenniffer González-Colón (PR–00), Xochitl Torres Small (NM–2), Tom Malinowski (NJ–07), Derek Kilmer (WA–06), Abby Finkenauer (IA–01), Rob Wittman (VA–01), Steve Cohen (TN–09), Troy Balderson (OH–12), Antonio Delgado (NY–19), Vicente Gonzalez (TX–15), Susan Wild (PA–07), Bruce Westerman (AR–04), Kevin Hern (OK–01), Fred Keller (PA–12), Stacey Plaskett (VI–00), Christopher Smith (NJ–04), Eliot L. Engel (NY–16), Gwen Moore (WI–04), Jimmy Gomez (CA–34), Jamie Raskin (MD–08), Doug Collins (GA–09), Elijah E. Cummings (MD–07) and C.A. Dutch Ruppersberger (MD–02). The Committee also received testimony from the following Members of the House of Representatives on behalf of the House Congressional Auto Caucus: Mike Kelly (PA–16) and Marcy Kaptur (OH–09).

SUBCOMMITTEE ON CONSUMER PROTECTION AND COMMERCE

LEGISLATIVE ACTIVITIES

Further Consolidated Appropriations Act, 2020

PUBLIC LAW 116–94 (H.R. 1865, H.R. 3851)

Making further consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Division 1, title VIII of this legislation incorporated the Brand USA Extension Act. This legislation extends funding for Brand USA through fiscal year 2027 and increases the fee on foreign visitors used to partially fund the program. In addition, it reduces the percentage of in-kind contributions from the private sector that can count towards public matching funds; clarifies the qualifications for the members on the board of directors for Brand USA; clarifies additional methods by which Brand USA may carry out its duties; and adds additional transparency and accountability measures.

Legislative History

On July 18, 2019, H.R. 3851, the Brand USA Extension Act, was introduced by Representative Welch (VT–00) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 22, 2019.

On October 29, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on two bills, including H.R. 3851. The witnesses included Christopher L. Thompson, President and CEO, Brand USA; Tori Barnes, Executive Vice President, U.S. Travel Association; and Aaron J. Burstein, Partner, Wilkinson Barker Knauer LLP.

On November 14, 2019, the Subcommittee met in open markup session to consider H.R. 3851 and forwarded the bill to the Committee on Energy and Commerce, amended, by a voice vote.

On November 19, 2019, the Committee met in open markup session to consider H.R. 3851, as amended by the Subcommittee, and ordered the bill favorably reported to the House, as amended, by a voice vote.

On January 13, 2020, the Committee on Energy and Commerce reported H.R. 3851, as amended, to the House (H. Rept. 116–376) and the bill was placed on the Union Calendar (Calendar No. 299).

No further action was taken on H.R. 3851 in the 116th Congress. For further action on the legislation, see the following actions taken on H.R. 1865, for which provisions of H.R. 3851 were incorporated.

On March 25, 2019, H.R. 1865, the National Law Enforcement Museum Commemorative Coin Act, was introduced by Representative Bill Pascrell, Jr. and referred to the Committee on Financial Services.

On October 28, 2019, H.R. 1865 was considered in the House under a motion to suspend the Rules, and the bill, without amendment, was passed by a voice vote.

On October 29, 2019, H.R. 1865 was received in the Senate and read twice.

On November 12, 2019, H.R. 1865 was considered in the Senate, and the bill, as amended, was passed by unanimous consent.

On December 17, 2019, H.R. 1865, now amended to be the Further Consolidated Appropriations Act of 2020, was considered in the House pursuant to the provisions of H. Res. 765, and the bill, with a House amendment to the Senate amendment thereto, was passed by a recorded vote of 297 yeas and 120 nays (Roll Call No. 689).

On December 17 and 19, 2019, H.R. 1865 was received and considered in the Senate, and the bill, without further amendment, was passed by a recorded vote of 71 yeas and 23 nays (Roll Call No. 415).

On December 20, 2019, H.R. 1865 was signed into law by the President (Public Law 116–94).

TO EXTEND THE UNDERTAKING SPAM, SPYWARE, AND FRAUD ENFORCEMENT WITH ENFORCERS BEYOND BORDERS ACT OF 2006, AND FOR OTHER PURPOSES

PUBLIC LAW 116–173 (H.R. 4779)

To extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006 (U.S. SAFE WEB Act), and for other purposes.

Summary

The bill reauthorizes the U.S. SAFE WEB Act through fiscal year 2027. It would also require the Federal Trade Commission to issue a report to Congress describing the Commission's use of and experience with the authority granted by the U.S. SAFE WEB Act.

Legislative History

On October 22, 2019, H.R. 4779 was introduced by Representative Rodgers (WA–05), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 23, 2019.

On October 24, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on two bills, including H.R. 4779. The witnesses included Christopher L. Thompson, President and CEO, Brand USA; Tori Barnes, Executive Vice President, U.S. Travel Association; and Aaron J. Burstein, Partner, Wilkinson Barker Knauer LLP.

On November 14, 2019, the Subcommittee met in open markup session to consider H.R. 4779, and forwarded the bill to the Com-

mittee on Energy and Commerce, without amendment, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 4779 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On December 16, 2019, the Committee on Energy and Commerce reported H.R. 4779, without amendment, to the House (H. Rept. 116–351) and the bill was placed on the Union Calendar (Calendar No. 280). That same day, H.R. 4779 was considered in the House under a motion to suspend the Rules and the bill, as amended, was passed by a voice vote.

On December 17, 2019, the Senate received H.R. 4779, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation. On September 24, 2020, the Senate Committee on Commerce, Science, and Transportation was discharged from consideration of the bill by unanimous consent. That same day, H.R. 4779 was considered in the Senate and passed, without amendment, by a voice vote.

On October 20, 2020, H.R. 4779 was signed into law by the President (Public Law 116–173).

THE CONSOLIDATED APPROPRIATIONS ACT, 2021

PUBLIC LAW 116–__

(H.R. 133, H.R. 806, H.R. 1754, H.R. 9038, H.R. 8132, H.R. 8134, H.R. 2647)

Making consolidated appropriations for the fiscal year ending September 30, 2021, providing coronavirus emergency response and relief, and for other purposes.

Summary

Section 901 of H.R. 133 incorporates H.R. 806, the Portable Fuel Container Safety Act. The legislation requires the CPSC to promulgate a final rule to require flame mitigation devices in portable fuel containers that impede the propagation of flame into the container. It also directs the CPSC to conduct an education campaign to alert consumers to the dangers of using or storing portable fuel containers near ignition sources and amends the Children's Gasoline Burn Prevention Act to expand existing child-resistance requirements for closures for portable gasoline containers to include portable kerosene and diesel fuel containers and component parts.

Section 1201 of H.R. 133 incorporates H.R. 1754, the Horseracing Integrity and Safety Act. This legislation establishes minimum standards for an anti-doping and medication control program, racing surfaces, pre-race inspections, equine medical directors, workout requirements and safety stewards. Further, it provides federal recognition and enforcement power to the Horseracing Integrity and Safety Authority for purposes of developing and implementing both a horse racing anti-doping and medication control program and a racetrack safety program.

Section 1401 of H.R. 133 incorporates H.R. 9038, the COVID–19 Consumer Protection Act. The legislation grants authority to the Federal Trade Commission (FTC) to seek civil penalties for unfair

and deceptive practices associated with the treatment, cure, prevention, mitigation, or diagnosis of COVID–19 or a government benefit related to COVID–19.

Section 1501 of H.R. 133 incorporates H.R. 8132, the American Competitiveness Of a More Productive Emerging Tech Economy (American COMPETE) Act. This legislation directs the Department of Commerce and the FTC to conduct studies and submit reports on technologies including artificial intelligence, the Internet of Things, quantum computing, blockchain, advanced materials, unmanned delivery services, and 3–D printing. The studies include requirements to survey each industry and report recommendations to help grow the economy and safely implement the technology.

Section 2001 of H.R. 133 incorporates H.R. 8134, the Consumer Product Safety Inspection Enhancement Act. This legislation directs the Consumer Product Safety Commission (CPSC) to increase the number of inspectors at ports of entry for the duration of the COVID–19 pandemic. It also directs the CPSC to hire at least 16 additional full-time equivalent personnel stationed at or supporting efforts at ports of entry, including ports of entry for de minimis shipments, and to add additional staffing every year until staffing needs are met. This section also directs the CPSC to study and report to Congress regarding the effects of the COVID–19 pandemic on port inspections and the prevalence of and efforts to target violative consumer products entering the United States as de minimis shipments and from certain high-risk countries.

Section 2101 of H.R. 133 incorporates H.R. 2647, the Safer Occupancy Furniture Flammability Act (SOFFA). This legislation adopts the California upholstered furniture flammability standard as the federal standard for upholstered furniture. The new standard will protect consumers from the risk of upholstered furniture fires and reduce unnecessary consumer exposure to flame-retardant chemicals, which have been associated with adverse health effects.

Legislative History

On January 3, 2019, H.R. 133 was introduced by Representative Cuellar (TX–28), and referred to the Committee on Foreign Affairs. On January 10, 2019, the House considered H.R. 133 under a motion to suspend the Rules and passed H.R. 133 by a voice vote. On January 15, 2020, the Senate passed H.R. 133, amended, by unanimous consent.

On December 21, 2020, the House passed an amendment to the Senate amendment to H.R. 133 with a portion of amendment comprising divisions B, C, E, and F by a recorded vote of 327 yeas and 85 nays (Roll no. 250) and an amendment to the Senate amendment to H.R. 133 (except divisions B, C, E, and F) by a recorded vote of 359 yeas and 53 nays (Roll no. 251). That same day, the House passed the Senate amendment to H.R. 133, amended, by unanimous consent.

On December 21, 2020, the Senate passed the House amendment to the Senate amendment to H.R. 133 by a recorded vote of 92 yeas to 6 nays (Recorded Vote Number: 289). On December 24, 2020, H.R. 133 was presented to the President. On December 27, 2020, the President signed H.R. 133 into law. The Public Law number had not been assigned when this report was filed.

H.R. 133 includes provisions from the following bills: H.R. 806, the Portable Fuel Container Safety Act, introduced by Representative Thompson (CA–05); H.R. 1754, the Horseracing Integrity and Safety Act of 2020, introduced by Representative Tonko (NY–20); H.R. 9038, To prohibit deceptive acts or practices in connection with public health emergencies resulting from COVID–19, introduced by Representative Schakowsky (IL–09); H.R. 8132, the American COMPETE Act, introduced by Representative Rodgers; H.R. 8134, the Consumer Product Safety Inspection Enhancement Act, introduced by Representative Schakowsky; and H.R. 2647, the Safer Occupancy Furniture Flammability Act, introduced by Representative Matsui (CA–06).

MOVING FORWARD ACT

H.R. 2 (H.R. 6284, H.R. 6256, H.R. 4354, H.R. 4708)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

Section 32003 of H.R. 2 incorporates H.R. 6284, the "21st Century Smart Cars Act". This legislation requires the National Highway Traffic Safety Administration (NHTSA) to require all new passenger motor vehicles to be equipped with advanced driver assistance systems and establish minimum performance standards these systems. The Administrator is also directed to update safety standards applicable to headlamps and issue a final rule to require clear and concise information about the capabilities and limitations of vehicles with advanced driver assistance systems.

Section 32004 of H.R. 2 incorporates H.R. 6256, the "Five-Stars for Safe Cars Act", which directs NHTSA to update the New Car Assessment Program to account for advances in advanced driver assistance systems, crashworthiness protections, and other automobile safety features.

Section 32005 of H.R. 2 incorporates H.R. 4354, the "Honoring Abbas Family Legacy to Terminate Drunk Driving Act", which mandates that NHTSA require all new passenger motor vehicles to be equipped with passive alcohol detection systems and establish minimum standards for those systems.

Section 32006 of H.R. 2 incorporates H.R. 4708, the "Safety, Accountability, and Federal Enforcement of Limos Act", which requires that new limousines have seatbelts for every seating position, meet safety requirements for seat strength and integrity, and be equipped with evaluation exits. Further, limousine remodelers converting used vehicles into limousines are required to adhere to Federal safety standards and develop safety plans. The legislation also requires limousine operators to disclose the date of an inspection, the results of an inspection, and any corrective actions taken to pass inspection and directs NHTSA to research side impact protection, roof crush resistance, and air bag systems for limousines.

Legislative History

On June 11, 2020, H.R. 2 was introduced by Representative DeFazio (OR–04) and referred to the Committee on Transportation and Infrastructure.

On July 1, 2020, H.R. 2 was considered in the House pursuant to the provisions of H. Res. 1028 and the bill, as amended, was passed by a recorded vote of 233 yeas to 188 nays (Roll Call No. 138).

On July 20, 2020, H.R. 2 was received in the Senate.

No further action was taken on H.R. 2 in the 116th Congress.

On March 13, 2020, H.R. 6284, the "21st Century Smart Cars Act", was introduced by Representative Schakowsky and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 16, 2020.

On March 12, 2020, H.R. 6256, the "Five-Stars for Safe Cars Act", was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 13, 2020.

On September 17, 2019, H.R. 4354, the "Abbas Family Legacy to Terminate Drunk Driving Act", was introduced by Representative Dingell (MI–12) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Reform. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on September 18, 2019.

On October 16, 2019, H.R. 4708, the SAFE Limo Act, was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 17, 2019.

No further action was taken on H.R. 6284, H.R. 6256, H.R. 4354, and H.R. 4354 in the 116th Congress. The provisions of these bills were included in H.R. 2.

U.S. Senator Joseph D. Tydings Memorial Prevent All Soring Tactics Act of 2019

H.R. 693

To amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

Summary

This legislation establishes a new system for inspecting horses for soring, which includes various actions taken on horses' limbs to produce higher gaits that may cause pain, distress, inflammation, or lameness. The United States Department of Agriculture (USDA) must license, train, assign, and oversee persons for hire by the management of horse shows, exhibitions, sales, or auctions to detect and diagnose sore horses. A license may not be issued to a person with conflicts of interest, and the USDA must give preference

to veterinarians. The USDA may revoke a license for unsatisfactory performance.

In addition, the bill increases penalties for violations. The USDA is permitted to disqualify violators from activities related to horse shows, exhibitions, sales, and auction and prevent a horse that is sore from being shown or exhibited.

Legislative History

On January 22, 2019, H.R. 693 was introduced by Representative Schrader (OR–05) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on January 25, 2019.

On May 23, 2019, Representative Schrader filed a motion to place the bill on Consensus Calendar. On July 19, 2019, H.R. 693 was placed the Consensus Calendar (Calendar No. 3).

On July 24, 2019, H.R. 693 was considered in the House under a motion to suspend of the Rules and the bill, as amended, was passed by a recorded vote of 333 yeas and 96 nays (Roll no. 510).

On July 29, 2019, H.R. 693 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 693 in the 116th Congress.

PORTABLE FUEL CONTAINER SAFETY ACT OF 2019

H.R. 806

To require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, and for other purposes.

Summary

This legislation directs the Consumer Product Safety Commission (CPSC) to issue a mandatory standard that requires flame mitigation devices in portable fuel containers to prevent death or injuries from flame-jetting. It further directs the CPSC to conduct an education campaign to alert consumers to the dangers of using or storing portable fuel containers near ignition sources. The legislation also amends the Children's Gasoline Burn Prevention Act to expand existing child-resistance requirements for closures for portable gasoline containers to include portable kerosene and diesel fuel containers and component parts.

Legislative History

On October 22, 2019, H.R. 806 was introduced by Representative Thompson (CA–05) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on January 29, 2019.

On June 13, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 806. The witnesses included Will Wallace, Manager, Home & Products Policy, Consumer Reports; Crystal Ellis, Founding Member, Parents Against Tip-Overs; Chris Parsons, President, Minnesota Professional Fire Fighters; and Charles A. Samuels, Member, Mintz.

On July 10, 2019, the Subcommittee met in open markup session to consider H.R. 806 and the bill was forwarded to the Committee on Energy and Commerce, amended, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 806, as amended by the Subcommittee, and subsequently ordered H.R. 806 reported favorably to the House, as amended, by a voice vote.

On September 13, 2019, the Committee on Energy and Commerce reported H.R. 806, as amended, to the House (H. Rept. 116–207) and the bill was placed on the Union Calendar (Calendar No. 164).

On September 17, 2019, H.R. 806 was considered in the House under a motion to suspend the Rules and the bill, as amended, was passed by a voice vote.

On September 18, 2019, the bill was received in the Senate, read twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 806 in the 116th Congress. Provisions of this bill were incorporated into H.R. 133, which became public law.

NICHOLAS AND ZACHARY BURT CARBON MONOXIDE POISONING PREVENTION ACT OF 2019

H.R. 1618

To encourage states to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

Summary

This legislation directs the CPSC to establish a grant program for States to purchase and install carbon monoxide detectors in dwelling units of low-income families or the elderly; facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers; or student dorms owned by public universities, and to assist in enforcement and education efforts related to carbon monoxide detectors.

Legislative History

On March 7, 2019, H.R. 1618 was introduced by Representative Kuster (NH–02), and referred to the Committee on Energy and Commerce, in addition to the Committee on House Administration. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 8, 2019.

On June 13, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including on H.R. 1618. The witnesses included Will Wallace, Manager, Home & Products Policy, Consumer Reports; Crystal Ellis, Founding Member, Parents Against Tip-Overs; Chris Parsons, President, Minnesota Professional Fire Fighters; and Charles A. Samuels, Member, Mintz.

On July 10, 2019, the Subcommittee met in open markup session, to consider H.R. 1618 and forwarded the bill, amended, to the Committee on Energy and Commerce by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1618, as amended by the Subcommittee, and ordered the bill reported favorably to the House, as amended, by a voice vote.

On September 16, 2019, the Committee on Energy and Commerce reported H.R. 1618 to the House (H. Rept. 116–208). The next day, H.R. 1618 was considered in the House under suspension of the rules and passed, as amended, by a voice vote.

On September 18, 2019, the Senate received H.R. 1618, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1618 in the 116th Congress.

HORSERACING INTEGRITY AND SAFETY ACT OF 2020

H.R. 1754

To improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.

Summary

This bill would improve the integrity and safety of horseracing by requiring uniform safety and performance standards, including a horseracing anti-doping and medication control program and a racetrack safety program, to be developed and enforced by an independent Horseracing Integrity and Safety Authority.

Legislative History

On March 14, 2019, Representative Tonko introduced H.R. 1754, and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 15, 2019.

On January 28, 2020, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on H.R. 1754. The witnesses included the Honorable Andy Barr, Congressman, Kentucky's Sixth District; Dr. Kathleen M. Anderson, Equine Veterinarian; Joseph A. De Francis, Chairman, National Horseracing Advisory Council of the Humane Society of the United States; Dennis A. Drazin, Chairman and CEO, Darby Development, Operator of Monmouth Park Racetrack; Marty Irby, Executive Director, Animal Wellness Action; William M. Lear, Jr., Vice Chairman, The Jockey Club; Edward J. Martin, President and CEO, Association of Racing Commissioners International, Inc.; and Christopher J. McCarron, Hall of Fame Jockey, Retired.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 and ordered the bill reported favorably to the House, amended by a recorded vote of 46 yeas to 5 nays.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 1754 to the House (H. Rept. 116–554). That same day, H.R. 1754 was considered in the House under a motion to suspend the Rules and the bill passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 1754.

No further action was taken on H.R. 1754 in the 116th Congress. Provisions of this legislation were incorporated into H.R. 133, which became public law.

STOP TIP-OVERS OF UNSTABLE, RISKY DRESSERS ON YOUTH ACT

H.R. 2211

To require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

Summary

The bill would protect children from tip-over-related death or injury by requiring the CPSC to promulgate a mandatory consumer product safety standard for clothing storage units.

Legislative History

On April 10, 2019, H.R. 2211 was introduced by Representative Schakowsky and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 11, 2019.

On June 13, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 2211. The witnesses included Will Wallace, Manager, Home & Products Policy, Consumer Reports; Crystal Ellis, Founding Member, Parents Against Tip-Overs; Chris Parsons, President, Minnesota Professional Fire Fighters; and Charles A. Samuels, Member, Mintz.

On July 10, 2019, the Subcommittee on Consumer Protection and Commerce met in open markup session to consider H.R. 2211 and the forwarded the bill, amended, to the Committee on Energy and Commerce by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2211, as amended, and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 16, 2019, the Committee on Energy and Commerce reported H.R. 2211 to the House, as amended (H. Rept. 116–209). The next day, H.R. 2211 was considered in the House under a motion to suspend the Rules and the bill passed, as amended, by a voice vote.

On September 18, 2019, the Senate received H.R. 2211, read the bill twice, and referred it to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 2211 in the 116th Congress.

FRAUD AND SCAM REDUCTION ACT

H.R. 2610 (H.R. 2301, H.R. 7699, H.R. 8127, AND H.R. 8152)

To establish an office within the Federal Trade Commission and an outside advisory group to prevent fraud targeting seniors and to direct the Commission to study and submit a report to Congress

on scams targeting seniors and Indian Tribes, and for other purposes.

Summary

This legislation establishes a Senior Scams Prevention Advisory Group at the Federal Trade Commission to collect and disseminate model educational materials for retailers, financial institutions, and wire-transfer companies to use in preventing scams that affect seniors.

This legislation also directs the FTC to establish an office to advise the FTC on the prevention of fraud targeting seniors and to help monitor marketing materials for fraud targeting seniors. Further, the bill requires the FTC to submit a report to Congress on scams targeting seniors, including policy. Finally, the legislation directs the FTC to submit to Congress a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes and requires the FTC to conduct a study on facilitating and refining existing efforts with State Attorneys General regarding enforcement of scams.

Legislative History

On May 9, 2019, H.R. 2610 was introduced by Representative Blunt Rochester (DE–00) and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 10, 2019.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 to consider the bill H.R. 2610 and ordered the bill reported favorably to the House, amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 2610 to the House (H. Rept. 116–590). The next day, H.R. 2610 was considered in the House under a motion to suspend of the Rules and passed, as amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 2610, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 2610 in the 116th Congress.

On April 12, 2019, H.R. 2301, the "Seniors Fraud Prevention Act of 2019," was introduced by Representative Deutch (FL–22) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 15, 2019.

On July 21, 2020, H.R. 7699, the "Protecting Seniors from Emergency Scams Act," was introduced by Representative Kelly (IL–02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 22, 2020.

On August 28, 2020, H.R. 8127, the "Protecting Indian Tribes from Scams Act," was introduced by Representative Ben Ray Luján (NM–03) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on August 21, 2020.

On September 1, 2020, H.R. 8152, the "FTC Collaboration Act of 2020," was introduced by Representative Tom O'Halleran (AZ–01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on September 2, 2020.

No further action was taken on H.R. 2301, H.R. 7699, H.R. 8127, and H.R. 8152 in the 116th Congress.

The provisions of these bills were included in H.R. 2610.

SAFER OCCUPANCY FURNITURE FLAMMABILITY ACT

H.R. 2647

To adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability, and for other purposes.

Summary

This legislation requires the adoption of the California upholstered furniture flammability standard known as Technical Bulletin 117–2013 as a national flammability standard for upholstered furniture. Technical Bulletin 117–2013 is an updated standard that protects consumers against the risk of upholstered furniture fires while omitting previous performance requirements that were typically satisfied through the addition of flame-retardant chemicals, which have been associated with adverse health effects.

Legislative History

On May 9, 2019, H.R. 2647 was introduced by Representative Matsui (CA–06), and referred to the Committee on Energy and Commerce. The bill was referred to the Subcommittee on Consumer Protection and Commerce on May 10, 2019.

On June 13, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 2647. The witnesses included Will Wallace, Manager, Home & Products Policy, Consumer Reports; Crystal Ellis, Founding Member, Parents Against Tip-Overs; Chris Parsons, President, Minnesota Professional Fire Fighters; and Charles A. Samuels, Member, Mintz.

On July 10, 2019, the Subcommittee met in open markup session to consider H.R. 2647 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2647 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On December 16, 2019, the Committee on Energy and Commerce reported H.R. 2647 to the House, without amendment (H. Rept. 116–348). That same day, H.R. 2647 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On December 17, 2019, the Senate received H.R. 2647.

No further action was taken on H.R. 2647 in the 116th Congress. Provisions of this bill were incorporated into H.R. 133, which became public law.

PROTECTING AMERICANS FROM THE RISKS OF KEYLESS IGNITION TECHNOLOGY ACT

H.R. 3145

To require the Secretary of Transportation to finalize rules to protect consumers from the risks of carbon monoxide poisoning and rollaways from motor vehicles, and for other purposes.

Summary

This legislation would require the U.S. Department of Transportation (DOT) to issue a final rule within two years of enactment requiring manufacturers to install technology in motor vehicles equipped with keyless ignitions that automatically shuts off the vehicle if the engine has idled for a period of time, consistent with the goal of preventing carbon monoxide poisoning. The legislation also directs the DOT to issue a final rule, within two years after enactment, requiring manufacturers to install technology to prevent movement of motor vehicles equipped with keyless ignitions when certain conditions are met, including if the motor vehicle is not in the park setting. Each rule would become effective on September 1 of the year that is one year after the date such rule is issued.

Legislative History

On June 5, 2019, H.R. 3145 was introduced by Representative Schakowsky and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 6, 2019. On October 24, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on four bills, including H.R. 3145. The witnesses included Cathy Chase, President, Advocates for Highway and Auto Safety; Susan Livingston, Daughter of Dr. James D. Livingston and Dr. Sherry H. Penney; and Benjamin R. Nordstrom, M.D., Ph.D., Executive Director, Responsibility.org.

No further action was taken on H.R. 3145 in the 116th Congress.

FOCUSING ATTENTION ON SAFETY TRANSPARENCY AND EFFECTIVE RECALLS ACT

H.R. 3169

To protect consumers by codifying a fast-track recall program to remove potentially hazardous products from the marketplace as quickly and efficiently as possible.

Summary

This legislation would amend the Consumer Product Safety Act (CPSA) to establish a "fast-track" program for businesses to conduct recalls of potentially hazardous products via notification to CPSC and publication of the recall on CPSC's website. Companies that recall products under this program would be required to provide, repair, or replace affected products or provide a refund up to the full amount of the purchase price and would not be obligated to provide any additional public notification of the recall.

Legislative History

On June 10, 2019, H.R. 3169 was introduced by Representative Rodgers, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 12, 2019.

On June 13, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing, on seven bills, including H.R. 3169. The witnesses included Will Wallace, Manager, Home & Products Policy, Consumer Reports; Crystal Ellis, Founding Member, Parents Against Tip-Overs; Chris Parsons, President, Minnesota Professional Fire Fighters; and Charles A. Samuels, Member, Mintz.

No further action was taken on H.R. 3169 in the 116th Congress.

SAFE SLEEP FOR BABIES ACT OF 2019

H.R. 3172 (H.R. 3170)

To provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

Summary

This bill prohibits the manufacture for sale, offer for sale, distribution in commerce, or importation into the United States of any inclined sleeper for infants. Inclined sleepers are defined as any product with an inclined sleep surface greater than 10 degrees that is intended, marketed, or designed to provide sleeping accommodations for an infant up to one year of age. In addition, the bill prohibits the manufacture for sale, offer for sale, distribution in commerce, or import of non-mesh crib bumpers. A crib bumper is defined to include any non-mesh material that is intended to cover the sides of a crib to prevent injury to a crib occupant from impacts or to prevent a crib occupant from getting any body part entrapped in any opening, such as a padded crib bumper, a supported and unsupported vinyl bumper guard, and vertical slat covers. The bill would make violations of these prohibition subject to civil and criminal penalties under the CPSA.

Legislative History

On June 10, 2019, H.R. 3172 was introduced by Representative Cárdenas, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 11, 2019.

On June 10, 2019, H.R. 3170, the Safe Cribs Act of 2019, was introduced by Representative Jan Schakowsky and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 11, 2019.

On June 13, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing six bills, including H.R. 3172 and H.R. 3170. The witnesses included Will Wallace, Manager, Home & Products Policy, Consumer Reports; Crystal Ellis, Founding Member, Parents Against Tip-Overs; Chris Parsons,

President, Minnesota Professional Fire Fighters; and Charles A. Samuels, Member, Mintz.

On July 10, 2019, the Subcommittee met in open markup session to consider H.R. 3172 and H.R. 3170 and forwarded the bills, amended, to the Committee on Energy and Commerce by voice votes.

The Committee on Energy and Commerce met in open markup session on July 17, 2019, to consider H.R. 3172 and H.R. 3170 and ordered the bills reported favorably to the House, as amended, by voice votes.

On September 13, 2019, the Committee on Energy and Commerce reported H.R. 3172 to the House (H. Rept. 116–206) and the bill was placed on the Union Calendar (Calendar No. 163). On the same day, the Committee on Energy and Commerce reported H.R. 3170 to the House (H. Rept. 116–205) and the bill was placed on the Union Calendar (Calendar No. 162).

No further action was taken on H.R. 3170 in the 116th Congress. The provisions of H.R. 3170 were incorporated into H.R. 3172.

On December 16, 2019, H.R. 3172 was considered in the House under a motion to suspend the rules and passed, as amended, by a voice vote.

On December 17, 2019, the Senate received H.R. 3172, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 3172 in the 116th Congress.

HOT CARS ACT OF 2019

H.R. 3593

To require the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system, and for other purposes.

Summary

This legislation would require the DOT to issue a final rule within two years of enactment requiring vehicles to be equipped with a system that can detect and alert the driver to the presence of a child or occupant in a rear seat of a vehicle after the engine is shut off. The bill would also require DOT to contract with an independent party to study retrofitting existing passenger motor vehicles with technology to address the problem of occupants left unattended in such vehicles. The report would be submitted to the Committee on Energy and Commerce and the Senate Committee on Commerce, Science, and Transportation within 180 days of the issuance of the rule described above.

Legislative History

On June 28, 2019, H.R. 3593 was introduced by Representative Ryan (OH–13) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 1, 2019.

On October 24, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on four bills, including

H.R. 3593. The witnesses included Cathy Chase, President, Advocates for Highway and Auto Safety; Susan Livingston, Daughter of Dr. James D. Livingston and Dr. Sherry H. Penney; and Benjamin R. Nordstrom, M.D., Ph.D., Executive Director, Responsibility.org.

No further action was taken on H.R. 3593 in the 116th Congress.

IMPAIRED DRIVING STUDY ACT OF 2019

H.R. 3888

To require the Administrator of the National Highway Traffic Safety Administration to conduct a study on motor vehicle safety and impaired driving, and for other purposes.

Summary

This legislation directs the National Highway Traffic Safety Administration (NHTSA), in cooperation with other Federal agencies as appropriate, to conduct a study on ways in which the Administration can improve motor vehicle safety to address impaired driving, including alcohol, marijuana, and opioid-impaired driving. NHTSA is required to issue a report within two years, and biannually thereafter, detailing the research activities undertaken; progress of the research conducted; and the results of the study when completed.

Legislative History

On July 23, 2019, H.R. 3888 was introduced by Representative Rodgers and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 24, 2019.

On October 24, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on four bills, including H.R. 3888. The witnesses included Cathy Chase, President, Advocates for Highway and Auto Safety; Susan Livingston, Daughter of Dr. James D. Livingston and Dr. Sherry H. Penney; and Benjamin R. Nordstrom, M.D., Ph.D., Executive Director, Responsibility.org.

No further action was taken on H.R. 3888 in the 116th Congress.

COMBATTING IMPAIRED DRIVING ACT OF 2019

H.R. 3890

To require the Secretary of Transportation to provide funds to address motor vehicle safety and impaired driving, and for other purposes.

Summary

This legislation authorizes DOT to provide funding for grants, pilot programs, demonstration projects, and innovative solutions to improve motor vehicle safety to address impaired driving, including alcohol, opioid, and marijuana-impaired driving. The legislation authorizes $7 million for fiscal year 2021 increasing to $10 million by fiscal year 2025. This bill directs the Department of Transportation to provide funding for grants, pilot programs, demonstration projects, and innovative solutions to improve motor vehicle safety

and address impaired driving, including alcohol, marijuana, and opioid-impaired driving.

Legislative History

On July 23, 2019, H.R. 3890 was introduced by Representative Bucshon and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 24, 2019.

On October 24, 2019, the Subcommittee on Consumer Protection and Commerce held a legislative hearing, on H.R. 3890 and three other bills. The witnesses included Cathy Chase, President, Advocates for Highway and Auto Safety; Susan Livingston, Daughter of Dr. James D. Livingston and Dr. Sherry H. Penney; and Benjamin R. Nordstrom, M.D., Ph.D., Executive Director, Responsibility.org.

No further action was taken on H.R. 3890 in the 116th Congress.

SAMI'S LAW

H.R. 4686

To require ride-hailing companies to implement an enhanced digital system to verify passengers with their authorized ride-hailing vehicles and drivers.

Summary

This bill would require each transportation network company (TNC) to establish a system and policy for passengers to digitally verify the driver with whom they have been matched and establish an advisory council for the purpose of developing recommended performance standards for successor technology that will protect TNC passengers and TNC drivers.

Legislative History

On October 15, 2019, H.R. 4686 was introduced by Representative Smith (NJ–04). It was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 17, 2019.

On July 29, 2020, H.R. 4686 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On July 30, 2020, the Senate received H.R. 4686.

No further action was taken on H.R. 4686 in the 116th Congress.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021

H.R. 6395 (H.R. 3600)

To authorize appropriations for fiscal year 2021 military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Summary

Section 1710D of this legislation incorporates H.R. 3600, the "Deepfakes Report Act of 2019", which requires the Science and Technology Directorate in the Department of Homeland Security to issue reports on deepfake videos, or those altered by artificial intelligence to change the meaning of a video. The report must include an assessment of how foreign governments and domestic actors use deepfakes to affect national security.

Legislative History

On March 26, 2020, H.R. 6395 was introduced by Representative Smith (WA–09) and referred to the Committee on Armed Services.

On July 20, 2020, H.R. 6395 was considered in the House pursuant to the provisions of H. Res. 1053, and the bill was passed by a recorded vote of 295 yeas and 125 nays (Roll Call No. 152).

On August 5, 2020, H.R. 6395 was received in the Senate, read twice, and placed on Senate Legislative Calendar under General Orders (Calendar No. 505).

On November 16, 2020, the Senate passed H.R. 6395 with an amendment by a voice vote. On November 18, 2020, the House agreed to a motion that the House disagree to the Senate amendment to H.R. 6395 and request a conference with the Senate thereon by unanimous consent.

On November 18, 2020, the Speaker appointed conferees. From the Committee on Energy and Commerce, the Speaker appointed Representatives Pallone, DeGette, and Walden for consideration of secs. 223, 229, 332, 335, 535, 540H, 601, 705, 736, 1299N–2, 1641, 1760, 1761, 1772, 1793, 1821, 1823, 1824, 2835, 3201, 3511, 3601, 5101–04, 5109, 10306, and 11206 of the House bill and secs. 311, 319, 703, 1053, 1091, 1092, 1094, 1098, 1099, 2841, 3121, 3125, 3131, 3132, 5239, 6082–84, subtitle I of title LX of division E, secs. 6299F, 6614, 6704, and 6706 of the Senate amendment and modifications committed to conference.

On December 2, 2020, the Senate insisted on its amendment, agreed to the request for a conference, and appointed the following conferees, Senators Inhofe (OK), Wicker (MS), Fischer (NE), Cotton (AR), Rounds (SD), Ernst (IA), Tillis (NC), Sullivan (AK), Perdue (GA), Cramer (ND), Thune (SD), Scott (FL), Blackburn (TN), Hawley (MO), Reed (RI), Shaheen (NH), Gillibrand (NY), Blumenthal (CT), Hirono (HI), Kaine (VA), King (ME), Heinrich (NM), Warren (MA), Peters (MI), Manchin (WV), Duckworth (IL), and Jones (AL).

The conference report (H. Rept. 116–617) was filed on December 3, 2020. On December 8, 2020, the conference report was considered in the House pursuant to a special order and the conference report was agreed to by a recorded vote of 335 yeas to 78 nays and 1 present (Roll Call No. 238). On December 11, 2020, the Senate agreed to the conference report by a recorded vote of 84 yeas and 13 nays (Record Vote Number: 264).

On December 11, 2020, H.R. 6395 was presented to the President.

On December 23, 2020, the President vetoed H.R. 6395.

On December 28, 2020, the House considered H.R. 6395 pursuant to the provisions of H. Res. 1271, and was subsequently passed by

a recorded vote of 275 yeas to 134 nays (Roll No. 252), two-thirds of the members present having voted in the affirmative, the objections of the President to the contrary notwithstanding. On December 29, 2020, the Senate received notification of the action of the House and the veto message, which was ordered held at the Senate desk. Further action on H.R. 6395 was pending with the Senate at the time this report was filed.

On June 28, 2019, H.R. 3600 was introduced by Representative Kilmer (WA–06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 1, 2019.

No further action was taken on H.R. 3600 in the 116th Congress. The provisions of H.R. 3600 were included in H.R. 6395.

COMBATTING PANDEMIC SCAMS ACT OF 2020

H.R. 6435

To direct the Federal Trade Commission to develop and disseminate information to the public about scams related to COVID–19, and for other purposes.

Summary

This legislation aims to protect Americans, especially senior citizens and people with infirmities and disabilities, from deceptive and fraudulent scams while the United States continues to face the current coronavirus disease (COVID–19) pandemic. Specifically, the bill directs the FTC to develop and disseminate information to the public about scams related to COVID–19. This bill also requires the FTC, in consultation with the Attorney General and Secretary of Health and Human Services, among other relevant agencies, to establish a comprehensive national database to track all instances of scams relating to COVID–19.

Legislative History

On April 3, 2020, H.R. 6435 was introduced by Representative Carter (GA–01) and the bill was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 4, 2020.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 to consider thirty-eight bills, including H.R. 6435 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 6435 to the House (H. Rept. 116–591). The next day, H.R. 6435 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 6435, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

On December 17, 2020, the Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 6435 and the bill was passed without amendment by unanimous consent, clearing the measure for the White House.

On December 24, 2020, H.R. 6435 was presented to the President. The bill was pending action by the President when this report was filed.

THE HEROES ACT

H.R. 6800 (H.R. 6472)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Division M, title I of H.R. 6800 incorporates H.R. 6472, which would prohibit the sale of consumer goods and services at an unconscionably excessive price during the public health emergency declared as a result of the COVID–19 pandemic.

Legislative History

On May 12, 2020, H.R. 6800 was introduced by Representative Lowey (NY–17) and referred to the Committee on Appropriations, in addition to the Committees on the Budget and Way and Means.

On May 15, 2020, H.R. 6800 was considered in the House pursuant to the provisions of H. Res. 965, and the bill was passed by a recorded vote of 208 yeas and 199 nays.

On May 20, 2021, H.R. 6800 was received in the Senate. On May 21, 2020, the bill was read the first time and placed on the Senate Legislative Calendar under Read the First Time. On June 1, 2020, H.R. 6800 was read a second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 455). The Senate Committee on Small Business and Entrepreneurship held a hearing on the bill on July 23, 2020.

No further action was taken on H.R. 8134 in the 116th Congress.

PANDEMIC EFFECTS ON HOME SAFETY AND TOURISM ACT

H.R. 8121 (H.R. 8122)

To require the Consumer Product Safety Commission to study the effect of the COVID–19 pandemic on injuries and deaths associated with consumer products and to direct the Secretary of Commerce to study and report on the effects of the COVID–19 pandemic on the travel and tourism industry in the United States.

Summary

This legislation requires the CPSC to study and report to Congress on the effects of the COVID–19 pandemic on injuries and deaths associated with consumer products. The bill also directs the Department of Commerce (DOC) to conduct a study and report to Congress on the effects of the COVID–19 pandemic on the travel and tourism industry in the United States.

Legislative History

On August 28, 2020, H.R. 8121 was introduced by Representative Cárdenas (CA–29) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on August 31, 2020. No

further action was taken on H.R. 8122 in the 116th Congress. The provisions of H.R. 8122 were included into H.R. 8121.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 to consider H.R. 8121 and ordered the bill reported favorably to the House, amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 8121 to the House (H. Rept. 116–588). The next day, H.R. 8121 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 8121, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 8121 in the 116th Congress.

On August 28, 2020, H.R. 8122, the Protecting Tourism in the United States Act, was introduced by Representative Castor (FL–14) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on August 31, 2020.

No further action was taken on this bill in the 116th Congress. The provisions of H.R. 8122 were included in H.R. 8121.

CONSUMER SAFETY TECHNOLOGY ACT

H.R. 8128 (H.R. 2154 AND H.R. 8153)

To direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the mission of the Commission and direct the Secretary of Commerce and the Federal Trade Commission to study and report on the use of blockchain technology and digital tokens, respectively.

Summary

This legislation requires the CPSC to establish a pilot program to explore the use of artificial intelligence for at least one of the following purposes: (1) tracking injury trends; (2) identifying consumer product hazards; (3) monitoring the retail marketplace for the sale of recalled consumer products; or (4) identifying unsafe imported consumer products.

This bill also directs the Department of Commerce, in consultation with the FTC, to conduct a study and submit to Congress a report on the state of blockchain technology in commerce, including its use to reduce fraud and increase security and directs the FTC to submit to Congress a report and recommendations on unfair or deceptive acts or practices relating to digital tokens.

Legislative History

On August 28, 2020, H.R. 8128 was introduced by Representative McNerney (CA–09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on August 31, 2020.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020, to consider H.R. 8128 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 8121 to the House (H. Rept. 116–545). That same day, H.R. 8121 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 8121, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 8121 in the 116th Congress.

On April 9, 2019, H.R. 2154, the Digital Taxonomy Act of 2019, introduced by Representative Soto (FL–09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 10, 2019.

On September 1, 2020, H.R. 8153, the Blockchain Innovation Act, was introduced by Representative Soto and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on September 2, 2020.

No further action was taken on these bills in the 116th Congress. The provisions of H.R. 2154 and H.R. 8153 were incorporated into H.R. 8121.

AMERICAN COMPETE ACT

H.R. 8132

(H.R. 6950, H.R. 2644, H.R. 6939, H.R. 6938, H.R. 6928, H.R. 6919, H.R. 6927, H.R. 6943, AND H.R. 6937)

To require the Federal Trade Commission and the Secretary of Commerce to conduct studies and submit reports on the impact of artificial intelligence and other technologies on United States businesses conducting interstate commerce, and for other purposes.

Summary

This legislation aims to ensure America leads the world and outpaces the People's Republic of China in charting the future of emerging technologies. Specifically, H.R. 8132 directs the DOC and the FTC to study and report to Congress on the state of artificial intelligence (AI), quantum computing, blockchain, and new and advanced materials. The bill also requires the DOC to study and report to Congress on the state of the Internet of Things (IOT), IOT manufacturing, three-dimensional printing, and unmanned delivery services and directs the FTC to study how AI may be used to address online harms.

Legislative History

On August 28, 2020, H.R. 8132 was introduced by Representative Rodgers and the bill was referred to the Committee on Energy and Commerce. The bill was referred to the Subcommittee on Consumer Protection and Commerce on August 31, 2020.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020, to consider H.R. 8132 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 8132 to the House (H. Rept. 116–539). That same day, H.R. 8132 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 8132, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 8132 in the 116th Congress. Provisions of this legislation were incorporated into H.R. 133, which became public law.

On May 19, 2020, H.R. 6950, the GAINS Act, was introduced by Representative Rodgers and referred to the Committee on Energy and Commerce, in addition to the Committees on Science, Space, and Technology, and Foreign Affairs. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 9, 2019, H.R. 2644, the SMART IOT Act, was introduced by Representative Latta (OH–05) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 10, 2019.

On May 19, 2020, H.R. 6939, the Advancing IOT Manufacturing Act, was introduced by Representative Hudson (NC–08) and referred to the Energy and Commerce Committee. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 19, 2020, H.R. 6938, the Advancing Blockchain Act, was introduced by Representative Guthrie (KY–02) and referred to the Committee on Energy and Commerce, in addition to the Committees on Science, Space, and Technology, and Foreign Affairs. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 19, 2020, H.R. 6928, the Advancing 3D Printing Act, was introduced by Representative Burgess (TX–26) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Foreign Affairs. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 19, 2020, H.R. 6919, the Advancing Quantum Computing Act, was introduced by Representative Griffith (VA–09) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Foreign Affairs. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 19, 2020, H.R. 6927, the Advancing New and Advanced Materials Act was introduced by Representative Bucshon and referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Foreign Affairs. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 19, 2020, H.R. 6943, the Advancing Unmanned Delivery Services Act, was introduced by Representative Latta and referred to the Committee on Energy and Commerce, and in addition to the

Committees on Science, Space, and Technology, and Foreign Affairs. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

On May 19, 2020, H.R. 6937, the Countering Online Harms Act, was introduced by Representative Guthrie and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2020.

No further action was taken on these bills in the 116th Congress. The provisions of H.R. 6950, H.R. 2644, H.R. 6939, H.R. 6938, H.R. 6928, H.R. 6919, H.R. 6927, H.R. 6943, and H.R. 6937 were included in H.R. 8132.

CONSUMER PRODUCT SAFETY INSPECTION ENHANCEMENT ACT

H.R. 8134

To support the Consumer Product Safety Commission's capability to protect consumers from unsafe consumer products, and for other purposes.

Summary

This legislation directs the CPSC to enhance its ability to identify unsafe consumer products entering the United States, especially e-commerce shipments entering under the de minimis value exemption. The bill also requires the CPSC to hire not less than 16 employees and add staffing every year until needs are met to identify violative products at ports and to complete a study and report on the CPSC's efforts and needs to effectively stop violative products from entering the United States.

Legislative History

On August 28, 2020, H.R. 8134 was introduced by Representative Schakowsky and was referred to the Committee on Energy and Commerce. The bill was referred to the Subcommittee on Consumer Protection and Commerce on August 31, 2020.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020, to consider H.R. 8134 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On September 24, 2020, the Committee on Energy and Commerce reported H.R. 8134 to the House (H. Rept. 116–537). On September 29, 2020, H.R. 8134 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 8134, read the bill twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 8134 in the 116th Congress. Provisions of H.R. 8134 were incorporated into H.R. 133, which became public law.

OVERSIGHT ACTIVITIES

PROTECTING CONSUMER PRIVACY IN THE ERA OF BIG DATA

On February 26, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Protecting Consumer Privacy in the Era of Big Data." The purpose of this hearing was to examine the need for comprehensive data privacy and security legislation. The witnesses included Brandi Collins-Dexter, Senior Campaign Director, Media, Democracy & Economic Justice, Color of Change; Dave Grimaldi, Executive Vice President for Public Policy, IAB; Roslyn Layton, Ph.D., Visiting Scholar, American Enterprise Institute; Nuala O'Connor, President and CEO, Center for Democracy & Technology; and Denise Zheng, Vice President, Technology, Innovation, Business Roundtable.

INCLUSION IN TECH: HOW DIVERSITY BENEFITS ALL AMERICANS

On March 6, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Protecting Consumer Privacy in the Era of Big Data." The purpose of this hearing was to examine the importance of diversity and inclusion in the technology sector. The witnesses included Nicol Turner Lee, Ph.D., Fellow, Center for Technology Innovation, Governance Studies, Brookings Institution; Mark Luckie, Digital Media Strategist, Former Manager at Facebook and Twitter; Jiny Kim, Vice President, Policy and Programs, Asian Americans Advancing Justice (AAJC); David Lopez, Counsel, Outten and Golden, Co-Dean, Rutgers Law School; Jill Houghton, President & CEO, Disability:IN; Joan Ferrini-Mundy, Ph.D., President, University of Maine; and Natalie Oliverio, CEO, Military Talent Partners.

ENHANCING VEHICLE TECHNOLOGY TO PREVENT DRUNK DRIVING

On March 14, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Enhancing Vehicle Technology to Prevent Drunk Driving." The purpose of this hearing was to examine the importance of improving vehicle safety technology to prevent individuals from driving drunk. The witnesses included Joan Claybrook, Board Member, Advocates for Highway and Auto Safety, Former Administrator, National Highway Traffic Safety Administration; Helen Witty, National President, Mothers Against Drunk Driving; David Kelly, Executive Director, Coalition of Ignition Interlock Manufacturers; and Robert Strassburger, President & CEO, Automotive Coalition for Traffic Safety, Inc. (ACTS, Inc.).

PROTECTING AMERICANS FROM DANGEROUS PRODUCTS: IS THE CONSUMER PRODUCT SAFETY COMMISSION FULFILLING ITS MISSION?

On April 9, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Protecting Americans from Dangerous Products: Is the Consumer Product Safety Commission Fulfilling Its Mission?" The purpose of this hearing was to conduct oversight of the Consumer Product Safety Commission (CPSC). The CPSC is an independent agency responsible for protecting consumers from unreasonable risk of injury or death from consumer

products. The witnesses included Ann Marie Buerkle, Acting Chairman, Consumer Product Safety Commission; Elliot F. Kaye, Commissioner, Consumer Product Safety Commission; Robert S. Adler, Commissioner, Consumer Product Safety Commission; Dana Baiocco, Commissioner, Consumer Product Safety Commission; Peter A. Feldman, Commissioner, Consumer Product Safety Commission; Rachel Weintraub, Legislative Director and General Counsel, Consumer Federation of America; Nancy Cowles, Executive Director, Kids in Danger; Remington A. Gregg, Counsel for Civil Justice and Consumer Rights, Public Citizen; and Mike Gentine, Counsel, Schiff Hardin LLP.

OVERSIGHT OF THE FEDERAL TRADE COMMISSION: STRENGTHENING PROTECTIONS FOR AMERICANS' PRIVACY AND DATA SECURITY

On May 8, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Oversight of the Federal Trade Commission: Strengthening Protections for Americans' Privacy and Data Security." The purpose of this hearing was to conduct oversight of the Federal Trade Commission. The FTC is an independent agency with the dual mission of protecting consumers and competition by preventing anticompetitive, deceptive, and unfair business practices. The witnesses included Joseph J. Simons, Chairman, Federal Trade Commission; Noah Joshua Phillips, Commissioner, Federal Trade Commission; Rohit Chopra, Commissioner, Federal Trade Commission; Rebecca Kelly Slaughter, Commissioner, Federal Trade Commission; and Christine S. Wilson, Commissioner, Federal Trade Commission.

SUMMER DRIVING DANGERS: EXPLORING WAYS TO PROTECT DRIVERS AND THEIR FAMILIES

On May 23, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Summer Driving Dangers: Exploring Ways to Protect Drivers and Their Families." The purpose of this hearing was to explore available technologies to improve motor vehicle safety to reduce the number of automobile fatalities and injuries. The witnesses included Janette Fennell, President and Founder, KidsAndCars.org; Miles Harrison, Father of Chase Harrison; Jason Levine, Executive Director, Center for Auto Safety; and Gary Shapiro, President and CEO, Consumer Technology Association.

DRIVING IN REVERSE: THE ADMINISTRATION'S ROLLBACK OF FUEL ECONOMY AND CLEAN CAR STANDARDS

On June 20, 2019, the Subcommittee on Consumer Protection and Commerce and the Subcommittee on Environment and Climate Change held a joint hearing entitled "Driving in Reverse: The Administration's Rollback of Fuel Economy and Clean Car Standards." The purpose of this hearing was to examine the Trump Administration's efforts to roll back Corporate Average Fuel Economy (CAFE) standards and carbon pollution regulations from light duty cars and trucks. The witnesses included William L. Wehrum, Assistant Administrator, Office of Air and Radiation, U.S. Environmental Protection Agency; Heidi King, Deputy Administrator, Na-

tional Highway Traffic Safety Administration, U.S. Department of Transportation; Mary D. Nichols, Chair, California Air Resources Board; David Friedman, Vice President, Advocacy, Consumer Reports; Ramzi Y. Hermiz, President and Chief Executive Officer, Shiloh Industries, Inc.; Josh Nassar, Legislative Director, United Auto Workers; Shoshana M. Lew, Executive Director, Colorado Department of Transportation; Jeff Landry, Attorney General, State of Louisiana; David Schweitert, Interim Chief Executive Officer, Alliance of Automobile Manufacturers; and Nick Loris, Deputy Director of the Thomas A. Roe Institute for Economic Policy Studies, Herbert and Joyce Morgan Fellow in Energy and Environmental Policy, Heritage Foundation.

PROFITS OVER CONSUMERS: EXPOSING HOW PHARMACEUTICAL COMPANIES GAME THE SYSTEM

On September 19, 2019, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Profits Over Consumers: Exposing How Pharmaceutical Companies Game the System." The purpose of this hearing was to examine product hopping in the pharmaceutical market. Product hopping, also known as line extension and sometimes referred to as evergreening, refers to the reformulation of a pharmaceutical drug product by a brand drug manufacturer for the purpose of delaying competition. The witnesses included Michael A. Carrier, Distinguished Professor, Rutgers law School, Co-Director, Rutgers Institute for Information Policy and Law; Jeff Francer, Senior Vice President and General Counsel, Association for Accessible Medicines; David Mitchell, Founder, Patients for Affordable Drugs, Patients for Affordable Dugs NOW; and Joanna M. Shepherd, Professor of Law, Emory University School of Law.

FOSTERING A HEALTHIER INTERNET TO PROTECT CONSUMERS

On October 16, 2019, the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce held a joint hearing entitled "Fostering a Healthier Internet to Protect Consumers." The purpose of this hearing was to explore content moderation practices and whether consumers are adequately protected under current law. The witnesses included Steve Huffman, Co-Founder & CEO, Reddit, Inc.; Danielle Keats Citron, Professor of Law, Boston University School of Law; Corynne McSherry, Legal Director, Electronic Frontier Foundation; Hany Farid, Professor, University of California, Berkeley; Katherine Oyama, Global Head of Intellectual Property Policy, Google, Inc.; and Gretchen S. Peters, Executive Director, Alliance to Counter Crime Online.

AMERICANS AT RISK: MANIPULATION AND DECEPTION IN THE DIGITAL AGE

On January 8, 2020, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Americans at Risk: Manipulation and Deception in the Digital Age." The purpose of this hearing was to explore the issues of deception and manipulation of consumers online. The witnesses included Monika Bickert, Vice

President of Global Policy Management, Facebook; Joan Donovan, Ph.D., Research Director of the Technology and Social Change Project, Shorenstein Center on Media, Politics, and Public Policy, Harvard Kennedy School; Tristan Harris, Executive Director, Center for Humane Technology; and Justin (Gus) Hurwitz, Associate Professor of Law, Director of the NU Governance and Technology Center, University of Nebraska College of Law, Director of Law & Economics Programs, International Center for Law & Economics.

AUTONOMOUS VEHICLES: PROMISES AND CHALLENGES OF EVOLVING AUTOMOTIVE TECHNOLOGIES

On February 11, 2020, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Autonomous Vehicles: Promises and Challenges of Evolving Automotive Technologies." The purpose of this hearing was to examine the Federal role in regulating self-driving technology. The witnesses included Cathy Chase, President, Advocates for Highway and Auto Safety; John Bozzella, President and CEO, Alliance for Automotive Innovation; Daniel Hinkle, State Affairs Counsel, American Association of Justice; Mark Riccobono, President, National Federation of the Blind; Gary Shapiro, President and CEO, Consumer Technology Association; and Jeff Tumlin, Director of Transportation, San Francisco Municipal Transportation Agency (SFMTA).

BUYER BEWARE: FAKE AND UNSAFE PRODUCTS ON ONLINE MARKETPLACES

On March 4, 2020, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Buyer Beware: Fake and Unsafe Products on Online Marketplaces." The purpose of this hearing was to examine the proliferation of deceptive and dangerous products on online marketplaces. The witnesses included Dharmesh Mehta, Vice President of Worldwide Customer Trust and Partner Support, Amazon; Amber Leavitt, Associate General Counsel and Head of IP, eBay; Jeff Myers, Senior Director for Intellectual Property, Apple; Andrew Love, Head of Brand Security/Investigations/Global Enforcement, Specialized Bicycles; David Friedman, Vice President of Advocacy, Consumer Reports; and Lori Wallach, Director of Global Trade Watch, Public Citizen.

A COUNTRY IN CRISIS: HOW DISINFORMATION ONLINE IS DIVIDING THE NATION

On June 24, 2020, the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce held a joint hearing entitled "A Country in Crisis: How Disinformation Online is Dividing the Nation." The purpose of this hearing was to examine the role of social media platforms in disseminating disinformation relating to the coronavirus disease of 2019 (COVID–19) pandemic and racial injustice. The witnesses included Brandi Collins-Dexter, Senior Campaign Director, Color of Change; Hany Farid, Professor, University of California, Berkeley; Spencer Overton, President, Joint Center for Political and Economic Studies, Professor of Law, George Washington University; and Neil Fried, Former Chief Counsel for Communications and

Technology, Energy and Commerce Committee, Principal, DigitalFrontiers Advocacy.

CONSUMERS BEWARE: INCREASED RISKS DURING THE COVID–19 PANDEMIC

On July 9, 2020, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Consumers Beware: Increased Risks During the COVID–19 Pandemic." The purpose of this hearing was to explore ways to protect Americans from the increased prevalence of some unfair and deceptive acts and practices as well as product safety issues during the COVID–19 pandemic. The witnesses included Kevin Anderson, Senior Deputy Attorney General, Director, Consumer Protection Division, North Carolina Department of Justice; Sally Greenberg, Executive Director, National Consumers League; and Thomas Quaadman, Executive Vice President, Center for Capital Markets Competitiveness, Chamber Technology Engagement Center, Global Innovation Policy Center, U.S. Chamber of Commerce.

MAINSTREAMING EXTREMISM: SOCIAL MEDIA'S ROLE IN RADICALIZING AMERICA

On September 24, 2020, the Subcommittee on Consumer Protection and Commerce held a hearing entitled "Mainstreaming Extremism: Social Media's Role in Radicalizing America." The purpose of this hearing was to examine the growing influence of extremism and social media's role in its rapid spread. The witnesses included Marc Ginsberg, President, Coalition for a Safer Web; Tim Kendall, Chief Executive Officer, Moment; Taylor Dumpson, Hate Crime Survivor and Cyber-Harassment Target; and John Donohue, Fellow, Rutgers University Miler Center for Community Protection and Resiliency, Former Chief of Strategic Initiatives, New York City Police Department.

SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

LEGISLATIVE ACTIVITIES

PIRATE ACT

PUBLIC LAW 116–109 (H.R. 583)

To amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes.

Summary

This legislation would give the Federal Communications Commission (FCC or Commission) additional authority to issue fines on any person who willfully and knowingly broadcasts radio transmissions over AM or FM frequencies without a license from the FCC or without complying with unlicensed operations rules defined by the Commission. The bill would further give the FCC additional tools to enforce penalties against pirate stations by raising the fine for rule violations to $100,000 per day per violation, up to a maximum of $2,000,000.

Legislative History

On January 16, 2019, H.R. 583 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on January 25, 2019.

On February 25, 2019, H.R. 583 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On February 26, 2019, the Senate received H.R. 583, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation. On January 8, 2020, the Senate Committee on Commerce, Science, and Transportation discharged consideration of the bill by unanimous consent. That same day, H.R. 583 was considered in the Senate and passed, without amendment, by a voice vote.

On January 14, 2020, H.R. 583 was presented to the President. On January 24, 2020, H.R. 583 was signed into law by the President (Public Law 116–109).

FURTHER CONSOLIDATED APPROPRIATIONS ACT, 2020

PUBLIC LAW 116–94 (H.R. 1865, H.R. 5035)

Making further consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Title X, section 1001 of H.R. 1865 incorporates H.R. 5035, the "Television Viewer Protection Act of 2019". This legislation addresses two provisions of law that were to expire at the end of 2019 that facilitated the ability of consumers to view broadcast television stations over multichannel video programming distributor (MVPD) services and provide basic protections to consumers when purchasing MVPD services and certain broadband equipment. H.R. 5035 made permanent "good faith" negotiation provisions for retransmission consent while allowing for the importation of distant signals to unserved households without retransmission consent only as authorized under the statutory license in section 119 of the Copyright Act. The legislation further requires that, at the point of sale, MVPDs must give consumers a breakdown of all charges related to the MVPD's video service and allows the consumer 24-hours to cancel the service without any penalty. Finally, the legislation provides for more transparency in electronic bills and prevents MVPDs and broadband companies from charging for equipment they do not provide.

Legislative History

On November 12, 2019, H.R. 5035 was introduced by Representative Doyle (PA–18) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on November 13, 2019.

On November 14, 2019, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 5035 and forwarded the bill to the Committee on Energy and Commerce by a voice vote.

On November 19, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 5035 and ordered the bill favorably reported to the House, amended, by a voice vote.

On December 9, 2019, the Committee on Energy and Commerce reported H.R. 5035 to the House, as amended (H. Rept. 116–329), and the bill was placed on the Union Calendar (Calendar No. 265).

On December 10, 2019, the House considered H.R. 5035 under a motion to suspend the Rules and passed H.R. 5035 by a voice vote.

On December 11, 2019, H.R. 5035 was received by the Senate, read twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

The provisions of H.R. 5035 were included in H.R. 1865.

On March 25, 2019, H.R. 1865 was introduced by Representative Pascrell and referred to the Committee on Financial Services.

On October 28, 2019, the House considered H.R. 1865 under a motion to suspend the Rules, and passed the bill, without amendment, by a voice vote.

On October 29, 2019, H.R. 1865 was received in the Senate and read twice.

On November 12, 2019, H.R. 1865 was considered in the Senate, and the bill, as amended, was passed by unanimous consent.

On December 17, 2019, H.R. 1865 was considered in the House pursuant to the provisions of H. Res. 765, and the bill, with a House amendment to the Senate amendment thereto, was passed by a recorded vote of 297 yeas and 120 nays (Roll Call No. 689).

On December 17 and 19, 2019, H.R. 1865 was received and considered in the Senate, and the bill, without further amendment, was passed by a recorded vote of 71 yeas and 23 nays (Roll Call No. 415).

On December 20, 2019, H.R. 1865 was presented to the President and signed into law by the President (Public Law 116–94).

SECURE AND TRUSTED COMMUNICATIONS NETWORKS ACT OF 2019

PUBLIC LAW 116–124 (H.R. 4998, H.R. 4459)

To prohibit certain Federal subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks, and for other purposes.

Summary

This legislation would require the FCC to develop and maintain a list of communications equipment and services that pose an unacceptable risk to national security and prohibit the use of Federal funds administered by the FCC to purchase, rent, lease, or otherwise obtain such equipment and services. The legislation also establishes the Secure and Trusted Communications Reimbursement Program to assist small communications providers with the costs of removing prohibited equipment and services from their networks and replacing prohibited equipment with more secure communications equipment and services.

Legislative History

On November 8, 2019, H.R. 4998 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on November 12, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 4998. Testimony was received from John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

On November 14, 2019, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4998 and forwarded the bill, amended, to the full Committee, by a voice vote.

On November 20, 2019, the full Committee met in open markup session to consider H.R. 4998, as amended, and ordered the bill favorably reported, amended, to the House, by a voice vote.

On December 16, 2019, the Committee on Energy and Commerce reported H.R. 4998 to the House (H. Rept. 116–352). That same day, H.R. 4998 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On December 17, 2019, the Senate received H.R. 4998 and read the bill twice. On February 27, 2020, H.R. 4998 was considered in the Senate and passed, without amendment, by a voice vote.

On March 3, 2020, H.R. 4998 was presented to the President. On March 12, 2020, H.R. 4998 was signed into law by the President (Public Law 116–124).

SECURE 5G AND BEYOND ACT OF 2020

PUBLIC LAW 116–129 (S. 893, H.R. 2881)

To require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

Summary

This legislation directs the President to develop the "Secure Next Generation Mobile Communications Strategy" in consultation with the heads of the FCC, National Telecommunications and Information Administration (NTIA), Department of Homeland Security (DHS), as well as the Director of National Intelligence (DNI) and Secretary of Defense (DOD).

Legislative History

On May 21, 2019, H.R. 2881 was introduced by Representative Spanberger (VA–07) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on May 22, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 2881. Testimony was received from John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

On November 14, 2019, the Subcommittee met in open markup session to consider H.R. 2881 and forwarded the bill, amended, to the full Committee on Energy and Commerce, by a voice vote.

On November 20, 2019, the full Committee met in open markup session to consider H.R. 2881, as amended by the Subcommittee, and ordered the bill, as amended, reported favorably reported to the House, as amended, by a voice vote.

On January 8, 2020, the Committee on Energy and Commerce reported H.R. 2881 to the House (H. Rept. 116–36). That same day, H.R. 2881 was considered in the House under a motion to suspend the rules and passed by a record vote of 413 yeas to 3 nays (Roll no. 4).

On January 9, 2020, the Senate received H.R. 2881 and read the bill twice. That same day, H.R. 2881 was placed on Senate Legislative Calendar under General Orders (Calendar No. 403).

No further action was taken on this bill in the 116th Congress.

On December 19, 2019, the Committee on Commerce, Science, and Transportation reported substantially similar legislation, S. 893, to the Senate, amended (S. Rept. 116–184). On March 4, 2020, S. 893 was considered in the Senate and passed, amended, by unanimous consent.

On March 9, 2020, the House received S. 893 and the bill was held at the desk.

On March 11, 2020, S. 893 was considered in the House under a motion to suspend the Rules and passed the bill by a voice vote.

On March 16, 2020, S. 893 was presented to the President. On March 23, 2020, S. 893 was signed into law by the President (Public Law 116–129).

BROADBAND DEPLOYMENT ACCURACY AND TECHNOLOGICAL AVAILABILITY ACT

PUBLIC LAW 116–130 (S. 1822, H.R. 4229, AND H.R. 4227)

To improve broadband data collection, mapping, and validation to support the effective deployment of broadband services to all areas of the United States, and for other purposes.

Summary

This legislation would require the FCC to issue new rules to require the collection and dissemination of granular broadband availability data. It would also require the FCC to establish a process to verify the accuracy of such data, including by using data submitted by other government entities or the public. In addition, it would require the FCC to use this data to create coverage maps based on a serviceable location fabric of all locations that could receive fixed broadband service, and it would require the FCC to create a separate coverage map for mobile broadband.

Legislative History

On September 6, 2019, H.R. 4229, the Broad Deployment Accuracy and Technological Availability Act, was introduced by Representative Loebsack (IA–2) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 7, 2019.

On September 6, 2019, H.R. 4227, the "Mapping Accuracy Promotes Services Act", was introduced by Representative McEachin (VA–04) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 7, 2019.

On September 11, 2019, the Subcommittee on Communications and Technology held a legislative hearing on six bills, including H.R. 4229 and H.R. 4227. The witnesses included James M. Assey, Executive Vice President, NCTA—The Internet & Television Association; Shirley Bloomfield, Chief Executive Officer, NTCA—The Rural Broadband Association; Dana J. Floberg, Policy Manager, Free Press & Free Press Action; Jonathan Spalter, President and CEO, US Telecom Association; Grant Spellmeyer, Vice President, Federal Affairs & Public Policy, U.S. Cellular; and James W. Stegeman, President/CEO, CostQuest Associates.

On November 14, 2019, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4229 and H.R. 4227. The Subcommittee forwarded H.R. 4229, amended, and H.R. 4227, without amendment, to the Committee on Energy and Commerce.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 4229, as amended, and H.R. 4227. The Committee on Energy and Commerce ordered H.R. 4229 reported favorably to the House, amended, by a voice vote. The Committee on Energy and Commerce also ordered H.R. 4227 reported favorably to the House by voice vote.

On December 16, 2019, the Committee on Energy and Commerce reported H.R. 4229 to the House, as amended (H. Rept. 116–350). On December 16, 2019, the House considered H.R. 4229 under a motion to suspend the Rules and passed the bill by a voice vote.

On December 17, 2019, the Senate received H.R. 4229, read the bill twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 345).

On December 16, 2019, the Committee on Energy and Commerce reported H.R. 4227 to the House (H. Rept. 116–349). On December 16, 2019, the House considered H.R. 4227 under a motion to suspend the Rules and passed the bill by a voice vote.

On December 17, 2019, the Senate received H.R. 4227, read the bill twice, and referred the bill to the Committee on Commerce, Science, and Transportation.

No further action was taken on these bills in the 116th Congress.

On December 12, 2019, the Senate Committee on Commerce, Science, and Transportation reported substantially similar legislation, S. 1822, to the Senate, amended (S. Rept. 116–174).

On December 19, 2019, Senate considered substantially similar legislation, S. 1822, and passed the bill, amended, by unanimous consent.

On March 3, 2020, the House received S. 1822 and held the bill at the desk. The House then considered S. 1822 and passed the bill, amended, by unanimous consent.

On March 10, 2020, S. 1822 passed the House amendment to S. 1822 by unanimous consent.

On March 23, 2020, S. 1822 was signed into law by the President (Public Law 116–130).

PALLONE-THUNE TELEPHONE ROBOCALL ABUSE CRIMINAL ENFORCEMENT AND DETERRENCE ACT

PUBLIC LAW 116–105 (S. 151, H.R. 3375, H.R. 3264, H.R. 3434, H.R. 3780, H.R. 721, H.R. 2386, H.R. 1575)

To amend the Communications Act of 1934 to clarify the prohibitions on making robocalls, and for other purposes.

Summary

This legislation would take myriad actions aimed at relieving consumers from the onslaught of robocalls. Among many other things, this legislation would require the implementation of nationwide call authentication technology so consumers can again trust the number that appears on their caller ID. The legislation also

provides for carriers to offer call blocking services and requires it to be offered at a no additional line-item charge. The legislation also requires the FCC to issue multiple rules to protect against illegal robocalls and makes it easier for the FCC to fine robocallers.

Legislative History

On April 30, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills entitled "Legislating to Stop the Onslaught of Annoying Robocalls." Testimony was received from Aaron Foss, Founder, Nomorobo; Dave Summitt, Chief Information Security Officer, H. Lee Moffitt Cancer Center & Research Institute, Fellow for the Institute for Critical Infrastructure Technology; Margot Saunders, Senior Counsel, National Consumer Law Center; and Patrick Halley, Senior Vice President, Advocacy and Regulatory Affairs, USTelecom—The Broadband Association.

On June 20, 2019, H.R. 3375 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 21, 2019.

On June 25, 2019, the Subcommittee met in open markup session to consider H.R. 3375 and forwarded the bill to the full Committee on Energy and Commerce, amended, by a voice vote.

On July 17, 2019, the full Committee met in open markup session to consider H.R. 3375, as amended by the Subcommittee, and ordered the bill reported favorably to the House, amended, by a recorded vote of 48 yeas to 0 nays.

On July 23, 2019, the Committee on Energy and Commerce reported H.R. 3375 to the House (H. Rept. 116–173). The next day, H.R. 3375 was considered in the House under a motion to suspend the Rules and passed by a recorded vote of 429 yeas and 3 nays (Roll no. 502).

On July 25, 2019, the Senate received H.R. 3375.

No further action was taken on H.R. 3375 in the 116th Congress.

On May 23, 2019, a substantially similar bill, S. 151, passed the Senate, amended, by a recorded vote of 97 yeas to 1 nay (Record Vote Number: 127). On May 24, 2019, S. 151 was received in the House and referred to the Committee on Energy and Commerce.

On December 4, 2019, the Committee on Energy and Commerce was discharged from consideration of S. 151. That same day, the House considered S. 151 under a motion to suspend the Rules, and the bill passed, as amended, by a recorded vote of 417 yeas to 3 nays (Roll no. 647).

On December 5, 2019, the House amendment to S. 151 was received by the Senate. On December 9, 2019, the Senate passed the House amendment to S. 151 by a voice vote.

On December 20, 2019, S. 151 was presented to the President. On December 30, 2019, S. 151 was signed into law by the President (Public Law 116–105).

On June 13, 2019, H.R. 3264, the Ending One-Ring Scams Act of 2019, was introduced by Representative Clarke (NY–09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 14, 2019.

On June 24, 2019, H.R. 3434, the Tracing Back and Catching Unlawful Robocallers Act of 2019 was introduced by Representative Butterfield (NC–01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Committee on Communications and Technology on June 25, 2019.

On July 16, 2019, H.R. 3780, the Protecting Patients and Doctors form Unlawful Robocalls Act of 2019, was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Telecommunications on July 17, 2019.

On January 23, 2019, H.R. 721, the Spam Calls Task Force Act of 2019, was introduced by Representative Crist (FL–13) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on January 25, 2019. On April 30, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 721.

On April 29, 2019, H.R. 2386, the STOP Robocalls Act, was introduced by Representative Latta and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 30, 2019. On April 30, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 2386.

On March 6, 2019, H.R. 1575, the Robocall Enforcement Enhancement Act of 2019, was introduced by Representative Van Drew (NJ–02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 7, 2019.

On April 30, 2019, the Subcommittee on Communications and Technology held a legislative hearing on three bills, including H.R. 1575.

No further action was taken on these bills in the 116th Congress. Provisions similar to those in H.R. 3264, H.R. 3434, H.R. 3780, H.R. 721, H.R. 2386, and H.R. 1575 were included in H.R. 3375 and S. 151.

NATIONAL SUICIDE HOTLINE DESIGNATION ACT OF 2020

PUBLIC LAW 116–172 (S. 2661, H.R. 4194)

To amend the Communications Act of 1934 to designate 9–8–8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

Summary

This legislation requires the FCC to designate 9–8–8 as the universal telephone number for a national suicide prevention and mental health crisis hotline. A state may impose and collect a fee for providing 9–8–8 related services. However, this fee must be held in a designated account to be spent only in support of 9–8–8 services, and the FCC must submit an annual report on state administration of these fees.

The Department of Health and Human Services and the Department of Veterans Affairs must jointly report on how to make the use of 9–8–8 operational and effective across the country, and HHS must develop a strategy to provide access to competent, specialized services for high-risk populations such as lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth; minorities; and rural individuals.

Legislative History

On August 20, 2019, H.R. 4194 was introduced by Representative Stewart (UT–02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on August 21, 2019.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 4194. The witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 11, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4194 and forwarded the bill to the Committee on Energy and Commerce, amended, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual markup session to consider H.R. 4194 and ordered the bill reported favorably to the House, amended, by a voice vote.

On May 13, 2020, the Senate considered substantially similar legislation, S. 2661, and passed the bill, amended, by a voice vote.

On May 20, 2020, the House received S. 2661 and held the bill at the desk. On September 21, 2020, the House considered S. 2661 under the suspension of the Rules and passed the bill, as amended, by a voice vote.

On October 6, 2020, S. 2661 was presented to the President. On October 17, 2020, S. 2661 was signed into law by the President (Public Law 116–172).

THE CONSOLIDATED APPROPRIATIONS ACT, 2021

PUBLIC LAW 116–__ (H.R. 133, H.R. 451, H.R. 1328, H.R. 8545, S. 1294)

Making consolidated appropriations for the fiscal year ending September 30, 2021, providing coronavirus emergency response and relief, and for other purposes.

Summary

Section 902 of H.R. 133 incorporates H.R. 451, the "Don't Break Up the T-Band Act of 2020". This legislation repeals the requirement for the FCC to clear and auction critical public safety spectrum in the 470 to 512 megahertz band, commonly referred to as the T-band. It also directs the FCC to take steps to end 9–1–1 fee diversion.

Section 903 of H.R. 133 also incorporates H.R. 1328, the "ACCESS BROADBAND Act". The legislation establishes the Office of Internet Connectivity and Growth (Office) at the National Telecommunications and Information Administration. This Office would be tasked with performing certain responsibilities related to broadband access, adoption, and deployment, such as performing public outreach to promote access and adoption of high-speed broadband service, and standardizing the process for applying for Federal broadband support. It also establishes coordination requirements between agencies that offer broadband deployment funding programs, to ensure Federal funds are spent efficiently and effectively.

In addition, section 905 of H.R. 133 incorporates H.R. 8545, the "Beat CHINA for 5G Act of 2020". This legislation directs the President, acting through the Assistant Secretary of Commerce for Communications and Information, to withdraw or modify Federal spectrum assignments in the 3450 to 3550 megahertz band. It also directs the FCC to revise the non-Federal allocation of the band to permit flexible-use services and to begin a system of competitive bidding for a portion or all of the band no later than December 31, 2021.

Also, section 904 of H.R. 133 incorporates S. 1294, the "Broadband Interagency Coordination Act". This legislation requires the FCC, the National Telecommunications and Information Administration, and the Department of Agriculture to enter into an interagency agreement to coordinate the distribution of Federal funds for broadband programs, to prevent duplication of support, and ensure stewardship of taxpayer dollars.

Legislative History

H.R. 133—On January 3, 2019, H.R. 133, the "United States-Mexico Economic Partnership Act", was introduced by Representative Cuellar and referred to the Committee on Foreign Affairs. On January 10, 2019, the House considered H.R. 133 under a motion to suspend the Rules and passed H.R. 133 by a voice vote. On January 15, 2020, the Senate passed H.R. 133, amended, by unanimous consent.

On December 21, 2020, the House passed an amendment to the Senate amendment to H.R. 133 with portions of an amendment comprising divisions B, C, E, and F by a recorded vote of 327 yeas and 85 nays (Roll no. 250) and an amendment to the Senate amendment to H.R. 133 (except divisions B, C, E, and F) by a recorded vote of 359 yeas and 53 nays (Roll no. 251). That same day, the House pass the Senate amendment to H.R. 133 with amendment by unanimous consent.

On December 21, 2020, the Senate passed the House amendment to the Senate amendment to H.R. 133 by a recorded vote of 92 yeas to 6 nays (Recorded Vote Number: 289). On December 27, 2020, the President signed H.R. 133 into law. The Public Law number had not been assigned when this report was filed.

H.R. 451—On January 10, 2019, H.R. 451, the "Don't Break Up the T-Band Act of 2020", was introduced by Representative Engel (NY–16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Com-

munications and Technology on January 25, 2019. On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 451. Testimony was received from Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 451 and forwarded the bill, amended, to the full Committee on Energy and Commerce by a voice vote.

On July 15, 2020, the full Committee met in virtual open markup session to consider H.R. 451, as amended by the Subcommittee, and ordered the bill reported favorably to the House, as amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 451 to the House (H. Rept. 116–521) and the bill was placed on the Union Calendar (Calendar No. 421).

On September 21, 2020, the House considered H.R. 451 under a motion to suspend the Rules and passed the bill, as amended, by a recorded vote of 410 yeas and 5 nays on September 23, 2020.

On September 24, 2020, the Senate received H.R. 451, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation. No further action was taken on the bill H.R. 451 in the 116th Congress. For further action related to this legislation, see H.R. 133.

H.R. 1328—On February 25, 2019, H.R. 1328, the "ACCESS BROADBAND Act", was introduced by Representative Tonko and the bill was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 26, 2019.

On May 8, 2019, the House considered H.R. 1328 under a motion to suspend the Rules and the bill passed, as amended, by a voice vote.

On May 9, 2019, the Senate received H.R. 1328, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation. For further action related to this legislation, see H.R. 133.

H.R. 8545—On October 6, 2020, H.R. 8545, the "Beat CHINA for 5G Act of 2020", was introduced by Representative Walden and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on October 7, 2020. For further action related to this legislation, see H.R. 133.

H.R. 451, H.R. 1328, and H.R. 8545 were incorporated into H.R. 133, which was signed into law on December 27, 2020.

MOVING FORWARD ACT

H.R. 2

(H.R. 1328, H.R. 1693, H.R. 2760, H.R. 2785, H.R. 3278, H.R. 4127, H.R. 4486, H.R. 6563, H.R. 6881, H.R. 8665)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

Section 31101 of H.R. 2 incorporates H.R. 1328, the "ACCESS BROADBAND Act". The legislation establishes the Office of Internet Connectivity and Growth within the National Telecommunications and Information Administration.

Section 31341 of H.R. 2 incorporates H.R. 1693, a bill to require the Federal Communications Commission to make the provision of Wi-Fi access on school buses eligible for E-rate support. This legislation requires that the provision of Wi-Fi access on school buses be made eligible for support under the E-Rate programs, which allots broadband discounts to schools and libraries.

Section 31601 of H.R. 2 incorporates H.R. 2760, the "Next Generation 9–1–1 Act of 2019". The legislation establishes a Federal grant program to help state and local governments deploy next generation (interoperable, secure, Internet Protocol-based) 9–1–1 systems across the United States, enabling emergency call centers to receive, process, and analyze all types of 9–1–1 requests for emergency aid.

Section 31401 of H.R. 2 incorporates H.R. 2785, the "Community Broadband Act of 2019". This legislation prohibits state and local entities from blocking the provision of broadband by public providers or public-private partnership providers. Further, public providers and state or local entities participating in such a partnership must administer applicable ordinances and rules without discrimination against competing private providers.

Section 31301 of H.R. 2 incorporates H.R. 3278, the "Connect America Act of 2019". This legislation requires the FCC to establish a funding program to expand broadband access for unserved and underserved areas and unserved anchor institutions, such as schools or libraries. The program shall consist of both a national reverse auction and population-based grants to states.

Section 31321 of H.R. 2 incorporates H.R. 4127, the "Broadband Infrastructure Finance and Innovation Act of 2019". This legislation requires the National Telecommunications and Information Administration to make financing available for the construction and deployment of broadband infrastructure through a broadband infrastructure finance and innovation program. Specifically, the bill provides a means for communities and public-private partnerships to apply for low-interest secured loans, lines of credit, or loan guarantees to finance broadband infrastructure investments.

Section 31121 of H.R. 2 incorporates H.R. 4486, the "Digital Equity Act of 2019". This legislation requires the National Telecommunications and Information Administration to establish grant programs for promoting digital equity, supporting digital inclusion activities, and building capacity for state-led efforts to increase

adoption of broadband by their residents. Specifically, the bill establishes the State Digital Equity Capacity Grant Program to make distributions to states based on their populations, demographics, and availability and adoption of broadband. The bill also establishes the Digital Equity Competitive Grant Program for supporting efforts to achieve digital equity, promote digital inclusion, and stimulate adoption of broadband.

Section 31161 of H.R. 2 incorporates H.R. 6563, the "Emergency Educational Connections Act of 2020". This legislation establishes and provides funding for the Emergency Connectivity Fund, from which the FCC must provide support for certain schools or libraries to purchase specified telecommunications equipment. Specifically, the FCC shall provide funds to certain elementary schools, secondary schools, or libraries to purchase telecommunications equipment or services (e.g., Wi-Fi hotspots, modems, and routers) for use by students, staff, or patrons at locations that include locations other than the schools or libraries. Priority must be given to students, staff, or patrons who do not have access to such equipment or services. Funding recipients are authorized to use purchased equipment for appropriate purposes but may not sell or transfer such equipment for anything of value, except for upgraded equipment of the same type.

Section 31141 of H.R. 2 incorporates H.R. 6881, the "Emergency Broadband Connections Act of 2020". This legislation establishes a program to provide eligible households a discount on internet service, upon request by a member of such household, and creates a fund at the FCC to reimburse providers the cost of providing such discount. The legislation also allows providers to seek a reimbursement for providing low-cost devices such as computers and tablets to eligible households.

Section 31701 of H.R. 2 incorporates H.R. 8665, the "Extending Tribal Broadband Priority Act of 2020". The legislation directs the FCC to establish a new Tribal priority window to apply for use of spectrum in the 2.5 gigahertz band.

Legislative History

On June 11, 2020, H.R. 2 was introduced by Representative DeFazio (OR–04) and referred to the Committee on Transportation and Infrastructure.

On July 1, 2020, H.R. 2 was considered in the House pursuant to the provisions of H. Res. 1028 and the bill, as amended, was passed by a recorded vote of 233 yeas to 188 nays (Roll Call No. 138).

On July 20, 2020, H.R. 2 was received in the Senate.

No further action was taken on H.R. 2 in the 116th Congress.

H.R. 2 contains provisions of the following bills: H.R. 1328, the "ACCESS BROADBAND Act", introduced by Representative Tonko; H.R. 1693, a bill to require the Federal Communications Commission to make the provision of Wi-Fi access on school buses eligible for E-rate support, introduced by Representative Luján; H.R. 2760, the "Next Generation 9–1–1 Act of 2019", introduced by Representative Eshoo (CA–18); H.R. 2785, the "Community Broadband Act of 2019", introduced by Representative Eshoo; H.R. 3278, the "Connect America Act of 2019", introduced by Representative Loebsack;

H.R. 4127, the "Broadband Infrastructure Finance and Innovation Act of 2019", introduced by Representative Luján; H.R. 4486, the "Digital Equity Act of 2019", introduced by Representative McNerney; H.R. 6563, the "Emergency Educational Connections Act of 2020", introduced by Representative Meng; H.R. 6881, the "Emergency Broadband Connections Act of 2020", introduced by Representative Veasey (TX–33); and H.R. 8665, the "Extending Tribal Broadband Priority Act of 2020", introduced by Representative Haaland.

PHONE ACT OF 2020

H.R. 1289

To amend the Communications Act of 1934 to provide for a moratorium on number reassignment after a disaster declaration, and for other purposes.

Summary

This legislation would prohibit providers of fixed wireline voice service from reassigning, rescinding, or otherwise modifying subscribers' phone numbers in the aftermath of a major disaster declaration by the President, among other things.

Legislative History

On February 14, 2019, H.R. 1289 was introduced by Representative Thompson (CA–05) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 15, 2019.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 1289. The witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology held an open markup session on H.R. 1289 and forwarded the bill to the Committee on Energy and Commerce, amended, by a voice vote.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 1289 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 1289 to the House (H. Rept. 116–541). That same day, the House considered H.R. 1289 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 1289, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1289 in the 116th Congress.

SAVE THE INTERNET ACT OF 2019

H.R. 1644

To restore the open internet order of the Commission.

Summary

This legislation would codify the FCC's 2015 Open Internet Order.

Legislative History

On March 8, 2019, H.R. 1644 was introduced by Representative Doyle and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 9, 2019.

On March 26, 2019, the Subcommittee on Communications and Technology held a legislative hearing on H.R. 1644. The witnesses included Francella Ochillo, Vice President of Policy and General Counsel, National Hispanic Media Coalition; Matt Wood, Vice President of Policy and General Counsel, Free Press Action; Gregory Green, Chief Executive Officer, Fatbeam; and Robert M. McDowell, Senior Fellow, Hudson Institute, Partner, Cooley LLP.

On March 26, 2019, the Subcommittee met in open markup session to consider H.R. 1644 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a recorded vote of 18 yeas and 11 nays.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1644 and ordered the bill reported favorably to the House, amended, by recorded vote of 30 yeas to 22 nays.

On April 5, 2019, the Committee on Energy and Commerce reported H.R. 1644 to the House (H. Rept. 116–34). On April 9, 2019, the House considered H.R. 1644 pursuant to the provisions of rule H. Res. 294 and passed the bill, amended, by a recorded vote of 232 yeas and 190 nays (Roll No. 167).

On April 11, 2019, H.R. 1644 was received in the Senate and placed on the Legislative Calendar under General Orders (Calendar No. 74).

No further action was taken on H.R. 1644 in the 116th Congress.

E-FRONTIER ACT

H.R. 2063

To prohibit the President or a Federal agency from constructing, operating, or offering wholesale or retail services on broadband networks without authorization from Congress, and for other purposes.

Summary

This legislation would prohibit the President or any Federal agency from constructing or operating broadband networks or providing wholesale or retail service on a broadband network without prior authorization from Congress.

Legislative History

On April 3, 2019, H.R. 2063 was introduced by Representative Cárdenas and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 4, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on H.R. 2063 and six other bills. The witnesses included John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

No further action was taken on H.R. 2063 in the 116th Congress.

BROADBAND MAPS ACT OF 2019

H.R. 2643

To direct the FCC to establish a challenge process to verify fixed and mobile broadband service coverage data.

Summary

This legislation would require the FCC to establish a challenge process to be used to verify the collection and use of fixed and mobile broadband service coverage data submitted to the FCC by private entities and governmental entities to verify fixed and mobile broadband coverage.

Legislative History

On May 9, 2019, H.R. 2643 was introduced by Representative Latta and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on May 10, 2019.

On September 11, 2019, the Subcommittee on Communications and Technology held a legislative hearing on six bills, including H.R. 2643. The witnesses included James M. Assey, Executive Vice President, NCTA—The Internet & Television Association; Shirley Bloomfield, Chief Executive Officer, NTCA—The Rural Broadband Association; Dana J. Floberg, Policy Manager, Free Press & Free Press Action; Jonathan Spalter, President and CEO, US Telecom Association; Grant Spellmeyer, Vice President, Federal Affairs & Public Policy, U.S. Cellular; and James W. Stegeman, President/CEO, CostQuest Associates.

No further action was taken on H.R. 2643 in the 116th Congress.

LEADING INFRASTRUCTURE FOR TOMORROW'S AMERICA ACT

H.R. 2741 (H.R. 2760, H.R. 3278, H.R. 4127)

To rebuild and modernize the Nation's infrastructure to expand access to broadband and Next Generation 9–1–1, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment, and for other purposes.

Summary

Section 12001 of H.R. 2741 incorporates H.R. 2760, the "Next Generation 9–1–1 Act of 2019". The legislation establishes a Federal grant program to help state and local governments deploy next generation (interoperable, secure, Internet Protocol-based) 9–1–1 systems across the United States, enabling emergency call centers to receive, process, and analyze all types of 9–1–1 requests for emergency aid.

Section 14 of H.R. 2741 incorporates H.R. 3278, the "Connect America Act of 2019". This legislation requires the FCC to establish a funding program to expand broadband access for unserved and underserved areas and unserved anchor institutions, such as schools or libraries. The program shall consist of both a national reverse auction and population-based grants to states.

Section 11001 of H.R. 2741 incorporates H.R. 4127, the "Broadband Infrastructure Finance and Innovation Act of 2019". The legislation requires the National Telecommunications and Information Administration to make financing available for the construction and deployment of broadband infrastructure through a broadband infrastructure finance and innovation program. Specifically, the bill provides a means for communities and public-private partnerships to apply for low-interest secured loans, lines of credit, or loan guarantees to finance broadband infrastructure investments.

Legislative History

On May 15, 2019, H.R. 2741 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Science, Space, and Technology, Ways and Means, Transportation and Infrastructure, and Education and Labor On May 22, 2019, the Committee on Energy and Commerce held a legislative hearing on H.R. 2741. The witnesses included Mignon L. Clyburn, Principal, MLC Strategies, LLC; John Auerbach, MBA, President and CEO, Trust for America's Health; Jessica Eckdish, Legislative Director, BlueGreen Alliance; the Honorable Brian Wahler, Mayor, Piscataway Township New Jersey, on behalf of the U.S. Conference of Mayors; Daniel Lyons, Visiting Fellow, American Enterprise Institute (AEI); and Christopher Guith, Acting President, Global Energy Institute, U.S. Chamber of Commerce.

No further action was taken on H.R. 2741 in the 116th Congress.

On May 15, 2019, H.R. 2760 was introduced by Representative Eshoo and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on May 16, 2019.

No further action was taken on H.R. 2760 in the 116th Congress.

On June 13, 2019, H.R. 3278 was introduced by Representative Loebsack and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 14, 2019.

No further action was taken on H.R. 3278 in the 116th Congress.

On July 30, 2019, H.R. 4127 was introduced by Representative Luján and referred to the Committee on Energy and Commerce.

The bill was subsequently referred to the Subcommittee on Communications and Technology on July 31, 2019.

No further action was taken on H.R. 4127 in the 116th Congress.

The provisions of H.R. 2760, H.R. 3278, and H.R. 4127 were included in H.R. 2741.

WIRELESS INFRASTRUCTURE RESILIENCY DURING EMERGENCIES AND DISASTER ACT

H.R. 3836

To amend section 332 of the Communications Act of 1934 to include public safety requirements in terms and conditions states may require of mobile services.

Summary

This legislation would amend the Communications Act to specify that state and local governments may impose reasonable requirements to promote resilient wireless communications infrastructure for situational awareness during a natural disaster.

Legislative History

On July 18, 2019, H.R. 3836 was introduced by Representative Eshoo and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on July 19, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 3836. The witnesses included John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

No further action was taken on H.R. 3836 in the 116th Congress.

EXPANDING BROADCAST OWNERSHIP OPPORTUNITIES ACT OF 2019

H.R. 3957

To direct the Commission to take certain actions to increase diversity of ownership in the broadcasting industry, and for other purposes.

Summary

This legislation would reinstate the tax certificate program at FCC. The program had incentivized broadcast station sales to women and members of minority groups and encouraged investment of capital in stations owned by women and members of minority groups. The bill would also require the FCC to make recommendations to Congress for increasing the number of broadcast stations owned by women and members of minority groups and submit to Congress a report every two years stating the total number of women- and minority-owned broadcast stations.

Legislative History

On July 25, 2019, H.R. 3957 was introduced by Representative Butterfield and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Communications and Technology that same day. On January 15, 2020, the Subcommittee on Communications and Technology held a legislative hearing on four bills, including H.R. 3957. The witnesses included Maurita Coley, Esq., President and CEO, Multicultural Media, Telecom, and Internet Council; Clint Odom, Senior Vice President, Advocacy & Policy, Executive Director, Washington Bureau, National Urban League; Catherine J.K. Sandoval, Associate Professor, Santa Clara University School of Law; and Diane Sutter, President/CEO, ShootingStar Inc.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 3957 and forwarded the bill, amended, to the full Committee on Energy and Commerce.

On September 9, 2020, the full Committee met in virtual open markup session to consider H.R. 3957 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 3957 in the 116th Congress.

MAP IMPROVEMENT ACT OF 2019

H.R. 4128

To improve the collection and aggregation of fixed and mobile broadband internet service coverage data, and for other purposes.

Summary

This legislation would require the FCC, in coordination with the NTIA, to establish a standardized methodology for collecting and mapping fixed and mobile broadband internet service coverage data in the United States. The bill would also require a standardized challenge process to verify coverage data from providers and challenge any aspects of the data believed to be inaccurate. The FCC would be required to establish an Office of Broadband Data Collection and Mapping within the Commission to serve as the central point of data collection, aggregation, and validation. The NTIA would be required to establish a technical assistance program under which the Assistant Secretary of Commerce for Communications and Information would provide grants to state and local entities to assist with data collection.

Legislative History

On July 30, 2019, H.R. 4128 was introduced by Representatives Luján and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on July 31, 2019.

On September 11, 2019, the Subcommittee on Communications and Technology held a legislative hearing on six bills, including H.R. 4128. The witnesses included James M. Assey, Executive Vice President, NCTA—The Internet & Television Association; Shirley Bloomfield, Chief Executive Officer, NTCA—The Rural Broadband

Association; Dana J. Floberg, Policy Manager, Free Press & Free Press Action; Jonathan Spalter, President and CEO, US Telecom Association; Grant Spellmeyer, Vice President, Federal Affairs & Public Policy, U.S. Cellular; and James W. Stegeman, President/CEO, CostQuest Associates.

No further action was taken on H.R. 4128 in the 116th Congress.

NETWORK SECURITY INFORMATION SHARING ACT OF 2019

H.R. 4461

To direct the Secretary of Homeland Security to establish a program to share information regarding supply chain security risks with trusted providers of advanced communications service and trusted suppliers of communications equipment or services, and for other purposes.

Summary

This legislation would direct the Director of the Federal Bureau of Investigation, NTIA, and the FCC, to establish a program to share supply chain security risks with advanced communications service providers and trusted suppliers of telecommunications equipment and services.

Legislative History

On September 24, 2019, H.R. 4461 was introduced by Representative Kinzinger (IL–16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 25, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 4461. The witnesses included John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

On November 14, 2019, the Subcommittee on Communications and Technology met in open markup session for consideration of H.R. 4461 and forwarded the bill to the Committee on Energy and Commerce, amended, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 4461 and ordered the bill reported favorably to the House, as amended, by a voice vote.

No further action was taken on H.R. 4461 in the 116th Congress.

PROMOTING UNITED STATES WIRELESS LEADERSHIP ACT OF 2019

H.R. 4500

To direct the Assistant Secretary for Communications and Information to take certain actions to enhance the representation of the United States and promote United States leadership in communications standards-setting bodies, and for other purposes.

Summary

This legislation would direct the Assistant Secretary for Communications and Information for the Department of Commerce to take certain actions to enhance the representation of the United States and promote United States leadership in communications standards-setting bodies.

Legislative History

On September 26, 2019, H.R. 4500 was introduced by Representative Walberg (MI–07) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 27, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 4500. The witnesses included John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

On November 14, 2019, the Subcommittee on Communications and Technology met in open markup session for consideration of H.R. 4500 and forwarded the bill to the Committee on Energy and Commerce, amended, by voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 4500 and ordered the bill reported favorably to the House, amended, by a voice vote.

On January 7, 2020, the Committee on Energy and Commerce reported H.R. 4500 to the House (H. Rept. 116–367). On January 8, 2020, the House considered H.R. 4500 under suspension of the Rules and the bill passed, as amended, by a voice vote.

On January 9, 2020, the Senate received H.R. 4500, read the bill twice, and referred it to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4500 in the 116th Congress.

C-BAND ACT

H.R. 4855

To amend the Communications Act of 1934 to provide for an auction of C-Band spectrum, and for other purposes.

Summary

This legislation would require the FCC to conduct a public auction of no less than 200 MHz and no more than 300 MHz of C-band spectrum by September 30, 2022. The bill would also protect C-band-dependent users by requiring that they continue to receive equal or better service throughout and after the transition process.

Legislative History

On October 24, 2019, H.R. 4855 was introduced by Representative Doyle and referred to the Committee on Energy and Com-

merce. The bill was subsequently referred to the Subcommittee on Communications and Technology on October 26, 2019.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4855 and forwarded the bill, without amendment, to the Committee on Energy and Commerce.

No further action was taken on H.R. 4855 in the 116th Congress.

STUDYING HOW TO HARNESS AIRWAVE RESOURCES EFFICIENTLY ACT OF 2019

H.R. 5000 (H.R. 4462)

To amend the National Telecommunications and Information Administration Organization Act to provide for the establishment of an electromagnetic spectrum sharing research and development program and an integrated spectrum automation enterprise strategy, and for other purposes.

Summary

This legislation would require the NTIA, in consultation with the FCC, to establish a spectrum sharing and prototyping program and test bed to explore new ways for Federal entities to share spectrum with other Federal entities. The legislation would authorize $50 million for NTIA to establish the spectrum sharing prototyping and test bed program. It would also require NTIA and the FCC, in consultation with the National Institute of Standards and Technology, to submit a report to Congress on how to improve and expand the spectrum sharing techniques developed for the 3.5 GHz band, or other spectrum sharing strategies, and consider their applicability to other bands, including 3.1 GHz to 3.55 GHz and 7.1 GHz to 8.4 GHz, among other considerations.

Legislative History

On September 24, 2019, H.R. 4462 was introduced by Representative Doyle and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 25, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven bills, including H.R. 4462. The witnesses included John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy and Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

On November 8, 2019, H.R. 5000 was introduced by Representative Doyle in lieu of a similar bill, H.R. 4462, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on November 9, 2019.

On November 14, 2019, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 5000 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 5000 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 5000 in the 116th Congress.

ENHANCING BROADCASTER DIVERSITY DATA ACT

H.R. 5564

To amend the Communications Act of 1934 to provide for certain requirements with respect to ownership and diversity reporting for television broadcast stations and cable operators, and for other purposes.

Summary

The legislation would require the FCC to complete its rulemaking reviewing the FCC's broadcast and cable equal employment opportunity rules. The bill would also prohibit the FCC from substantially revising broadcast ownership data reporting requirements and requires the FCC to include an analysis of the data in its communications marketplace report. The bill also requires the FCC to create a public, searchable database of the broadcast ownership data collected by the FCC.

Legislative History

On January 9, 2020, H.R. 5564 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on January 10, 2020.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 5564 and forwarded the bill, amended, to the full Committee on Energy and Commerce.

On September 9, 2020, the full Committee met in virtual open markup session to consider H.R. 5564 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 5564 in the 116th Congress.

MEDIA DIVERSITY ACT OF 2020

H.R. 5567

To amend the Communications Act of 1934 to require the Commission to consider market entry barriers for socially disadvantaged individuals in the communications marketplace report under section 13 of such Act.

Summary

The legislation is to require the FCC to consider market entry barriers in the communications marketplace for socially disadvantaged individuals.

Legislative History

On January 9, 2020, H.R. 5567 was introduced by Representative Long (MO–07) and referred to the Committee on Energy and Com-

merce. The bill was subsequently referred to the Subcommittee on Communications and Technology on January 10, 2020.

On January 15, 2020, the Subcommittee on Communications and Technology held a legislative hearing on four bills, including H.R. 5567. The witnesses included Maurita Coley, Esq., President and CEO, Multicultural Media, Telecom, and Internet Council; Clint Odom, Senior Vice President, Advocacy & Policy, Executive Director, Washington Bureau, National Urban League; Catherine J.K. Sandoval, Associate Professor, Santa Clara University School of Law; and Diane Sutter, President/CEO, ShootingStar Inc.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 5567 and forwarded the bill, without amendment, to the Committee on Energy and Commerce by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5567 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 5567 to the House (H. Rept. 116–523). On September 21, 2020, the House considered H.R. 5567 under suspension of the Rules and passed the bill, without amendment, by a voice vote.

On September 22, 2020, the Senate received H.R. 5567, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 5567 in the 116th Congress.

To Direct the Federal Communications Commission to Issue Reports After the Activation of the Disaster Information Reporting System and to Make Improvements to Network Outage Reporting

H.R. 5918

To direct the Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting.

Summary

This legislation would require the FCC to issue reports and hold at least one field hearing when the Disaster Information Reporting System has been active for at least seven days. H.R. 5918 would also require the FCC to conduct a proceeding to improve sharing of network outage information between communications service providers and public safety answering points (PSAPs).

Legislative History

On February 14, 2020, H.R. 5918 was introduced by Representative Matsui and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 15, 2020.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 5918. The witnesses included Matthew Gerst, Vice President,

Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 5918 and forwarded the bill, without amendment, to the Committee on Energy and Commerce by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5918 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 5918 to the House (H. Rept. 116–522). On September 21, 2020, the House considered H.R. 5918 under suspension of the Rules and the bill passed, amended, by a voice vote.

On September 22, 2020, the Senate received H.R. 5918, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 5918 in the 116th Congress.

RESILIENT NETWORKS ACT

H.R. 5926

To amend the Communications Act of 1934 to provide for expedient restoration of advanced communications service networks during times of emergency, and for other purposes.

Summary

This legislation would require the FCC to adopt rules requiring pre-planned coordination agreements among advanced communications service providers to take effect during times of emergency, including roaming agreements and mutual aid arrangements. The RESILIENT Networks Act would direct the FCC to adopt rules to improve coordination between communications providers and PSAPs, as well as covered public safety entities. The bill includes mechanisms to ensure that these first responders are provided with network outage data to help guide disaster response.

The FCC, in consultation with the Secretary of Energy, would be required to establish a master point-of-contact directory to facilitate communication between PSAPs, utilities, and communications service providers. Under the RESILIENT Networks Act, the FCC, in consultation with the Secretary of Energy and the Secretary of Homeland Security, would also have to ensure that providers of advanced communications service take measures to integrate backup power, including generators and batteries, into their networks for times of emergency and pre-planned power downs.

The FCC, in consultation with the Secretary of Energy and Secretary of Homeland Security, would also be required to issue best practices for coordination between communications service providers and utilities for times of emergency and during pre-planned power downs. The Act would also create a process whereby utilities

and providers of advanced communications service can share information so utilities can prioritize reenergizing the most critical communications networks.

To help stop accidental network line-cuts following emergencies, the RESILIENT Networks Act would require the FCC to issue a report to Congress on the effectiveness and feasibility of expanding one-call notification systems to include advanced communications services. The bill would also require the FCC to study, and issue rules, that account for and leverage 5G wireless networks' particular challenges and their inherent advantages in times of emergency.

Finally, the bill would require the Comptroller General to audit the FCC's response to the 2017 Hurricane Season in Puerto Rico. The Comptroller General then must publish a report of this audit, including findings and recommendations, and the FCC must take action to address issues raised in the Comptroller General's report.

Legislative History

On February 18, 2020, H.R. 5926 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 19, 2020.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 5926. The witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 5926 and forwarded the bill, without amendment, to the Committee on Energy and Commerce by a voice vote.

No further action was taken on H.R. 5926 in the 116th Congress.

FIRST RESPONDER ACT OF 2020

H.R. 5928

To repeal the requirement to reallocate and auction the T-Band spectrum, to amend the Wireless Communications and Public Safety Act of 1999 to clarify acceptable 9–1–1 obligations or expenditures, and for other purposes.

Summary

This legislation would repeal the requirement on the FCC to reallocate and auction the 470 through 512 MHz spectrum band, also known as the T-Band. The bill would also instruct the FCC to issue rules designating specific purposes and functions that are considered acceptable expenditures of state-collected 9–1–1 fees. The FIRST RESPONDER Act also directs the FCC to establish the "Ending 9–1–1 Fee Diversion Now Strike Force" (Strike Force) to

consider whether existing Federal laws and regulations, as well as the prospect of new criminal penalties, are effective mechanisms for ending the practice by states of diverting 9–1–1 fees for non-9–1–1 related purposes. In addition to the FCC's annual report to Congress on 9–1–1 fees, the FIRST RESPONDER Act would require the Strike Force to submit a report to Congress with recommendations for ending diversion of 9–1–1 fees by states.

Legislative History

On February 18, 2020, H.R. 5928 was introduced by Representative Walden and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 19, 2020.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 5928. The witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

No further action was taken on H.R. 5928 in the 116th Congress.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021

H.R. 6395 (H.R. 6096, H.R. 6624, H.R. 7310, H.R. 8115)

To authorize appropriations for fiscal year 2021 military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Summary

Section 9201 of H.R. 6395 incorporates H.R. 6096, the "READI Act". This legislation would strengthen the FCC's oversight of communications systems transmitting emergency alerts, improve preparedness of State Emergency Communications Committees (SECC), and examine methods for expanding the reach of emergency alerts using new technologies.

Section 225 of H.R. 6395 incorporates H.R. 6624, the "USA Telecommunications Act". This legislation would create a new program that would, among other things, promote technology that will enhance competitiveness in the supply chains of Open Radio Access Networks (Open RAN) 5G Networks, accelerate the deployment of Open Network Equipment, and promote the inclusion of security features that enhance the integrity and availability of such equipment. The National Telecommunications and Information Administration also would have to establish the criteria for a grant award, establish a committee that advises on technology developments to inform both the grant program and government efforts to support Open RAN 5G Network supply chains, and report on the grant program and 5G network supply chains.

Section 9203 of H.R. 6395 incorporates H.R. 7310, the "Spectrum Modernization Act of 2020". This legislation would, among other things, require the National Telecommunications and Information Administration, in consultation with the Policy and Plans Steering Group, to submit to Congress a report on its plans to modernize agency information technology systems relating to managing the use of Federal spectrum. It would also require the Government Accountability Office to conduct oversight over the implementation of the plans.

Section 9204 of H.R. 6395 incorporates H.R. 8115, the "DIGIT Act". This legislation ensures appropriate prioritization, spectrum planning, and interagency coordination to support the Internet of Things.

Legislative History

On March 26, 2020, H.R. 6395 was introduced by Representative Smith (WA–09) and referred to the Committee on Armed Services.

On July 20, 2020, H.R. 6395 was considered in the House pursuant to the provisions of H. Res. 1053, and the bill was passed by a recorded vote of 295 yeas and 125 nays (Roll Call No. 152).

On August 5, 2020, H.R. 6395 was received in the Senate, read twice, and placed on Senate Legislative Calendar under General Orders (Calendar No. 505).

On November 16, 2020, the Senate passed H.R. 6395, amended, by a voice vote. On November 18, 2020, the House agreed to a motion that the House disagree to the Senate amendment to H.R. 6395 and request a conference with the Senate thereon by unanimous consent.

On November 18, 2020, the Speaker appointed conferees. From the Committee on Energy and Commerce, the Speaker appointed Representative Pallone, Representative DeGette, and Representative Walden for consideration of secs. 223, 229, 332, 335, 535, 540H, 601, 705, 736, 1299N–2, 1641, 1760, 1761, 1772, 1793, 1821, 1823, 1824, 2835, 3201, 3511, 3601, 5101–04, 5109, 10306, and 11206 of the House bill, and secs. 311, 319, 703, 1053, 1091, 1092, 1094, 1098, 1099, 2841, 3121, 3125, 3131, 3132, 5239, 6082–84, subtitle I of title LX of division E, secs. 6299F, 6614, 6704, and 6706 of the Senate amendment and modifications committed to conference.

On December 2, 2020, the Senate insisted on its amendment, agreed to the request for a conference, and appointed the following conferees, Senator Inhofe (OK), Senator Wicker (MS), Senator Fischer (NE), Senator Cotton (AR), Senator Rounds (SD), Senator Ernst (IA), Senator Tillis (NC), Senator Sullivan (AK), Senator Perdue (GA), Senator Cramer (ND), Senator Thune (SD), Senator Scott (FL), Senator Blackburn (TN), Senator Hawley (MO), Senator Reed (RI), Senator Shaheen (NH), Senator Gillibrand (NY), Senator Blumenthal (CT), Senator Hirono (HI), Senator Kaine (VA), Senator King (ME), Senator Heinrich (NM), Senator Warren (MA), Senator Peters (MI), Senator Manchin (WV), Senator Duckworth (IL), and Senator Jones (AL).

The conference report (H. Rept. 116–617) was filed on December 3, 2020. On December 8, 2018, the conference report was considered in the House pursuant to a special order and the conference

report was agreed to by a recorded vote of 335 yeas to 78 nays and 1 present (Roll Call No. 238).

On December 11, 2020, the Senate agreed to the conference report by a recorded vote of 84 yeas and 13 nays (Record Vote Number: 264).

On December 11, 2020, H.R. 6395 was presented to the President.

On December 23, 2020, the President vetoed H.R. 6395.

On December 28, 2020, the House considered H.R. 6395 pursuant to the provisions of H. Res. 1271 and two-thirds of the Members present voted in the affirmative to pass H.R. 6395, the objections of the President to the contrary notwithstanding, by a recorded vote of 275 yeas to 134 nays (Roll no. 252).

Further action on H.R. 6395 was pending with the Senate at the time this report was filed.

On March 5, 2020, H.R. 6096 was introduced by Representatives McNerney and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 6, 2020.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 6096. The witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 6096 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 6096 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 6096 to the House (H. Rept. 116–582, Part I). On November 17, 2020, the House considered H.R. 6096 under a motion to suspend the Rules and passed the bill, amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 6096, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on this bill in the 116th Congress.

On April 24, 2020, H.R. 6624 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 25, 2020.

The Committee on Energy and Commerce met in virtual open markup session on July 15, 2020 to consider H.R. 6624 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 6624 to the House (H. Rept. 116–589). On November 17, 2020, the House considered H.R. 6624 under a motion to suspend the Rules and the bill passed by a voice vote.

On November 18, 2020, the Senate received H.R. 6624, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on this bill in the 116th Congress.

On June 24, 2020, H.R. 7310 was introduced by Representatives Latta and referred to the Committee on Energy and Commerce, and in addition the Committee on Armed Services. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 25, 2020.

The Committee on Energy and Commerce met in virtual open markup session on July 15, 2020 to consider H.R. 7310 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 17, 2020. the Committee on Energy and Commerce reported H.R. 7310 to the House (H. Rept. 116–592). That same day, the House considered H.R. 7310 on a motion to suspend the Rules and the bill passed by a voice vote.

On November 18, 2020, the Senate received H.R. 7310, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on this bill in the 116th Congress.

On August 25, 2020, H.R. 8115, the DIGIT Act, was introduced by Representative Welch and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on August 26, 2020.

No further action was taken on this bill in the 116th Congress. Provisions similar to H.R. 6096, H.R. 6624, H.R. 7310, and H.R. 8115 was included in H.R. 6395.

THE HEROES ACT

H.R. 6800 (H.R. 451, H.R. 6389, H.R. 6563, H.R. 6881)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Section 130501 of H.R. 6800 incorporates H.R. 451, the "Don't Break Up the T-Band Act of 2020". This legislation repeals a provision of law requiring the FCC to reallocate and auction a band of electromagnetic spectrum in the 470–512 MHz band, commonly known as the "T-Band spectrum."

Section 130701 of H.R. 6800 incorporates H.R. 6389, the "Martha Wright Prison Phone Justice Act". This legislation establishes requirements related to certain charges, practices, classifications, or regulations in connection with confinement facility communications services. Specifically, the bill requires the FCC to establish maximum rates and charges that a provider of confinement facility communications services may charge for such services. The bill provides interim rate caps until the FCC establishes such rates and charges. The bill requires a provider of confinement facility commu-

nications services to assess all charges for communications on a per-minute basis for the actual duration of the communication, and it prohibits a provider from charging a per-communication or per-connection charge. A provider also may not charge an ancillary service charge except in certain circumstances. Further, the bill prohibits a provider from assessing a site commission, which is a payment or donation made to certain entities that operate or oversee a confinement facility.

Section 130201 of H.R. 6800 incorporates H.R. 6563, the "Emergency Educational Connections Act of 2020". This legislation establishes and provides funding for the Emergency Connectivity Fund, from which the FCC must provide support for certain schools or libraries to purchase specified telecommunications equipment during the public health emergency declared because of COVID–19 (i.e., coronavirus disease 2019). Specifically, the FCC shall provide funds to certain elementary schools, secondary schools, or libraries to purchase telecommunications equipment or services (e.g., Wi-Fi hotspots, modems, and routers) for use by students, staff, or patrons at locations that include locations other than the schools or libraries. Priority must be given to students, staff, or patrons who do not have access to such equipment or services. Following the emergency period, funding recipients are authorized to use purchased equipment for appropriate purposes but may not sell or transfer such equipment for anything of value, except for upgraded equipment of the same type.

Section 130301 of H.R. 6800 incorporates H.R. 6881, the "Emergency Broadband Connections Act of 2020". This legislation establishes a program to provide eligible households with a discount on internet service, upon request by a member of such household during the COVID–19 pandemic. The legislation creates a fund at the FCC to provide providers a reimbursement for such discount, and for the provision of low-cost devices such as computers and tablets to eligible households.

Legislative History

On May 20, 2021, H.R. 6800 was introduced by Representative Lowey and referred to Committee on Appropriations, in addition to the Committees on the Budget, and Ways and Means.

On May 15, 2020, the House considered H.R. 6800 pursuant to the provisions of H. Res. 967 and passed H.R. 6800 by a recorded vote of 208 yeas and 199 nays (Roll Call No. 109).

On May 20, 2020, H.R. 6800 was received by the Senate, read the first time, and placed on the Senate Legislative Calendar under Read the First Time on May 21, 2020. On June 1, 2020, H.R. 6800 was read a second time and placed on the Senate Calendar under General Orders (Calendar No. 455). On June 23, 2020, the Senate referred the bill to the Senate Committee on Small Business and Entrepreneurship.

No further action was taken on H.R. 6800 in the 116th Congress.

On January 10, 2019, H.R. 451 was introduced by Representative Engel and the bill was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on January 25, 2019. Similar legislation in the Senate was introduced by Senator Markey (MA)

as S. 2748 on October 30, 2019, and was referred to the Senate Committee on Commerce, Science, and Transportation.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 451. The witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 451 and ordered the bill reported to the Committee on Energy and Commerce, amended, by a voice vote.

On July 15, 2020, the full Committee met in virtual open markup session to consider H.R. 451 and ordered the bill reported favorably to the House, as amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 451 to the House, as amended (H. Rept. 116–521). On September 21, 2020, the House considered H.R. 451 under a motion to suspend the Rules and passed the bill, as amended, by a recorded vote of 410 yeas and 5 nays on September 23, 2020 (Roll No. 201).

On September 24, 2020, the Senate received H.R. 451, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 451 in the 116th Congress.

On March 25, 2020, H.R. 6389 was introduced by Representative Rush (IL–01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 26, 2020.

No further action was taken on H.R. 6389 in the 116th Congress.

On April 21, 2020, H.R. 6563 was introduced by Representative Meng and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 22, 2020.

No further action was taken on H.R. 6563 in the 116th Congress.

On May 14, 2020, H.R. 6881 was introduced by Representative Veasey and referred to the Committee on Energy and Commerce. The bill was subsequently referred to Subcommittee on Communications and Technology on May 15, 2020.

No further action was taken on H.R. 6881 in the 116th Congress.

THE HEROES ACT

H.R. 8406 (H.R. 451, H.R. 6389, H.R. 6563, H.R. 6881)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Title V, section 501 of H.R. 8406 incorporates H.R. 451, the "Don't Break Up the T-Band Act of 2020". This legislation repeals

a provision of law requiring the FCC to reallocate and auction a band of electromagnetic spectrum in the 470–512 MHz band, commonly known as the "T-Band spectrum."

Title VI, section 601 of H.R. 8406, incorporates H.R. 6389, the "Martha Wright Prison Phone Justice Act". This legislation establishes requirements related to certain charges, practices, classifications, or regulations in connection with confinement facility communications services. Specifically, the bill requires the FCC to establish maximum rates and charges that a provider of confinement facility communications services may charge for such services. The bill provides interim rate caps until the FCC establishes such rates and charges. The bill requires a provider of confinement facility communications services to assess all charges for communications on a per-minute basis for the actual duration of the communication, and it prohibits a provider from charging a per-communication or per-connection charge. A provider also may not charge an ancillary service charge except in certain circumstances. Further, the bill prohibits a provider from assessing a site commission, which is a payment or donation made to certain entities that operate or oversee a confinement facility.

Title II, section 201 of H.R. 8406 incorporates H.R. 6563, the "Emergency Educational Connections Act of 2020". This legislation establishes and provides funding for the Emergency Connectivity Fund, from which the FCC must provide support for certain schools or libraries to purchase specified telecommunications equipment during the public health emergency declared because of COVID–19 (i.e., coronavirus disease 2019). Specifically, the FCC shall provide funds to certain elementary schools, secondary schools, or libraries to purchase telecommunications equipment or services (e.g., Wi-Fi hotspots, modems, and routers) for use by students, staff, or patrons at locations that include locations other than the schools or libraries. Priority must be given to students, staff, or patrons who do not have access to such equipment or services. Following the emergency period, funding recipients are authorized to use purchased equipment for appropriate purposes but may not sell or transfer such equipment for anything of value, except for upgraded equipment of the same type.

Title III, section 301 of H.R. 8406 incorporates H.R. 6881, the "Emergency Broadband Connections Act of 2020". This legislation establishes a program to provide eligible households with a discount on internet service, upon request by a member of such household during the COVID–19 pandemic. The legislation creates a fund at the FCC to provide providers a reimbursement for such discount, and for the provision of low-cost devices such as computers and tablets to eligible households.

Legislative History

On September 29, 2020, H.R. 8406 was introduced by Representative Lowey, and referred to Committee on Appropriations, in addition to the Committees on the Budget, and Ways and Means.

No further action was taken on H.R. 8406 in the 116th Congress.

On January 10, 2019, H.R. 451 was introduced by Representative Engel, and the bill was referred to the Committee on Energy and

Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on January 25, 2019.

On February 27, 2020, the Subcommittee on Communications and Technology held a legislative hearing on eight bills, including H.R. 451. The invited witnesses included Matthew Gerst, Vice President, Regulatory Affairs, CTIA; Sue Ann Atkerson, CEO, Behavioral Health Link; Anthony Gossner, Fire Chief, City of Santa Rosa, CA; Joseph Torres, Senior Director of Strategy and Engagement, Free Press and Free Press Action; Daniel Henry, Regulatory Counsel and Director of Government Affairs, National Emergency Number Association; and Allen F. Bell, Distribution Manager, Georgia Power Company.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 451. and forwarded H.R. 451, amended, to the full Committee on Energy and Commerce.

On July 15, 2020, the full Committee met in virtual open markup session to consider H.R. 451, as amended by the Subcommittee, and ordered H.R. 451 reported favorably to the House, as amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 451 to the House (H. Rept. 116–521) and the bill was placed on the Union Calendar (Calendar No. 421).

On September 21, 2020, the House considered H.R. 451 under a motion to suspend the Rules and passed the bill, as amended, by a recorded vote of 410 yeas and 5 nays on September 23, 2020.

On September 24, 2020, the Senate received H.R. 451, read the bill twice, and referred the bill to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 451 in the 116th Congress.

On March 25, 2020, H.R. 6389, the "Martha Wright Prison Phone Justice Act", was introduced by Representative Rush, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 26, 2020.

No further action was taken on H.R. 6389 in the 116th Congress.

On April 21, 2020, H.R. 6563, the "Emergency Educational Connections Act of 2020," was introduced by Representative Meng, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 22, 2020.

No further action was taken on H.R. 6563 in the 116th Congress.

On May 14, 2020, H.R. 6881, the "Emergency Broadband Connections Act of 2020," was introduced by Representative Veasey, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to Subcommittee on Communications and Technology on May 15, 2020.

No further action was taken on H.R. 6881 in the 116th Congress.

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. RES. 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.

Summary

This resolution reaffirms the House of Representatives' commitment to media diversity and expresses its pledge to eliminate barriers to such diversity.

Legislative History

On September 10, 2019, H. Res. 549 was introduced by Representative Demings (FL–10) and referred to the Committee on Energy and Commerce. The resolution was subsequently referred to the Subcommittee on Communications and Technology on September 11, 2019.

On January 15, 2020, the Subcommittee on Communications and Technology held a legislative hearing on four measures, including H. Res. 549. Testimony was received from Maurita Coley, Esq., President and CEO, Multicultural Media, Telecom, and Internet Council; Clint Odom, Senior Vice President, Advocacy & Policy, Executive Director, Washington Bureau, National Urban League; Catherine J.K. Sandoval, Associate Professor, Santa Clara University School of Law; and Diane Sutter, President/CEO, ShootingStar Inc.

On March 10, 2020, the Subcommittee on Communications and Technology met in open markup session to consider H. Res. 549 and forwarded the resolution, without amendment, to the full Committee on Energy and Commerce.

On July 15, 2020, the full Committee met in virtual open markup session to consider H. Res. 549 and ordered the resolution reported favorably to the House, without amendment, by a voice vote.

On December 8, 2020, the Committee on Energy and Commerce reported H. Res. 549 to the House (H. Rept. 116–624) and the resolution was placed on the House Calendar (Calendar No. 100).

On December 9, 2020, the House considered H. Res. 549 under a motion to suspend the Rules and then agreed to the resolution by a voice vote.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT ALL STAKEHOLDERS IN THE DEPLOYMENT OF 5G COMMUNICATIONS INFRASTRUCTURE SHOULD CAREFULLY CONSIDER ADHERENCE TO THE RECOMMENDATIONS OF "THE PRAGUE PROPOSALS"

H. RES. 575

Expressing the sense of the House of Representatives that all stakeholders in the deployment of 5G communications infrastructure should carefully consider adherence to the recommendations of "The Prague Proposals."

Summary

This resolution expresses the sense of the House of Representatives that stakeholders involved in the deployment of 5G communications infrastructure should consider adherence to the international security recommendations adopted at the Prague 5G Security Conference in May 2019, known as "The Prague Proposals." The resolution also encourages the President and Federal agencies to promote trade and security policies on the international stage that are consistent with "The Prague Proposals."

Legislative History

On September 24, 2019, H. Res. 575 was introduced by Representative Flores (TX–17) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs. The resolution was subsequently referred to the Subcommittee on Communications and Technology on September 25, 2019.

On September 27, 2019, the Subcommittee on Communications and Technology held a legislative hearing on seven measures, including H. Res. 575. Testimony was received from John Nettles, President, Pine Belt Wireless; Harold Feld, Senior Vice President, Public Knowledge; Dean R. Brenner, Senior Vice President, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; and Bobbie Stempfley, Managing Director, CERT Division, Software Engineering Institute, Carnegie Mellon University.

On November 14, 2019, the Subcommittee met in open markup session to consider H. Res. 575 and forwarded the resolution, amended, to the full Committee, by a voice vote.

On November 20, 2019, the full Committee met in open markup session to consider H. Res. 575, as amended by the Subcommittee, and ordered H. Res. 575 reported favorably to the House, as amended, by a voice vote.

On January 7, 2020, the Committee on Energy and Commerce reported H. Res. 575 to the House (H. Rept. 116–368) and the resolution was placed on the House Calendar (Calendar No. 67).

On January 8, 2020, the House considered H. Res. 575 under a motion to suspend the Rules and the resolution passed, as amended, by a voice vote.

OVERSIGHT ACTIVITIES

PRESERVING AN OPEN INTERNET FOR CONSUMERS, SMALL BUSINESS, AND FREE SPEECH

On February 7, 2019, the Subcommittee on Communications and Technology held a hearing entitled "Preserving an Open Internet for Consumers, Small Business, and Free Speech." The purpose of this hearing was to examine the impacts of the Federal Communications Commission's repeal of net neutrality on consumers and businesses. The Subcommittee received testimony from Tom Wheeler, Fellow, Brookings Institution; Jessica J. González, Vice President of Strategy & Senior Counsel, Free Press & Free Press Action Fund; Denelle Dixon, Chief Operating Officer, Mozilla; Ruth Livier, Actress, Writer, and UCLA Doctoral Student; Michael Powell,

President and CEO, NCTA—The Internet & Television Association; and Joseph Franell, General Manager and CEO, Eastern Oregon Telecom.

PROTECTING CONSUMERS AND COMPETITION: AN EXAMINATION OF THE T-MOBILE AND SPRINT MERGER

On February 13, 2019, the Subcommittee on Communications and Technology held a hearing entitled "Protecting Consumers and Competition: An Examination of the T-Mobile and Sprint Merger." The purpose of this hearing was to examine the effects of the merger on consumer cost, jobs, competition innovation, and 5G deployment. The Subcommittee received testimony from John Legere, Chief Executive Officer and President, T-Mobile US; Marcelo Claure, Executive Chairman, Sprint Corp.; Chris Shelton, President, Communications Workers of America; Doug Brake, Director, Broadband and Spectrum Policy, Information Technology and Innovation Foundation; Phillip Berenbroick, Senior Policy Counsel, Public Knowledge; and Carri Bennet, General Counsel, Rural Wireless Association, Inc.

ACCOUNTABILITY AND OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On May 15, 2019, the Subcommittee on Communications and Technology held a hearing entitled "Accountability and Oversight of the Federal Communications Commission." The purpose of this hearing was to examine the Federal Communications Commission's decisions that harmed consumers and rolled back government regulations and media-related protections for consumers and local communities. The hearing also examined concerns regarding the FCC's oversight of carriers' sharing real-time location data with third parties and the FCC use of faulty data to justify decisions regarding competition policy in the Business Data Service market. The Subcommittee received testimony from the Honorable Ajit Pai, Chairman, Federal Communications Commission; the Honorable Michael O'Rielly, Commissioner, Federal Communications Commission; the Honorable Brendan Carr, Commissioner, Federal Communications Commission; the Honorable Jessica Rosenworcel, Commissioner, Federal Communications Commission; and the Honorable Geoffrey Starks, Commissioner, Federal Communications Commission.

STELAR REVIEW: PROTECTING CONSUMERS IN AN EVOLVING MEDIA MARKETPLACE

On June 4, 2019, the Subcommittee on Communications and Technology held a hearing entitled "STELAR Review: Protecting Consumers in an Evolving Media Marketplace." The purpose of this hearing was to examine provisions of the "STELA Reauthorization of 2014" that expired at the end of 2019 and discuss how broadcasters can continue serving consumers in a fair and equitable way. The Subcommittee received testimony from Gordon H. Smith, President and CEO, National Association of Broadcasters; Robert D. Thun, Senior Vice President of Content and Programming, AT&T Mobility and Entertainment; Patricia Jo Boyers, President

and Vice Chairman of the Board, BOYCOM Vision; and John Bergmayer, Senior Counsel, Public Knowledge.

OUR WIRELESS FUTURE: BUILDING A COMPREHENSIVE APPROACH TO SPECTRUM POLICY

On July 16, 2019, the Subcommittee on Communications and Technology held a hearing entitled "Our Wireless Future: Building a Comprehensive Approach to Spectrum Policy." The purpose of this hearing was to examine the Administration's incoherent approach to spectrum policy and discuss proposals that maximize benefits to consumers while generating revenue for the U.S. Department of Treasury. The Subcommittee received testimony from Julius P. Knapp, Chief, Office of Engineering and Technology, Federal Communications Commission; Derek Khlopin, Senior Policy Advisor, National Telecommunications and Information Administration; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; Peter Pitsch, Head of Advocacy & Government Relations, C-Band Alliance; Scott Bergmann, Senior Vice President, Legislative Affairs, CTIA; Michael Calabrese, Director, Wireless Future Project, Open Technology Institute at New America; Mariel Triggs, Chief Executive Officer, MuralNet; and Jeffrey S. Cohen, Chief Counsel, APCO International.

FOSTERING A HEALTHIER INTERNET TO PROTECT CONSUMERS

On October 16, 2019, the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce held a joint hearing entitled "Fostering a Healthier Internet to Protect Consumers." The purpose of this hearing was to explore content moderation practices and whether consumers are adequately protected under current law. The Subcommittees received testimony from Steve Huffman, Co-Founder & CEO, Reddit, Inc.; Danielle Keats Citron, Professor of Law, Boston University School of Law; Corynne McSherry, Legal Director, Electronic Frontier Foundation; Hany Farid, Professor, University of California, Berkeley; Katherine Oyama, Global Head of Intellectual Property Policy, Google, Inc.; and Gretchen S. Peters, Executive Director, Alliance to Counter Crime Online.

REPURPOSING THE C-BAND TO BENEFIT ALL AMERICANS

On October 29, 2019, the Subcommittee on Communications and Technology held a hearing entitled "Repurposing the C-band to Benefit All Americans." The purpose of this hearing was to explore the Federal Communications Commission's plans to repurpose C Band spectrum from satellite use to terrestrial wireless broadband use as well as discuss legislation that would require the FCC to conduct a public auction of the C-band. The Subcommittee received testimony from Phillip Berenbroick, Policy Director, Public Knowledge; Ross Lieberman, Senior Vice President, ACA Connects—America's Communications Association; Deborah Collier, Director of Technology and Telecommunications Policy, Citizens Against Government Waste; James Frownfelter, Chairman and Chief Executive Officer, ABS; and Jeff Campbell, Vice President, Government Affairs and Technology Policy, Cisco.

ACCOUNTABILITY AND OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On December 5, 2019, the Subcommittee on Communications and Technology held a hearing entitled "Accountability and Oversight of the Federal Communications Commission." The purpose of this hearing was to ensure the Federal Communications Commission is fulfilling its mission to protect consumers and act in the public interest. Specifically, the hearing examined the Federal Communications Commission's attempts to take away protections that promote diversity in ownership of media companies, cut support to connect schools and libraries, and strip protections for state and local governments to expedite 5G deployment. The Subcommittee received testimony from the Honorable Ajit Pai, Chairman, Federal Communications Commission; the Honorable Michael O'Rielly, Commissioner, Federal Communications Commission; the Honorable Brendan Carr, Commissioner, Federal Communications Commission; the Honorable Jessica Rosenworcel, Commissioner, Federal Communications Commission; and the Honorable Geoffrey Starks, Commissioner, Federal Communications Commission.

EMPOWERING AND CONNECTING COMMUNITIES THROUGH DIGITAL EQUITY AND INTERNET ADOPTION

On January 29, 2020, the Subcommittee on Communications and Technology held a hearing entitled "Empowering and Connecting Communities through Digital Equity and Internet Adoption." The purpose of this hearing was to promote broadband adoption and discuss ways in which Congress can incentivize the build-out of infrastructure necessary to ensure everyone has access to affordable and reliable high-speed internet. The Subcommittee received testimony from Angela Siefer, Executive Director, National Digital Inclusion Alliance; Joshua Edmonds, Director of Digital Inclusion, City of Detroit, Michigan; Gigi Sohn, Distinguished Fellow, Georgetown Law Institute for Technology Law and Policy; Jeffrey R. Sural, Director, Broadband Infrastructure Office, North Carolina Department of Information Technology; and Roslyn Layton, Visiting Scholar, American Enterprise Institute.

A COUNTRY IN CRISIS: HOW DISINFORMATION ONLINE IS DIVIDING THE NATION

On June 24, 2020, the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce held a joint hearing entitled "A Country in Crisis: How Disinformation Online is Dividing the Nation." The purpose of this hearing was to examine the role of social media platforms in disseminating disinformation relating to the coronavirus disease of 2019 (COVID–19) pandemic and racial injustice. The Subcommittees received testimony from Brandi Collins-Dexter, Senior Campaign Director, Color of Change; Hany Farid, Professor, University of California, Berkeley; Spencer Overton, President, Joint Center for Political and Economic Studies, Professor of Law, George Washington University; and Neil Fried, Former Chief Counsel for Communications and Technology, Energy and Commerce Committee, Principal, DigitalFrontiers Advocacy.

TRUMP FCC: FOUR YEARS OF LOST OPPORTUNITIES

On September 17, 2020, the Subcommittee on Communications and Technology held a hearing entitled "Trump FCC: Four Years of Lost Opportunities." The purpose of this hearing was to examine the actions of the Federal Communications Commission during the past four years of the Trump Administration as well as discuss actions taken by the agency during the coronavirus disease of 2019 (COVID–19) pandemic The Subcommittee received testimony from the Honorable Ajit V. Pai, Chairman, Federal Communications Commission; the Honorable Michael O'Rielly, Commissioner, Federal Communications Commission; the Honorable Brendan Carr, Commissioner, Federal Communications Commission; the Honorable Jessica Rosenworcel, Commissioner, Federal Communications Commission; and the Honorable Geoffrey Starks, Commissioner, Federal Communications Commission.

SUBCOMMITTEE ON ENERGY

LEGISLATIVE ACTIVITIES

THE CONSOLIDATED APPROPRIATIONS ACT, 2021

PUBLIC LAW 116–__

(H.R. 133, H.R. 3432, H.R. 762, H.R. 3962, H.R. 3079, H.R. 1420, H.R. 2044, H.R. 5758, H.R. 2041, H.R. 5650, H.R. 1480, H.R. 2665, H.R. 1760, H.R. 3361, H.R. 2909, H.R. 4447, H.R. 1633, H.R. 5541, H.R. 347, H.R. 1426)

Making consolidated appropriations for the fiscal year ending September 30, 2021, providing coronavirus emergency response and relief, and for other purposes.

Summary

Sections 101, 118, 120, 122 and title II of division R incorporate portions of H.R. 3432, the "Safer Pipelines Act of 2019". This legislation authorizes appropriations for fiscal year 2021 through 2023 for the Pipeline Safety Program under the Pipeline and Hazardous Materials Safety Administration (PHMSA). It authorizes approximately $227.9 million in fiscal year 2021 and increases to approximately $237.9 million by fiscal year 2023. This legislation also authorizes funding for operational expenses, one-call notification programs, pipeline safety information grants, state pipeline safety grants, and other programs and grants. Additionally, it amends 49 USC 60102, which directs the Secretary to only propose or issue a pipeline safety standard when the standard's benefits justify the costs, to clarify that the benefits include environmental and safety benefits. This legislation defines the terms "coastal beaches" and "certain coastal waters" in order to provide PHMSA the tools it needs to promulgate a rulemaking mandated in the PIPES Act of 2016. That mandate requires PHMSA to update its regulations to specify that coastal beaches, certain coastal waters, and the Great Lakes, are unusually sensitive areas ecological resources, for purposes of determining whether a hazardous liquid pipeline is in a high consequence area. This legislation also establishes a minimum one year inspection period for certain deep water pipelines and requires procedures to protect deep water pipelines from anchor strikes. This legislation directs the Secretary of Transportation to submit to Congress, within two years, a report containing the results of a study of the assessment methods of distribution pipelines that may be used in integrity management programs, other than direct assessment, to determine whether any such methods are feasible and would provide a greater level of safety than direct assessment. The report must include recommendations based on the study.

This legislation further directs PHMSA to expand its regulations to ensure that distribution integrity management plans for distribution operators evaluate certain risks, such as those posed by cast iron pipes and mains, and low-pressure systems, as well as the possibility of future accidents to better account for high-consequence but low probability events. It also requires distribution operators to make their updated distribution integrity management plans available to PHMSA or the relevant State regulatory agency no later than two years after enactment, and would require inspectors to review such plans if significant changes are made to the plans or system or at least every five years. The legislation directs the Department of Transportation to revise the State audit protocols and procedures and update the State Inspection Calculation Tool. It also directs PHMSA to update its emergency response plan regulations to ensure that each emergency response plan developed by a distribution system operator includes written procedures for how to handle communications with first responders and the general public after certain significant pipeline emergencies, in order to ensure that pipeline operators contact first responders as soon as practicable after they know an incident has occurred. It further directs the Secretary to update the regulations for operations and maintenance manuals in order to require distribution system operators to have a specific action plan to respond to overpressurization events. Additionally, it requires operators to develop written procedures for management of change processes for significant technology, equipment, procedural, and organizational changes to the distribution system and ensure that relevant qualified personnel, such as a professional engineer with a license, reviews and certifies such changes.

This legislation directs PHMSA to conduct a study on the distribution industry's adoption of pipeline safety management systems and provide guidance on how to further the adoption of these systems and to provide a copy of the report to relevant Committees no later than three years after enactment. It also requires PHMSA and relevant State authorities to promote and assess gas distribution operators' pipeline safety management systems, including by using independent third-party evaluators, as necessary.

This legislation also directs PHMSA to issue regulations that require distribution pipeline operators to identify and manage traceable, reliable, and complete maps and records of critical pressure control infrastructure, and update these records as appropriate. These records would have to be submitted or made available to the relevant regulatory agency. These regulations shall require noncritical records to be gathered as they are available. It directs PHMSA to issue regulations requiring an agent of a distribution system operator to monitor gas pressure at certain sites and have the ability to cut off or limit gas pressure during construction projects that have the potential to cause a hazardous overpressurization. Finally, this legislation directs PHMSA to issue regulations on district regulator stations to ensure that distribution system operators minimize the risk of a common mode of failure at low-pressure district regulator stations, monitor the gas pressure of a low-pressure system, and install overpressure protection safety technology at low-pressure district regulator stations. If it is not

operationally possible to install such technology, this legislation would require the relevant operator to identify plans that would minimize the risk of an overpressurization event.

Division Z incorporates the Energy Act of 2020, which contains several components of H.R. 4447.

Section 1001 of division Z incorporates H.R. 762, the "Streamlining Energy Efficiency for Schools Act". This legislation streamlines available Federal energy efficiency programs and financing to help improve efficiency and lower energy costs for schools.

Sections 1001, 1003, 1004, 1005, 1006, and 1012 of division Z incorporate portions of H.R. 3962, the "Energy Savings and Industrial Competitiveness Act of 2019". This legislation streamlines available Federal energy efficiency programs and financing to help improve efficiency and lower energy costs for schools; requires the development of a metric for data center energy efficiency, and requires the Secretary of Energy, Administrator of the Environmental Protection Agency, and Director of the Office of Management and Budget (OMB) to maintain a data center energy practitioner program and open data initiative for Federally owned and operated data center energy usage; directs the OMB Director to collaborate with each Federal agency to implement energy-efficient and energy-saving information technologies; and directs the Secretary of Energy to establish a rebate program to encourage replacement of energy inefficient electric motors. It also amends NECPA to formally establish in law the Federal Energy Management Program (FEMP). This section details FEMP's directives and the duties of its director.

Section 1002 of division Z incorporates H.R. 3079, the "Energy Savings through Public-Private Partnerships Act of 2019". This legislation amends the National Energy Conservation Policy Act (NECPA) to require the Department of Energy (DOE) to report to the President and Congress on each agency's energy savings performance contracts, including their investment value; their initial guaranteed savings compared to actual energy savings from the previous year; the plan for entering into new contracts in the coming year; and information explaining why any previously submitted plans for contracts were not implemented. The section further amends NECPA to allow agencies to accept, retain, sell, or transfer energy savings and apply the proceeds to fund a performance contract under this title. It excludes contracts for work performed at Federal hydropower facilities.

Sections 1003 and 1004 of division Z incorporate H.R. 1420, the "Energy Efficiency Government Technology Act". This legislation requires the development of a metric for data center energy efficiency, and requires the Secretary of Energy, EPA Administrator, and OMB Director to maintain a data center energy practitioner program and open data initiative for Federally owned and operated data center energy usage. It also directs the OMB Director to collaborate with each Federal agency to implement energy-efficient and energy-saving information technologies.

Section 1007 of division Z incorporates H.R. 2044, the "Smart Buildings Acceleration Act". This legislation directs the Secretary of Energy to establish a program to implement smart building technology in Federal buildings and demonstrate the costs and benefits

of smart buildings. The section requires the Secretary of Energy, as a part of the Better Building Challenge, to develop smart building accelerators to demonstrate innovative policies and approaches to accelerate the transition to smart buildings. The section also establishes a research and development (R&D) program focused on building-to-grid integration.

Section 1008 of division Z incorporates H.R. 5758, the "Ceiling Fan Improvement Act of 2020". This legislation amends EPCA by adding language exempting large-diameter ceiling fans manufactured on or after January 21, 2020, from meeting minimum ceiling fan efficiency requirements as described in the final rule titled "Energy Conservation Program: Energy Conservation Standards for Ceiling Fans." Establishes that large-diameter ceiling fans shall meet Calculation of the Fan Energy Index in accordance with ANSI/AMCA Standard 208–18.

Section 1011 of division Z incorporates H.R. 2041, the "Weatherization Enhancement and Local Energy Efficiency Investment and Accountability Act". The legislation reauthorizes WAP at $350 million per year from fiscal years 2020 through 2024. It allows the Secretary of Energy to consider improvements in health and safety of occupant dwelling units, as well as other non-energy benefits from weatherization assistance, when reissuing regulations on program cost effectiveness. It also allows the Secretary to require periodic review of the use of private contractors in provisioning weatherization assistance and encouraging expanded use of contractors, as appropriate. The legislation establishes a competitive grant program to support innovation in weatherization assistance, and increases the funding amount that may be used for administrative purposes from 10 to 15 percent. It further amends the re-weatherization date so that dwelling units weatherized using Federal funds, are eligible to receive additional assistance 15 years after the completion of the previous weatherization assistance.

Section 1012 of division Z incorporates H.R. 5650, the "Federal Energy and Water Management Performance Act of 2020". This legislation amends NECPA to formally establish FEMP in law. This section details FEMP's directives and the duties of its director.

Section 1013 of division Z incorporates H.R. 1480, the "Combined Heat and Power (CHP) Support Act". This legislation redesignates DOE's Clean Energy Application Centers as the CHP Technical Assistance Partnership Program. The program encourages deployment of combined heat and power, heat to power, and efficient district energy technologies. It also provides project specific support to building and industrial professionals through economic and engineering assessments and advisory activities. The legislation reauthorizes the program through fiscal year 2024.

Section 1014 of division Z incorporates H.R. 2665, the "Smart Energy and Water Efficiency Act of 2019". This legislation authorizes a new Smart Energy and Water Efficiency Pilot Program. This pilot program provides grants to water authorities that provide water, wastewater or water reuse services for demonstrating advanced and innovative technology-based solutions.

Section 2001 of division Z incorporates H.R. 1760, the "Advanced Nuclear Fuel Availability Act". This legislation directs DOE's Office

of Nuclear Energy to develop and deploy high-assay low-enriched uranium for domestic commercial use and to develop a schedule for recovering costs associated with such development.

Section 3005 of division Z incorporates H.R. 3361, the "Reliable Investment in Vital Energy Reauthorization Act" or "RIVER Act". This legislation amends section 242 of the Energy Policy Act of 2005 (EPAct05) to reauthorize the hydroelectric production incentives program. Additionally, it reauthorizes the hydroelectric efficiency improvement program in section 243 of the EPAct05. The hydroelectric production incentives program provides payments to owners or operators of hydroelectric facilities that are added to existing dams or conduits. The hydroelectric efficiency improvement program similarly provides payments, but for the purpose of making changes in a facility that improve its efficiency by three percent or more. The legislation reauthorizes both programs from fiscal year 2019 through 2036 at the originally authorized level of $10 million each year.

Section 3201 of division Z incorporates portions of H.R. 2909, the "Promoting Grid Storage Act of 2019". This legislation establishes an RD&D program to advance energy storage technologies and directs the Secretary of Energy to carry out three demonstration projects, as well as a competitive pilot project grant program. It also establishes a joint long-term demonstration initiative with the Secretary of Defense. This section further establishes an energy storage materials recycling R&D program.

Section 3202 of division Z incorporates H.R. 4447, the "Expanding Access to Sustainable Energy Act of 2019". This legislation establishes an energy storage and microgrid grant and technical assistance program at DOE for rural electric cooperatives and public utilities to assist with designing and demonstrating energy storage and microgrid projects that use energy from renewable energy sources.

Section 6006 of division Z incorporates a portion of H.R. 1633, the "Smart Manufacturing Leadership Act". This legislation requires the Secretary of Energy, in consultation with the National Academies, to develop a national plan for smart manufacturing technology development and deployment to improve domestic manufacturing sector productivity and efficiency.

Sections 8013 and 8014 of division Z incorporate H.R. 5541, the "Tribal Power Act". This legislation amends the Energy Policy Act of 1992 section 2601(2) to include any land occupied by a majority of residents who are members of Alaskan Native Tribes in the definition of Indian Land. The section also allows the Secretary of Energy to reduce any required cost share for energy projects funded through the Office of Indian Energy.

Section 11002 of division Z incorporates H.R. 347, the "Responsible Disposal Reauthorization Act of 2019". This legislation amends the Uranium Mill Tailings Radiation Control Act of 1978 to authorize the operation of the Cheney disposal cell through September 30, 2031.

Section 11004 of division Z incorporates H.R. 1426, the "Timely Review of Infrastructure Act". This legislation authorizes the Federal Energy Regulatory Commission (FERC), under certain conditions, to compensate persons with scientific, technological, engi-

neering, and mathematical skills at a higher level than the rate allowed under the civil service.

Legislative History

On January 3, 2019, H.R. 133 was introduced by Representative Cuellar and referred to the Committee on Foreign Affairs. On January 10, 2019, the House considered H.R. 133 under a motion to suspend the Rules and passed H.R. 133 by a voice vote. On January 15, 2020, the Senate passed H.R. 133, amended, by unanimous consent.

On December 21, 2020, the House passed an amendment to the Senate amendment to H.R. 133 with portion of amendment comprising divisions B, C, E, and F by a recorded vote of 327 yeas and 85 nays (Roll no. 250) and an amendment to the Senate amendment to H.R. 133 (except divisions B, C, E, and F) by a recorded vote of 359 yeas and 53 nays (Roll no. 251). That same day, the House pass the Senate amendment to H.R. 133 with amendment by unanimous consent.

On December 21, 2020, the Senate passed the House amendment to the Senate amendment to H.R. 133 by a recorded vote of 92 yeas to 6 nays (Recorded Vote Number 289). On December 27, 2020, the President signed H.R. 133 into law. The Public Law number had not been assigned when this report was filed.

H.R. 133 included provisions from the following bills: H.R. 3432, the "Safer Pipelines Act of 2019", introduced by Representative Rush; H.R. 762, the "Streamlining Energy Efficiency for Schools Act", introduced by Representative Cartwright (PA–08); H.R. 3962, the "Energy Savings and Industrial Competitiveness Act of 2019", introduced by Representative Welch; H.R. 3079, the "Energy Savings Through Public-Private Partnerships Act of 2019", introduced by Representative Welch; H.R. 1420, the "Energy Efficient Government Technology Act", introduced by Representative Eshoo; H.R. 2044, the "Smart Building Acceleration Act", introduced by Representative Welch; H.R. 5758, the "Ceiling Fan Improvement Act of 2020", introduced by Representative Guthrie; H.R. 2041, the "Weatherization Enhancement and Local Energy Efficiency Investment and Accountability Act", introduced by Representative Tonko; H.R. 5650, the "Federal Energy and Water Management Performance Act of 2020", introduced by Representative Welch; H.R. 1480, the "CHP Support Act", introduced by Representative Welch; H.R. 2665, the "Smart Energy and Water Efficiency Act of 2019", introduced by Representative McNerney; H.R. 1760, the "Advanced Nuclear Fuel Availability Act", introduced by Representative Flores; H.R. 3361, the "RIVER Act", introduced by Representative McKinley (WV–01); H.R. 2909, the "Promoting Grid Storage Act of 2019", introduced by Representative Casten; H.R. 4447, the "Clean Economy Jobs and Innovation Act", introduced by Representative O'Halleran; H.R. 1633, the "Clean Economy Jobs and Innovation Act", introduced by Representative Welch; H.R. 5541, the "Tribal Power Act", introduced by Representative O'Halleran; H.R. 347, the "Responsible Disposal Reauthorization Act of 2019", introduced by Representative Tipton (CO–03); and H.R. 1426, the "Timely Review of Infrastructure Act", introduced by Representative Olson (TX–22).

ENHANCING GRID SECURITY THROUGH PUBLIC PRIVATE PARTNERSHIPS ACT

H.R. 359

To provide for certain programs and developments in the Department of Energy concerning the cybersecurity and vulnerabilities of, and physical threats to, the electric grid, and for other purposes.

Summary

This legislation directs the Secretary of Energy, in consultation with States, other Federal agencies, and industry stakeholders, to create and implement a program to enhance the physical and cyber security of electric utilities. Among other things, this program would develop voluntary implementation of methods for assessing security vulnerabilities. It would provide cybersecurity training to electric utilities, advance the cybersecurity of utility third-party vendors, and promote sharing of best practices and data collection in the electric sector. The bill requires U.S. Department of Energy (DOE) to submit a report to Congress on cybersecurity and distribution systems. Finally, the bill requires an update to the Interruption Cost Estimate (ICE) Calculator at least once every two years. The ICE Calculator, developed by DOE's Lawrence Berkeley Lab and Nexant, Inc., is an electric reliability planning tool for estimating electricity interruption costs and the benefits associated with reliability improvements.

Legislative History

On January 9, 2019, H.R. 359 was introduced by Representative McNerney and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on January 25, 2019.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 359, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 359, and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On October 28, 2019, the Committee on Energy and Commerce reported H.R. 359 without amendment, to the House (H. Rept. 116–254) and the bill was placed on the Union Calendar (Calendar No. 202).

On September 29, 2020, the House considered H.R. 359 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 359 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 559).

No further action was taken on H.R. 359 in the 116th Congress.

MOVING FORWARD ACT

H.R. 2 (H.R. 5527, H.R. 2909, H.R. 4447, H.R. 5542, H.R. 5541, H.R. 2043, H.R. 2119, H.R. 2041, H.R. 2088, H.R. 5650, H.R. 5615, H.R. 1768)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

Section 33111 incorporates H.R. 5527, the "21st Century Power Grid Act". This legislation directs the Secretary of Energy to establish a program to provide funding to eligible partners for projects that improve resiliency, performance, or efficiency of the electricity grid. Partnerships may include (a) a State or local government, a National Laboratory, an institution of higher education, an Indian Tribe, a Federal power marketing administration, or an entity that develops or provides grid technology and (b) either an electric utility, a Regional Transmission Organization, or an Independent System Operator. It authorizes $700 million each year for fiscal years 2021 through 2025.

Sections 33114 (b), (c), and (e) incorporate H.R. 2909, the "Promoting Grid Storage Act of 2019." This legislation requires the Department of Energy to establish an energy storage program, a technical assistance and grant program, and a competitive grant program for "pilot energy storage systems." The legislation establishes a research program within DOE for energy storage systems, components, and materials. The program requires the Secretary to coordinate across all relevant DOE program offices and adopt long-term targets for energy storage system applications. The bill authorizes $175 million annually for the research program for fiscal years 2020 through 2024. The bill also establishes a technical assistance and grant program. This program disseminates information, offers technical assistance, and provides grants to entities to identify, evaluate, plan, design, and develop processes to procure energy storage systems. It authorizes $100 million annually for the technical assistance and grant program for fiscal years 2020 through 2024. H.R. 2909 also directs DOE to conduct workshops where lessons learned from the research and technical and grant programs can be shared. The bill establishes a demonstration program to provide grants for developing pilot energy storage systems. It authorizes $150 million for the demonstration program annually for fiscal years 2020 through 2024.

Section 33115 incorporates H.R. 4447, the "Expanding Access to Sustainable Energy Act of 2019", as reported by the Committee on Energy and Commerce. This legislation requires DOE to establish an energy storage and microgrid grant and technical assistance program. The program will provide grants and technical assistance to a rural electric cooperative or non-profit entity, working with at least six rural electric cooperatives, to assist with designing and demonstrating energy storage and microgrid projects that utilize energy from renewable energy sources. The bill authorizes $5 million annually for the program from fiscal years 2020 through 2025.

Section 33121 incorporates H.R. 5542, the "Mitigate Methane Now Act". This legislation requires the Secretary of Energy to establish a grant program for States to provide incentives to natural

gas distribution companies for the improvement of natural gas distribution systems. The legislation establishes a grant program at DOE for the purposes of improving public safety and the environmental performance of the natural gas distribution system. The bill authorizes grant funding to States for the purposes of offsetting rate increases to low-income households and improving the safety and environmental performance of natural gas distribution systems through incentives for natural gas distribution companies to accelerate, expand, or enhance improvements to the natural gas distribution system. In awarding grants under the program, the agency must prioritize applications that produce quantifiable benefits to public safety, reduce methane emissions, and benefit low-income households, among other factors. The bill authorizes $250 million per year for the program from fiscal years 2021 through 2030.

Section 33161 incorporates H.R. 5541, the "Tribal Power Act". This legislation amends sections 2601 and 2602 of the Energy Policy Act of 1992 (EPAct92), reauthorizing programs to assist consenting Indian Tribes in meeting energy education, planning, and management needs. Congress authorized the establishment of an Indian energy resources development program in EPAct92 and it established an Office of Indian Energy Policy and Programs at DOE in the Energy Policy Act of 2005 (EPAct05). The legislation amends the definition of Indian Land to extend eligibility for grant funding to consenting Alaskan Native Tribes. The bill also provides DOE's Director of the Office of Indian Energy Policy and Programs the authority to expand programmatic access by reducing applicable cost-share based on criteria such as proven financial need. Finally, the bill reauthorizes the program at $30 million annually from fiscal years 2021 through 2025.

Sections 33201, 33202, 33203, 33204, 33205, 33206, 33207, and 33208 incorporate H.R. 2043, the "Home Owner Managing Energy Savings" or "HOMES" Act. This legislation requires the Secretary of Energy to establish a Home Energy Savings Retrofit Rebate Program to provide rebates to homeowners for retrofits that achieve home energy savings. For a retrofit to qualify for the program, it must be implemented and installed by a qualified contractor, achieve a reduction in home energy use of 20 percent or more, and include measures with an estimated life of five years or more. Homeowners performing retrofits projected to save at least 20 percent of energy usage would be eligible for a $2,500 rebate; those performing retrofits projected to save at least 40 percent of energy usage would be eligible for a $5,000 rebate. The legislation authorizes $250 million annually for the program for fiscal years 2020 through 2025. Additionally, it directs the Secretary of Energy to establish a Residential Energy Pay for Performance pilot program to encourage the use of measured energy savings in the operation of residential energy programs. The legislation also requires the pilot program to provide competitive grants to five or more state energy offices. The bill authorizes $100 million to carry out this pilot program in fiscal year 2021.

Section 33211 incorporates H.R. 2119, a bill to amend the EPAct05 to reauthorize grants for improving the energy efficiency of public buildings. This legislation amends section 125(c) of EPAct05 to authorize $100 million annually from fiscal years 2021

through 2025. Section 125 established a grant program to provide grants for states to improve the energy efficiency of public buildings and facilities. EPAct05 originally authorized the program at $30 million per year.

Section 33231 incorporates H.R. 2041, the "Weatherization Enhancement and Local Energy Efficiency Investment and Accountability Act". This legislation updates the 1976 DOE Weatherization Assistance Program (WAP). The legislation reauthorizes WAP at $350 million per year from fiscal years 2020 through 2024. The bill allows the Secretary of Energy to consider improvements in health and safety of occupant dwelling units, as well as other non-energy benefits from weatherization assistance, when reissuing regulations on program cost effectiveness. It also allows the Secretary of Energy to require periodic review of the use of private contractors in provisioning weatherization assistance and encouraging expanded use of contractors, as appropriate. The legislation establishes a competitive grant program to support innovation in weatherization assistance, and increases the funding amount that may be used for administrative purposes from 10 to 15 percent. It also amends the re-weatherization date so that dwelling units weatherized using Federal funds, are eligible to receive additional assistance 15 years after the completion of the previous weatherization assistance.

Section 33241 incorporates H.R. 2088, a bill to amend the Energy Independence and Security Act of 2007 (EISA) to reauthorize the Energy Efficiency and Conservation Block Grant (EECBG) Program. The EECBG program provides grants to states, local governments, and Indian Tribes to assist their efforts to reduce fossil fuel emissions and conserve energy. The grants can be used to improve energy efficiency in all sectors of the local economy and for a wide variety of activities, allowing for flexibility to fund projects that best address local conditions and needs. The bill reauthorizes the program to provide $3.5 billion annually from fiscal years 2021 through 2025. In addition, the bill includes several amendments to the program to add the goal of diversifying energy supplies by promoting use of alternative fuels, including funding to deploy infrastructure for delivering electricity and other alternative fuels.

Sections 33251 and 33252 incorporate H.R. 5650, the "Federal Energy and Water Management Performance Act of 2020". This legislation amends the National Energy Conservation Policy Act (NECPA) to direct the head of each Federal agency to reduce each year (through 2030) average building energy intensity by 2.5 percent relative to their respective energy intensities in 2018. Additionally, each agency head must improve water use efficiency and management through a number of prescribed actions. Those actions include reducing potable water consumption; lowering industrial, landscaping, and agricultural water consumption; and installing infrastructure features on Federally-owned properties to improve stormwater and wastewater management. The bill also establishes in law the FEMP to facilitate implementation of cost-effective energy and water management and energy-related investment practices. The program, which would bear responsibility for monitoring and implementing Federal efficiency standards, provides strategic planning and technical assistance, establishes best practices, maintains information resources and tools, and recognizes efficiency

achievements. The program would also be responsible for providing accredited training as well as guidance with portfolio-wide planning and project integration. The bill authorizes $36 million annually from fiscal years 2020 through 2024 for this program.

Sections 33261, 33262, 33263, 33264, and 33265 incorporate H.R. 5615, the "Residential Energy and Economic Savings Act" or "TREES Act". This legislation provides incentives for retail power providers or cities to plant trees to reduce energy costs. Specifically, DOE must establish a program to award grants to retail power providers that partner with nonprofit tree-planting organizations to establish or continue operating tree-planting programs. Under the program, retail power providers must give residential consumers free or discounted trees that provide maximum amounts of shade during the summer or wind protection during the fall and winter. Retail power providers include entities that generate, distribute, or provide retail electricity, natural gas, or fuel oil service. In addition, DOE must annually give an award that designates communities or other areas as the Arbor City of America. The award must recognize communities for superior efforts in increasing tree canopy coverage and assisting residents in reducing energy costs. DOE must give award recipients funding for green infrastructure or green spaces.

Section 33301 incorporates an updated version of H.R. 1768, the "Diesel Emission Reduction Act of 2019". This legislation reauthorizes through fiscal year 2025 a diesel emissions reduction program under which EPA provides grants, rebates, or loans for replacing diesel engines or retrofitting the engines with pollution control technologies.

Legislative History

On June 11, 2020, H.R. 2 was introduced by Representative DeFazio and referred to the Committee on Transportation and Infrastructure.

On July 1, 2020, H.R. 2 was considered in the House pursuant to the provisions of H. Res. 1028 and the bill, as amended, was passed by a recorded vote of 233 yeas and 188 nays (Roll Call No. 138).

On July 20, 2020, H.R. 2 was received in the Senate.

H.R. 2 contains provisions of the following bills: H.R. 5527, the "21st Century Power Grid Act", introduced by Representative Sarbanes (MD–03); H.R. 2909, the "Promoting Grid Storage Act of 2019", introduced by Representative Casten; H.R. 4447, the "Clean Economy Jobs and Innovation Act", introduced by Representative O'Halleran; H.R. 5542, a bill to require the Secretary of Energy to establish a grant program for States to provide incentives to natural gas distribution companies for the improvement of natural gas distribution systems, and for other purposes, introduced by Representative Sherrill (NJ–11); H.R. 5541, the "Tribal Power Act", introduced by Representative O'Halleran; H.R. 2043, the "HOMES Act", introduced by Representative Welch; H.R. 2119, a bill to amend the Energy Policy Act of 2005 to reauthorize grants for improving the energy efficiency of public buildings, and for other purposes introduced by Representative Kelly; H.R. 2041, the "Weatherization Enhancement and Local Energy Efficient Investment and

Accountability Act", introduced by Representative Tonko; H.R. 2088, a bill to amend the Energy Independence and Security Act of 2007 to reauthorize the Energy Efficiency and Conservative Block Grant Program, and for other purposes, introduced by Representative Stanton (AZ–09); H.R. 5650, the "Federal Energy and Water Management Performance Act of 2020", introduced by Representative Welch; and H.R. 5615, the "TREES Act", introduced by Representative Matsui; and H.R. 1768, the "Diesel Emissions Reduction Act of 2019", introduced by Representative Matsui.

CYBER SENSE ACT OF 2020

H.R. 360

To require the Secretary of Energy to establish a voluntary Cyber Sense program to test the cybersecurity of products and technologies intended for use in the bulk-power system, and for other purposes.

Summary

This legislation requires the Secretary of Energy to establish the Cyber Sense Program. This voluntary program would identify cyber-secure products that could be used in the bulk-power system. In addition to making DOE responsible for promoting cyber-secure products, this legislation requires DOE to determine a testing process for Cyber Sense products and establish a cybersecurity vulnerability reporting process and database. Additionally, H.R. 360 requires DOE to provide technical assistance to electric utilities, manufacturers, and other relevant stakeholders related to cybersecurity vulnerabilities in products under the Cyber Sense program. The bill requires all cyber-secure products to be reviewed biennially to determine how such products respond to and prevent cyber threats. This legislation also requires DOE to solicit public comment before establishing or altering the Cyber Sense program.

Legislative History

On January 9, 2019, H.R. 360 was introduced by Representative Latta and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on January 25, 2019.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 360, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 360, and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On October 28, 2019, the Committee on Energy and Commerce reported H.R. 360, without amendment, to the House (H. Rept. 116–256) and the bill was placed on the Union Calendar (Calendar No. 204).

On September 29, 2020, the House considered H.R. 360 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 360 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 360 in the 116th Congress.

ENERGY EMERGENCY LEADERSHIP ACT

H.R. 362

To amend the Department of Energy Organization Act with respect to functions assigned to Assistant Secretaries, and for other purposes.

Summary

The legislation amends section 203(a) of the Department of Energy Organization Act to create a new DOE Assistant Secretary position with jurisdiction over all energy emergency and security functions related to energy supply, infrastructure, and cybersecurity. The bill authorizes the new Assistant Secretary to provide, upon request, a State, local, or Tribal government, with technical assistance, and support and response capabilities with respect to energy security threats, risks, and incidents.

Legislative History

On January 9, 2019, H.R. 362 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on January 25, 2019.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 362, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 362, and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On October 28, 2019, the Committee on Energy and Commerce reported H.R. 362, as amended (H. Rept. 116–255) and the bill was placed on the Union Calendar (Calendar No. 203).

On September 29, 2020, the House considered H.R. 362 under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 30, 2020, H.R. 362 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 362 in the 116th Congress.

PIPELINE AND LNG FACILITY CYBERSECURITY PREPAREDNESS ACT

H.R. 370

To require the Secretary of Energy to carry out a program relating to physical security and cybersecurity for pipelines and liquefied natural gas facilities.

Summary

The bill would establish a program at DOE, in coordination with other Federal agencies, States, and the energy sector, to create policies and procedures to improve the physical and cyber security and resiliency of natural gas transmission and distribution pipelines, hazardous liquid pipelines, and liquefied natural gas (LNG) facilities. The Secretary of Energy would coordinate responses to, and recovery from, physical and cyber incidents affecting the energy sector and develop advanced cybersecurity technologies, perform pilot demonstration projects, and establish workforce development security curricula for pipelines and LNG facilities. Finally, the bill would provide mechanisms to help the energy sector evaluate, prioritize, and improve its security capabilities.

Legislative History

On January 9, 2019, H.R. 370 was introduced by Representative Upton (MI–06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on January 25, 2019.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 370, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 370, and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce reported H.R. 370, without amendment (H. Rept. 116–303). That same day, H.R. 370 was referred sequentially to the House Committee on Transportation and Infrastructure. The bill was then discharged from that Committee and placed on the Union Calendar (Calendar No. 244).

No further action was taken on H.R. 370 in the 116th Congress.

STREAMLINING ENERGY EFFICIENCY FOR SCHOOLS ACT

H.R. 762

To amend the Energy Policy and Conservation Act to provide for the dissemination of information regarding available Federal programs relating to energy efficiency projects for schools, and for other purposes.

Summary

This legislation would establish a national clearinghouse of information on programs and financing options for schools interested in carrying out energy efficiency projects. Such information would include resources to help initiate, develop, and finance energy efficiency, distributed generation, and retrofitting projects.

Legislative History

On January 24, 2019, H.R. 762 was introduced by Representative Cartwright and referred to the Committee on Energy and Com-

merce. The bill was subsequently referred to the Subcommittee on Energy on January 25, 2019.

On March 5, 2019, the House considered H.R. 762 under a motion to suspend the Rules and passed the bill by a voice vote.

On March 6, 2019, H.R. 762 was received in the Senate, read twice, and referred to the Senate Committee on Energy and Natural Resources.

On September 19, 2019, H.R. 762 was reported to the Senate, as amended, by the Senate Committee on Energy and Natural Resources (S. Rept. 116–108) and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 208).

No further action was taken on H.R. 762 in the 116th Congress.

BLUE COLLAR TO GREEN COLLAR JOBS DEVELOPMENT ACT OF 2019

H.R. 1315

To direct the Secretary of Energy to establish and carry out a comprehensive, nationwide, energy-related industries jobs program, and for other purposes.

Summary

This bill requires the Secretary of Energy to establish a comprehensive, nationwide, energy-related industries jobs program to improve education and training for jobs in energy-related industries with requirements for the prioritization of underrepresented communities, unemployed energy workers, and minority-serving institutions. The bill also permits the Secretary of Energy to provide direct assistance (including financial assistance awards and technical expertise) to educational institutions or internships, fellowships, and other opportunities at DOE and DOE national laboratories. In addition, the bill requires the Secretary, in carrying out the program, to collaborate with stakeholders and related Federal agencies, establish a clearinghouse of resources, and develop guidelines for the development of skills for the energy industry workforce.

The bill also requires the Secretary to establish a program to provide grants to eligible businesses to pay the eligible wages or stipends for new and existing employees receiving training to work in renewable energy, energy efficiency, grid modernization, advanced fossil energy technology, nuclear energy, cybersecurity, alternative fuels, advanced automotive technology, and fuel cell generation sectors.

Legislative History

On February 22, 2019, H.R. 1315 was introduced by Representative Rush and referred to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 25, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills intended to improve energy efficiency and create a diverse workforce, including H.R. 1315. The witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and

the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 1315 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1315 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 1315 in the 116th Congress.

TIMELY REVIEW OF INFRASTRUCTURE ACT

H.R. 1426

To amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission, and for other purposes.

Summary

The bill amends section 401 of the Department of Energy Organization Act by adding a new subsection (k) at the end. The new subsection grants the FERC Chairman additional authority to adjust compensation for a category of employees and other personnel without regard to certain civil service laws. The FERC Chairman must publicly certify that other approaches to retaining and attracting employees are inadequate and that the adjustment to compensation is necessary to carry out the functions of the FERC Commission in a timely, efficient, and effective manner. The bill also requires that the FERC Chairman periodically submit to Congress a report including information related to hiring, vacancies, compensation, and efforts to retain and attract employees.

Legislative History

On February 28, 2019, H.R. 1426 was introduced by Representative Olson and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 1, 2019.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 1426, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in open markup session to consider H.R. 1426, and ordered the bill reported favorably to the House, without amendment, by a recorded vote of 48 yeas and 3 nays.

On December 8, 2020, the Committee on Energy and Commerce reported H.R. 1426 to the House, without amendment (H. Rept. 116 623) and the bill was placed on the Union Calendar (Calendar No. 510).

On December 9, 2020, the House considered H.R. 1426 under a motion to suspend the Rules and passed the bill by a voice vote.

H.R. 1426 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 610).

No further action was taken on H.R. 1426 in the 116th Congress.

S.T.O.R.A.G.E. ACT

H.R. 1744

To provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes.

Summary

This legislation would establish a standard under the Public Utility Regulatory Policies Act of 1978 (PURPA) requiring States to consider investing in energy storage systems. The bill amends PURPA by adding energy storage systems to the list of strategies States should consider when developing energy plans. In particular, States would have to consider requiring that, as part of a supply-side resource planning process, utilities demonstrate that they considered an investment in energy storage systems based on factors such as cost, reliability, security, and system performance and efficiency.

Legislative History

On March 13, 2019, H.R. 1744 was introduced by Representative Takano and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on March 14, 2019.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills, including H.R. 1744. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Officer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., *on behalf of* the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

No further action was taken on H.R. 1744 in the 116th Congress.

WEATHERIZATION ENHANCEMENT AND LOCAL ENERGY EFFICIENCY INVESTMENT AND ACCOUNTABILITY ACT

H.R. 2041

To reauthorize the weatherization assistance program, and for other purposes.

Summary

This legislation updates the 1976 DOE Weatherization Assistance Program (WAP). WAP is the nation's largest residential whole-house energy efficiency program, providing formula grant funding to all 50 States, the District of Columbia, Native American Tribes, and five United States territories.

The bill reauthorizes WAP at $350 million per fiscal year from fiscal years 2020 through 2024. When reissuing regulations on program cost-effectiveness, the bill would allow the Secretary to take into consideration improvements in health and safety of occupant dwelling units, as well as other non-energy benefits from weatherization assistance. The bill would also allow the Secretary to require periodic review of the use of private contractors in provisioning weatherization assistance and encouraging expanded use of contractors, as appropriate.

H.R. 2041 further establishes a competitive grant program to support innovation in weatherization assistance, and it increases the funding amount that may be used for administrative purposes from 10 percent to 15 percent. The bill amends the re-weatherization date so that dwelling units weatherized using Federal funds are eligible to receive additional assistance 15 years after completion of the previous weatherization assistance.

Legislative History

On April 2, 2019, H.R. 2041 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 3, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills, including H.R. 2041. The witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 2041 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2041 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 2041 in the 116th Congress.

HOMES ACT

H.R. 2043

To provide for the establishment of a Home Energy Savings Retrofit Rebate Program, and for other purposes.

Summary

This legislation requires the Secretary of Energy to establish a Home Energy Savings Retrofit Rebate Program to provide rebates to homeowners for retrofits that achieve home energy savings. For a retrofit to qualify for the program, it must be implemented and installed by a qualified contractor, achieve a reduction in home energy use of 20 percent or more, and include measures with an estimated life of five years or more. Homeowners performing retrofits are projected to save at least 20 percent of energy usage would be eligible for a $2,500 rebate; those performing retrofits projected to save at least 40 percent of energy usage would be eligible for a

$5,000 rebate. The bill authorizes $250 million annually for the program for fiscal years 2021 through 2025.

Additionally, H.R. 2043 directs the Secretary to establish a Residential Energy Pay for Performance pilot program to encourage the use of measured energy savings in the operation of residential energy programs. The legislation also requires the pilot program to provide competitive grants to five or more State energy offices. The bill authorizes $100 million to carry out this pilot program in fiscal year 2021.

Legislative History

On April 3, 2019, H.R. 2043 was introduced by Representative Welch and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Energy on April 4, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills intended to improve energy efficiency and create a diverse workforce, including H.R. 2043. The witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

No further action was taken on H.R. 2043 in the 116th Congress.

SMART BUILDING ACCELERATION ACT

H.R. 2044

To accelerate smart building development, and for other purposes.

Summary

The bill requires the Secretary of Energy to conduct a survey of smart buildings across the country and then select at least one building from an appropriate range of building sizes and types to be evaluated for further assessment. The assessment includes an evaluation of which advanced building technologies are the most cost-effective, as well as which show the most promise for decreasing building utility demands and increasing service performance to building occupants. The Secretary must also establish an initiative to implement smart building technology at one or more buildings under each of several Federal agencies and evaluate the costs and benefits of these buildings.

The bill further directs the Secretary of Energy, in consultation with private sector property owners, to develop a smart building initiative to demonstrate policies and approaches that facilitate the transition to smart buildings under the umbrella of DOE's Better Buildings Challenge. Additionally, the bill requires the Secretary of Energy to conduct research on eliminating barriers to the integration of advanced building technologies and facilitating the transition to smart buildings. The legislation also directs the Secretary of Energy to provide a report to Congress summarizing findings and providing recommendations to facilitate the transition to smart buildings.

Legislative History

On April 3, 2019, H.R. 2044 was introduced by Representative Welch and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure and Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on April 4, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills, including H.R. 2044. The witnesses included witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 2044 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2044 and ordered the reported favorably to the House, without amendment, by a voice vote.

No further action was taken on H.R. 2044 in the 116th Congress.

TO AMEND THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007 TO REAUTHORIZE THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM, AND FOR OTHER PURPOSES.

H.R. 2088

To amend the Energy Independence and Security Act of 2007 to reauthorize the Energy Efficiency and Conservation Block Grant Program, and for other purposes.

Summary

This legislation would amend the Energy Independence and Security Act of 2007 to reauthorize the Energy Efficiency and Conservation Block Grant Program. The bill reauthorizes the program to provide $3.5 billion annually from fiscal years 2021 through 2025. In addition, the bill includes several amendments to the program to add the goal of diversifying energy supplies by promoting use of alternative fuels. Sections 544 and 546 of the law are amended to explicitly authorize the funding to deploy infrastructure for delivering alternative fuels (including electricity).

Legislative History

On April 4, 2019, H.R. 2088 was introduced by Representative Stanton and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 5, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills, including H.R. 2088. The witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 2088, and forwarded the bill to the Committee on Energy and Commerce, amended, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2088, and ordered the bill reported favorably to the House, as amended, by a voice vote.

No further action was taken on H.R. 2088 in the 116th Congress.

ENHANCING STATE ENERGY SECURITY PLANNING AND EMERGENCY PREPAREDNESS ACT OF 2019

H.R. 2114

To amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes.

Summary

This legislation would amend sections of the Energy Policy and Conservation Act pertaining to the State Energy Conservation Plans. It adds a new section authorizing a State to use Federal financial assistance received through the State Energy Program (SEP) to implement, revise, and review a State Energy Security Plan. The bill sets out requirements for the contents of the State Energy Security Plan. To be eligible to receive assistance under the SEP, the bill requires the governor of a State to submit to the Secretary of Energy every year a plan, a revision to the plan, or a certification that no revisions to the plan are necessary. The provision sunsets in 2024. The bill also reauthorizes the SEP from fiscal years 2021 through 2025 at $90 million.

Legislative History

On April 8, 2019, H.R. 2114 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 9, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills, including H.R. 2114. The witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

On September 9, 2019, the House considered H.R. 2114 under a motion to suspend the Rules and passed the bill, without amendment, by a voice vote.

On September 10, 2019, H.R. 2114 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

On September 25, 2019, H.R. 2114 was reported to the Senate, amended, by the Committee on Energy and Natural Resources (S. Rept. 116–137). That same day, it was placed on the Senate Legislative Calendar under General Orders (Calendar No. 257).

No further action was taken on H.R. 2114 in the 116th Congress.

TO AMEND THE ENERGY POLICY ACT OF 2005 TO REAUTHORIZE GRANTS FOR IMPROVING THE ENERGY EFFICIENCY OF PUBLIC BUILDINGS, AND FOR OTHER PURPOSES.

H.R. 2119

To amend the Energy Policy Act of 2005 to reauthorize grants for improving the energy efficiency of public buildings, and for other purposes.

Summary

This legislation amends section 125(c) of the Energy Policy Act of 2005 to authorize $100 million annually from fiscal years 2021 through 2025. Section 125 established a $30 million per year program to provide grants for States to improve the energy efficiency of public buildings and facilities.

Legislative History

On April 8, 2019, H.R. 2119 was introduced by Representative Kelly and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 9, 2019.

On April 10, 2019, the Subcommittee on Energy held a hearing on eight bills, including H.R. 2119. The witnesses included the Honorable Daniel R. Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, and the Honorable James E. Campos, Director, Office of Economic Impact and Diversity, Department of Energy.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 2119, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2119, and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 2119 in the 116th Congress.

LEONEL RONDON PIPELINE SAFETY ACT

H.R. 2139

To amend title 49, United States Code, to improve pipeline safety, and for other purposes.

Summary

This legislation aims to improve management of distribution pipeline systems and overall safety by eliminating regulatory shortfalls and applying stringent safety standards to owners, operators, and regulators.

H.R. 2139 directs the Secretary of Transportation to promulgate regulations to strengthen existing requirements for distribution integrity management plans, including by prohibiting companies from assigning a risk rating of "zero" for low-probability events. The bill also directs the Secretary to issue regulations to strengthen emergency response plans and strengthen gas distribution oper-

ators' procedural manuals for operations, maintenance, and emergencies.

The bill requires the Secretary to issue regulations directing each operator of a distribution pipeline to develop and implement a pipeline safety management systems framework in accordance with industry best practices. The legislation also enhances pipeline safety practices by requiring distribution system operators to assure that changes to the pipeline system are approved by a professional engineer, maintain up-to-date maps of the system, and assure that a qualified gas employee is on-site to monitor gas pressure during construction. Finally, H.R. 2139 increases PHMSA's civil penalty authority and increases the limit on total penalties in current law.

Legislative History

On April 8, 2019, H.R. 2139 was introduced by Representative Trahan (MA–03) and referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 9, 2019.

On June 19, 2019, the Subcommittee on Energy held a hearing on two bills, including H.R. 2139. The witnesses included Christina Sames, Vice President, Operations & Engineering, American Gas Association; Chuck Lesniak, Principal, CL3 Consulting; Andrew Black, President and CEO, Association of Oil Pipelines; and Christopher "C.J." Osman, Director of Operations, Safety and Integrity, Interstate Natural Gas Association of America.

No further action was taken on H.R. 2139 in the 116th Congress.

SMART ENERGY AND WATER EFFICIENCY ACT OF 2019

H.R. 2665

To provide for a smart water resource management pilot program.

Summary

This legislation establishes a smart energy and water efficiency management program at DOE. The bill directs the Department to award grants to eligible entities to demonstrate advanced and innovative technology-based solutions that will do one or more of the following: increase and improve the energy efficiency of water, wastewater, and water reuse systems; support the implementation of innovative processes or the installation of advanced automated systems providing real-time data on energy and water; or improve energy and water conservation quality and predictive maintenance through use of internet-connected technologies.

The bill also establishes a competitive and merit-based grant award process with selection criteria. It requires an evaluation of each grant project every year for five years. The legislation would also make the projects' best practices available to the public and produce a report to Congress no later than five years after the program's establishment.

Legislative History

On May 10, 2019, H.R. 2665 was introduced by Representative McNerney and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources and the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Energy on May 11, 2019.

On May 16, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 2665, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2665, and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 2665 in the 116th Congress.

CLEAN COMMUTE FOR KIDS ACT OF 2019

H.R. 2906

To reauthorize the Clean School Bus Program.

Summary

This legislation would amend the Energy Policy Act of 2005 to reauthorize and update the Clean School Bus Program. The Clean School Bus Program offers competitive grant funding for modernizing school bus fleets. The bill broadens grant eligibility criteria to include electric vehicles and provides prioritization for applicants seeking to acquire clean school buses with low or zero emissions. H.R. 2906 reauthorizes the Clean School Bus program at $50 million annually from fiscal years 2020 through 2025.

Legislative History

On May 22, 2019, H.R. 2906 was introduced by Representative Cárdenas and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 23, 2019.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 2906, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

No further action was taken on H.R. 2906 in the 116th Congress.

PROMOTING GRID STORAGE ACT OF 2019

H.R. 2909

To require the Secretary of Energy to establish an energy storage research program, a demonstration program, and a technical assistance and grant program, and for other purposes.

Summary

This legislation establishes a research program within DOE for energy storage systems, components, and materials. The program requires the Secretary to coordinate across all relevant DOE program offices and adopt long-term targets for energy storage system

applications. The bill authorizes $175 million annually for the research program for fiscal years 2020 through 2024.

The bill also establishes a technical assistance and grant program. This program disseminates information, offers technical assistance, and provides grants to entities to identify, evaluate, plan, design, and develop processes to procure energy storage systems. It authorizes $100 million annually for the technical assistance and grant program for fiscal years 2020 through 2024.

H.R. 2909 also directs DOE to conduct workshops where lessons learned from the research and technical and grant programs can be shared. The bill establishes a demonstration program from fiscal years 2020 through 2024 at $150 million annually to provide grants for the development of pilot energy storage systems.

Legislative History

On May 22, 2019, H.R. 2909 was introduced by Representative Casten and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was then referred to the Subcommittee on Energy on May 23, 2019.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills, including H.R. 2909. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Officer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., *on behalf of* the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

No further action was taken on H.R. 2909 in the 116th Congress.

ENERGY SAVINGS THROUGH PUBLIC PRIVATE PARTNERSHIPS ACT OF 2019

H.R. 3079

To amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities, and for other purposes.

Summary

This legislation would amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities.

Performance contracting is a method of financing by which an entity may fund energy efficiency upgrades over time with savings generated from capital improvements, typically using Energy Savings Performance Contracts (ESPCs) or Utility Energy Service Contracts (UESCs). Current law requires Federal facility energy managers to evaluate and identify energy and water efficiency measures for Federal facilities. Agencies are not required under Federal law, however, to implement those measures. This bill would require

that agencies implement those measures, provided they are cost-effective.

H.R. 3079 also enables the development of more renewable energy and resiliency projects by allowing agencies to utilize existing revenue streams, such as rebates, grid services revenue, and Renewable Energy Certificates (RECs), to help fund a project. The bill prohibits the use of performance contracting at Federal hydroelectric facilities.

Legislative History

On June 4, 2019, H.R. 3079 was introduced by Representative Welch and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on June 5, 2019.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 3079, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in open markup session to consider H.R. 3079, and ordered the bill reported favorably to the House, without amendment, by a voice vote.

No further action was taken on H.R. 3079 in the 116th Congress.

RELIABLE INVESTMENT IN VITAL ENERGY REAUTHORIZATION ACT

H.R. 3361

To amend the Energy Policy Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives, and for other purposes.

Summary

This legislation would amend section 242 of the Energy Policy Act of 2005 to reauthorize the hydroelectric production incentives program. Additionally, the bill reauthorizes the hydroelectric efficiency improvement program set forth in section 243 of that law.

H.R. 3361 reauthorizes both programs from fiscal years 2019 through 2036 at the originally authorized level of $10 million each year.

Legislative History

On June 19, 2019, H.R. 3361 was introduced by Representative McKinley and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on June 20, 2019.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 3361, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 3361, and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On December 8, 2020, the Committee on Energy and Commerce reported H.R. 3361 to the House, without amendment (H. Rept. 116–622) and the bill was placed on the Union Calendar (Calendar No. 509).

On December 9, 2020, the House considered H.R. 3361 under a motion to suspend the Rules and the bill passed by a voice vote.

On December 10, 2020, H.R. 3361 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 611).

No further action was taken on H.R. 3361 in the 116th Congress.

SAFER PIPELINES ACT OF 2019

H.R. 3432

To amend title 49, United States Code, to improve the safety of the Nation's natural gas and hazardous liquid pipeline systems, and for other purposes.

Summary

H.R. 3432 authorizes appropriations for the following Pipeline and Hazardous Materials Safety Administration (PHMSA) programs from fiscal years 2020 through 2023: (1) Operational expenses: $24,215,000 in fiscal year 2020; $24,941,450 in fiscal year 2021; $26,460,000 in fiscal year 2022; and $27,254,000 in fiscal year 2023; (2) Gas and hazardous liquid management: $160,800,000 in fiscal year 2020; $165,624,000 in fiscal year 2021; $170,600,000 in fiscal year 2022; and $175,700,000 in fiscal year 2023; (3) Hazardous liquid funds from the Oil Spill Liability Trust Fund: $25 million each year in fiscal year 2020 and fiscal year 2021; and $26 million each year in fiscal years 2022 and 2023; (4) Underground natural storage facility safety: $9 million each year from fiscal years 2020 through 2023; (5) Emergency response grants: $12 million each year from fiscal years 2020 through 2023; (6) Pipeline safety information grants: $2 million each year from fiscal years 2020 through 2023; (7) State damage prevention programs: $2 million each year from fiscal years 2020 through 2023; and (8) One-call notification programs: $2 million each year from fiscal years 2020 through 2023.

The bill removes duplicative statutory cost-benefit requirements imposed solely on PHMSA and no other Federal agency. Major pipeline safety rules would remain subject to the same economic analysis by the Office of Management and Budget that is applied to all other major rules. It also requires PHMSA, within two years of enactment, to promulgate a regulation to prioritize more effective technologies over direct assessment for interstate pipelines to fulfill statutory assessment obligations. For distribution systems, the bill requires PHMSA to study and report on the feasibility of reducing reliance on direct assessment for inspections.

H.R. 3432 makes changes to PHMSA's enforcement regime by: (1) increasing PHMSA's civil penalty authority; (2) removing the limit on total penalties in current law; and (3) strengthening the criminal penalty standard, moving the standard from "knowingly and willfully" to "knowingly or recklessly."

H.R. 3432 restores an individual's ability to bring civil action against PHMSA to compel the agency to carry out its statutory obligations. Additionally, the legislation strikes language in current law that prohibits pipeline safety information grants from being funded by user fees.

For pipelines located in high consequence areas, the legislation requires operators, based on a risk assessment, to install automatic or remote shutoff valves for liquid and gas pipelines, as appropriate according to the individual pipeline facility unless PHMSA finalizes a previously required rulemaking first. Finally, it requires owners and operators of gas or hazardous liquid pipeline facilities to make critical operational information available on a segment basis to surrounding communities and first responders.

Legislative History

On June 19, 2019, the Subcommittee on Energy held a hearing on two bills, including H.R. __, a draft of the Safer Pipelines Act of 2019. The witnesses included Christina Sames, Vice President, Operations & Engineering, American Gas Association; Chuck Lesniak, Principal, CL3 Consulting; Andrew Black, President and CEO, Association of Oil Pipelines; and Christopher "C.J." Osman, Director of Operations, Safety and Integrity, Interstate Natural Gas Association of America.

On June 24, 2019, H.R. 3432 was introduced by Representative Rush, and referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on June 24, 2019.

On June 26, 2019, the Subcommittee on Energy met in open markup session to consider H.R. 3432, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On November 19, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 3432, and ordered the bill reported favorably to the House, amended, by unanimous consent.

No further action was taken on H.R. 3432 in the 116th Congress.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2019

H.R. 3962

To promote energy savings in residential buildings and industry, and for other purposes.

Summary

This legislation would promote energy savings and emissions reductions by supporting the use of energy efficiency technologies in the residential, commercial, and industrial sectors.

H.R. 3962 includes a suite of provisions to promote energy efficiency. The bill strengthens national building codes to make new homes and commercial buildings more energy efficient. It also provides retrofitting assistance for schools and creates a program to account for energy-efficient features in the mortgage appraisal and underwriting process for federally backed mortgages.

In addition, H.R. 3962 encourages efficiency technology and processes for industrial applications, expands DOE's Industrial Assessment Centers, and incentivizes the use of more energy-efficient electric motors and transformers. The bill also requires the Federal Government to adopt energy savings techniques for computers, allows Federal agencies to use existing funds to update plans to make new Federal buildings more energy-efficient, and establishes long-term energy and water efficiency goals for the Federal Government.

Finally, H.R. 3962 repeals section 433 of the Energy Independence and Security Act. Section 433 established a requirement that new and renovated Federal buildings be designed so that fossil fuel-generated energy consumption of the building is reduced to zero percent by 2030.

Legislative History

On July 25, 2019, H.R. 3962 was introduced by Representative Welch and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Science, Space, and Technology, Financial Services, the Budget, and Oversight and Reform. The bill was subsequently referred to the Subcommittee on Energy on July 26, 2019.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills, including H.R. 3962. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Officer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., *on behalf of* the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

No further action was taken on H.R. 3962 in the 116th Congress.

CLEAN ECONOMY JOBS AND INNOVATION ACT

H.R. 4447 (H.R. 762, H.R. 1420, H.R. 5650, H.R. 3079, H.R. 2043, H.R. 2041, H.R. 5758, H.R. 2665, H.R. 2088, H.R. 2119, H.R. 2044, H.R. 3962, H.R. 1744, H.R. 2909, H.R. 5335, H.R. 8165, H.R. 3361, H.R. 3432, H.R. 5542, H.R. 5454, H.R. 1760, H.R. 3306, H.R. 7141, H.R. 5527, H.R. 2114, H.R. 5541, H.R. 1768, H.R. 2906, H.R. 5518, H.R. 5545, H.R. 1480, H.R. 1315, H.R. 347, H.R. 1426, H.R. 3420, H.R. 1633, H.R. 4447)

To establish an energy storage and microgrid grant and technical assistance program.

Summary

Sections 1101, 1102, 1103, 1111, 1112, 1121, 1201, 1202, 1203, 1204, 1211, 1221, 1301, 1302, 1401, 1411, and 1412 incorporate H.R. 3962, the "Energy Savings Industrial Competitiveness Act of 2020." This legislation promotes energy savings and emissions reductions by supporting the use of energy efficiency technologies in the residential, commercial, and industrial sectors. It includes a

suite of provisions to promote energy efficiency. The legislation strengthens national building codes to make new homes and commercial buildings more energy efficient. It also provides retrofitting assistance for schools and creates a program to account for energy-efficient features in the mortgage appraisal and underwriting process for federally backed mortgages. In addition, the legislation encourages efficiency technology and processes for industrial applications, expands DOE's Industrial Assessment Centers, and incentivizes the use of more energy-efficient electric motors and transformers. It also requires the Federal Government to adopt energy savings techniques for computers, allows Federal agencies to use existing funds to update plans to make new Federal buildings more energy-efficient, and establishes long-term energy and water efficiency goals for the Federal Government.

Section 1121 incorporates H.R. 762, the "Streamlining Energy Efficiency for Schools Act". This legislation directs DOE's Office of Energy Efficiency and Renewable Energy to act as the lead agency for coordinating and disseminating information on existing programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

Sections 1301 and 1302 incorporate H.R. 1420, the "Energy Efficient Government Technology Act". This legislation requires each Federal agency to coordinate with the Office of OMB, DOE, and the Environmental Protection Agency to develop an implementation strategy for the maintenance, purchase, and use of energy-efficient and energy-saving information technologies at or for federally owned and operated facilities. DOE must maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in federally owned and operated data centers. DOE also must establish an open data initiative to make information about Federal data center energy usage available and accessible in a manner that encourages data center innovation, optimization, and consolidation.

Section 1411 incorporates H.R. 5650, the "Federal Energy and Water Management Performance Act of 2020". This legislation amends NECPA to direct the head of each Federal agency to reduce each year (through 2030) average building energy intensity by 2.5 percent relative to their respective energy intensities in 2018. Additionally, each agency head must improve water use efficiency and management through a number of prescribed actions. These actions include reducing potable water consumption; lowering industrial, landscaping, and agricultural water consumption; and installing infrastructure features on federally-owned properties to improve stormwater and wastewater management. The bill also establishes FEMP in law to facilitate implementation of cost-effective energy and water management and energy-related investment practices. The program, which would bear responsibility for monitoring and implementing Federal efficiency standards, provides strategic planning and technical assistance, establishes best practices, maintains information resources and tools, and recognizes efficiency achievements. The program would also be responsible for providing accredited training as well as guidance with portfolio-

wide planning and project integration. The bill authorizes $36 million annually from fiscal years 2020 through 2024 for this program.

Section 1413 incorporates H.R. 3079, the "Energy Savings through Public-Private Partnerships Act of 2019". This legislation amends NECPA to encourage the increased use of performance contracting in Federal facilities. Performance contracting is a method of financing by which an entity may fund energy efficiency upgrades over time with savings generated from capital improvements, typically using Energy Savings Performance Contracts (ESPCs) or Utility Energy Service Contracts (UESCs). Entities engaged in an ESPC or UESC are generally able to recuperate savings generated by efficiency improvements following a period of repayment to the individual or company performing those facility upgrades. Current law requires Federal facility energy managers to evaluate and identify energy and water efficiency measures for Federal facilities. Agencies are not required under Federal law, however, to implement those measures. This bill would require that agencies implement those measures, provided they are cost-effective. H.R. 3079 also enables the development of more renewable energy and resiliency projects by allowing agencies to utilize existing revenue streams, such as rebates, grid services revenue, and Renewable Energy Certificates (RECs), to help fund a project. The bill prohibits the use of performance contracting at Federal hydroelectric facilities.

Sections 1521, 1522, 1523, 1524, 1525, 1526, and 1527 incorporate H.R. 2043, the "Home Owner Managing Energy Savings" or "HOMES" Act. This legislation requires the Secretary of Energy to establish a Home Energy Savings Retrofit Rebate Program to provide rebates to homeowners for retrofits that achieve home energy savings. For a retrofit to qualify for the program, it must be implemented and installed by a qualified contractor, achieve a reduction in home energy use of 20 percent or more, and include measures with an estimated life of five years or more. Homeowners performing retrofits projected to save at least 20 percent of energy usage would be eligible for a $2,500 rebate; those performing retrofits projected to save at least 40 percent of energy usage would be eligible for a $5,000 rebate. The legislation authorizes $250 million annually for the program for fiscal years 2020 through 2025. Additionally, it directs the Secretary of Energy to establish a Residential Energy Pay for Performance pilot program to encourage the use of measured energy savings in the operation of residential energy programs. The legislation also requires the pilot program to provide competitive grants to five or more state energy offices. The bill authorizes $100 million to carry out this pilot program in fiscal year 2021.

Sections 1601, 1602, 1603, and 1604 incorporate H.R. 2041, the "Weatherization Enhancement and Local Energy Efficiency Investment and Accountability Act". The legislation reauthorizes WAP at $350 million per year from fiscal years 2020 through 2024. It allows the Secretary of Energy to consider improvements in health and safety of occupant dwelling units, as well as other non-energy benefits from weatherization assistance, when reissuing regulations on program cost effectiveness. It also allows the Secretary of Energy to require periodic review of the use of private contractors in

provisioning weatherization assistance and encouraging expanded use of contractors, as appropriate. The legislation establishes a competitive grant program to support innovation in weatherization assistance, and increases the funding amount that may be used for administrative purposes from 10 to 15 percent. It further amends the re-weatherization date so that dwelling units weatherized using Federal funds, are eligible to receive additional assistance 15 years after the completion of the previous weatherization assistance.

Section 1801 incorporates H.R. 5758, the "Ceiling Fan Improvement Act of 2020". This legislation amends the Energy Policy and Conservation Act (EPCA) to make technical corrections to the energy conservation standard for large-diameter ceiling fans. DOE issued a final rule in January 2017 setting energy efficiency standards for ceiling fans with a compliance date of January 2020. The legislation amends the final rule to adjust compliance requirements related to total airflow, and power consumption for large-diameter ceiling fans.

Section 1802 incorporates H.R. 2665, the "Smart Energy and Water Efficiency Act of 2019". This legislation establishes a smart energy and water efficiency management program. The bill directs DOE to award grants to eligible entities to demonstrate advanced and innovative technology-based solutions that will do one or more of the following: increase and improve the energy efficiency of water, wastewater, and water reuse systems; support the implementation of innovative processes or the installation of advanced automated systems providing real-time data on energy and water; or improve energy and water conservation quality and predictive maintenance through use of internet-connected technologies. It also establishes a competitive and merit-based grant award process with selection criteria and requires an evaluation of each grant project every year for five years. The legislation would also make the projects' best practices available to the public and produce a report to Congress no later than five years after the program's establishment.

Section 1803 incorporates H.R. 2088, a bill to amend the Energy Independence and Security Act of 2007 to reauthorize the Energy Efficiency and Conservation Block Grant Program (EECBG). The EECBG program provides grants to states, local governments, and Indian Tribes to assist their efforts to reduce fossil fuel emissions and conserve energy. The grants can be used to improve energy efficiency in all sectors of the local economy and for a wide variety of activities, allowing for flexibility to fund projects that best address local conditions and needs. The bill reauthorizes the program to provide $3.5 billion annually from fiscal years 2021 through 2025. In addition, the bill includes several amendments to the program to add the goal of diversifying energy supplies by promoting use of alternative fuels, including funding to deploy infrastructure for delivering electricity and other alternative fuels.

Section 1804 incorporates H.R. 2119, a bill to amend the EPAct05 to reauthorize grants for improving the energy efficiency of public buildings. This legislation amends section 125(c) of EPAct05 to authorize $100 million annually from fiscal years 2021 through 2025. Section 125 established a grant program to provide grants for states to improve the energy efficiency of public build-

ings and facilities. EPAct05 originally authorized the program at $30 million per year.

Section 1805 incorporates H.R. 2044, the "Smart Building Acceleration Act". This legislation requires the Secretary of Energy to conduct a survey of smart buildings across the country and then select at least one building from an appropriate range of building sizes and types to be evaluated for further assessment. The assessment includes an evaluation of which advanced building technologies are the most cost-effective, as well as which show the most promise for decreasing building utility demands and increasing service performance to building occupants. The Secretary of Energy must also establish an initiative to implement smart building technology at one or more buildings under each of several Federal agencies and also evaluate the costs and benefits of these buildings. The legislation also directs the Secretary of Energy, in consultation with private sector property owners, to develop a smart building initiative to demonstrate policies and approaches that facilitate the transition to smart buildings under the umbrella of the DOE Better Buildings Challenge. It further directs the Secretary of Energy to conduct research on eliminating barriers to the integration of advanced building technologies and facilitating the transition to smart buildings. The legislation also requires the Secretary of Energy to provide a report to Congress summarizing findings and providing recommendations to facilitate the transition to smart buildings.

Sections 2101 and 2102 incorporate H.R. 1744, the "Storage Technology for Operational Readiness And Generating Energy Act" or the "S.T.O.R.A.G.E. Act". This legislation establishes a standard under the Public Utility Regulatory Policies Act of 1978 (PURPA) requiring states to consider investing in energy storage systems. It amends PURPA by adding energy storage systems to the list of strategies states should consider when developing energy plans. In particular, states would have to consider requiring that, as part of a supply-side resource planning process, utilities demonstrate that they considered an investment in energy storage systems based on factors such as cost, reliability, security, and system performance and efficiency.

Sections 2121, 2122, and 2123 incorporate H.R. 4447, the "Expanding Access to Sustainable Energy Act of 2019". This legislation requires DOE to provide grants and technical assistance to assist rural electric cooperatives with identifying, evaluating, designing, and demonstrating energy storage and microgrid projects that utilize energy from renewable energy sources.

Section 2201 incorporates H.R. 3361, the "Reliable Investment in Vital Energy Reauthorization Act" or "RIVER Act". This legislation amends section 242 of EPAct05 to reauthorize the hydroelectric production incentives program. Additionally, it reauthorizes the hydroelectric efficiency improvement program in EPAct05 section 243. The hydroelectric production incentives program provides payments to owners or operators of hydroelectric facilities that are added to existing dams or conduits. The hydroelectric efficiency improvement program similarly provides payments, but for the purpose of making changes in a facility that improve its efficiency by three percent or more. The legislation reauthorizes both programs from

fiscal years 2019 through 2036 at the originally authorized level of $10 million each year.

Sections 2301, 2302, 2303, and 2304 incorporate H.R. 5335, the "American Energy Opportunity Act". This legislation establishes a process for expediting and standardizing the permitting process for certain distributed energy systems. It defines such systems as equipment or materials installed in, on, or near a building to support onsite or local energy use, such as solar energy, batteries, and charging systems for electrical vehicles. Specifically, DOE must establish or designate a Distributed Energy Opportunity Board to carry out a program to (1) expedite the process for local permitting and inspection of qualifying distributed energy systems, and (2) facilitate the certification of distributed energy system installers. In addition, DOE must recognize and certify communities as Distributed Energy Opportunity Communities if they adopt and implement a permit-to-build protocol that is established by the board. DOE may award grants to encourage communities to adopt the protocol and standardized inspection processes established by the board.

Section 2401 incorporates H.R. 8165, the "Affordable Solar Energy for Our Communities Act". This legislation establishes a program at DOE to provide grants, rebates, and loans for the planning and construction of solar installations benefitting low-income and underserved areas. It provides assistance for community solar facilities located in underserved areas, solar generating facilities located at low-income households, or solar generating facilities located at federally subsidized multi-family affordable housing complexes. Grants, rebates, and loans are provided for both planning projects and installation projects.

Section 3201 incorporates H.R. 5542, the "Mitigate Methane Now Act". This legislation requires the Secretary of Energy to establish a grant program for States to provide incentives to natural gas distribution companies for the improvement of natural gas distribution systems. The legislation establishes a grant program at DOE for the purposes of improving public safety and the environmental performance of the natural gas distribution system. The bill authorizes grant funding to States for the purposes of offsetting rate increases to low-income households and improving the safety and environmental performance of natural gas distribution systems through incentives for natural gas distribution companies to accelerate, expand, or enhance improvements to the natural gas distribution system. In awarding grants under the program, the agency must prioritize applications that produce quantifiable benefits to public safety, reduce methane emissions, and benefit low-income households, among other factors. The bill authorizes $250 million per year for the program from fiscal years 2021 through 2030.

Section 3301 incorporates H.R. 5454, the "Fairness for Landowners Facing Eminent Domain Act". This legislation addresses the use of eminent domain by the holder of a certificate of public convenience and necessity to acquire land or property with respect to the construction and operation of a natural gas pipeline facility. Specifically, it prohibits the use of eminent domain unless the holder (1) obtains all Federal and state permits required by law for the construction and operation of pipeline facilities, and (2) complies

with all environmental conditions appended to the certificate order. It also suspends eminent domain authority if the holder requests a material amendment to the certificate, or a Federal or State permit held by the holder is vacated or remanded. And the legislation prohibits the use of eminent domain if the pipeline, land, or other property necessary for the construction and operation of the natural gas pipeline is attached to any facility that imports or exports natural gas from or to a foreign country.

Sections 4101, 4102, 4103, and 4104 incorporate H.R. 1760, the "Advanced Nuclear Fuel Availability Act". This legislation directs DOE's Office of Nuclear Energy to develop and deploy high-assay low-enriched uranium for domestic commercial use and to develop a schedule for recovering costs associated with such development.

Section 4301 incorporates H.R. 7141, the "Defending Against Rosatom Exports Act". This legislation extends to 2035 limits set in 1992 on the importation of Russian low-enriched uranium, a fuel for nuclear reactors, and contains other related provisions. It also specifies the maximum amounts of qualifying uranium that may be imported each year for 2021 through 2035. No more than 25 percent of qualifying uranium may be imported each year under a contract other than a contract exclusively for separative work units.

Section 5101 incorporates H.R. 5527, the "21st Century Power Grid Act". This legislation requires the Secretary of Energy to establish a program to provide financial assistance for projects relating to the modernization of the electric grid. Specifically, it requires eligible projects be designed to improve the resiliency, performance, or efficiency of the electric grid, while demonstrating secure integration and management of energy resources, communications interoperability, or information technologies. It also stipulates that each project carried out with financial assistance from the program include a cybersecurity plan to comply with guidelines in accordance with DOE's "DataGuard Energy Data Privacy Program."

Section 5201 incorporates H.R. 2114, the "Enhancing State Energy Security Planning and Emergency Preparedness Act of 2019". This legislation adds a new section to EPCA authorizing a state to use Federal financial assistance received through the State Energy Program (SEP) to implement, revise, and review a State Energy Security Plan. The bill sets out requirements for the contents of the State Energy Security Plan. To be eligible to receive assistance under the SEP, the legislation requires the Governor of a State to submit a plan, a revision to the plan, or a certification that no revisions to the plan are necessary to the Secretary of Energy every year. The provision sunsets in 2024. The legislation also reauthorizes the SEP from fiscal years 2021 through 2025 at $90 million annually.

Sections 5401 and 5402 incorporate H.R. 5541, the "Tribal Power Act". This legislation amends sections 2601 and 2602 of EPAct92, reauthorizing programs to assist consenting Indian Tribes in meeting energy education, planning, and management needs. Congress authorized the establishment of an Indian energy resources development program in EPAct92 and it established an Office of Indian Energy Policy and Programs at DOE in EPAct05. The legislation amends the definition of Indian Land to extend eligibility for grant funding to consenting Alaskan Native Tribes. The bill also provides

DOE's Director of the Office of Indian Energy Policy and Programs the authority to expand programmatic access by 5 reducing applicable cost-share based on criteria such as proven financial need. Finally, the bill reauthorizes the program at $30 million annually from fiscal years 2021 through 2025.

Section 6101 incorporates an updated version of H.R. 1768, the "Diesel Emission Reduction Act of 2019". This section reauthorizes through fiscal year 2025 a diesel emissions reduction program under which EPA provides grants, rebates, or loans for replacing diesel engines or retrofitting the engines with pollution control technologies.

Section 6201 incorporates H.R. 2906, the "Clean Commute for Kids Act of 2019". This legislation amends EPAct05 to reauthorize and update the Clean School Bus Program. The Clean School Bus Program offers competitive grant funding for modernizing school bus fleets. The legislation broadens grant eligibility criteria to include electric vehicles and provides prioritization for applicants seeking to acquire clean school buses with low or zero emissions. H.R. 2906 reauthorizes the Clean School Bus program at $50 million annually from fiscal years 2020 through 2025.

Section 6301 incorporates H.R. 5518, a bill to require the Secretary of Energy to carry out a Clean Cities Coalition Program, and for other purposes. This legislation requires the Secretary of Energy to carry out a Clean Cities Coalition Program. The purpose of the program is to reduce dependence on petroleum fuels through the development of local government-industry partnerships to encourage the use of alternative fuels and vehicles. H.R. 5518 formally authorizes the existing DOE program in law and establishes program elements. The legislation authorizes the program beginning in fiscal year 2020 at $50 million and increases incrementally each year, ultimately reaching $100 million in fiscal year 2024.

Sections 6501, 6502, 6503, 6504, 6505, 6506, 6507, 6508, 6509, 6510, 6511, and 6512 incorporate H.R. 5545, the "New Opportunities to Expand Healthy Air Using Sustainable Transportation Act of 2020", or "NO EXHAUST Act of 2020". This legislation promotes the domestic manufacturing and use of advanced, fuel-efficient vehicles and zero-emission vehicles and encourages electrification of the transportation sector. It establishes a new program to provide rebates for electric vehicle charging stations. It also directs the Secretary of Energy to assess the accessibility of electric vehicle charging infrastructure in urban, underserved communities, and to consider the needs of underserved or disadvantaged communities when implementing programs to expand infrastructure to support clean transportation. The legislation further directs the Secretary to establish or update model building codes to enable greater electric vehicle charging equipment integration. It also amends PURPA section 111(d) to require states consider additional measures that will promote expanded development of electric vehicle charging networks. Additionally, the legislation amends EPCA sections 362 and 365 to authorize funding for the development of State energy transportation and conservation plans. It also amends section 303 of EPAct92 to increase the percentage of alternative fueled vehicles that Federal agencies must acquire and sets minimum requirements for the percentage of alternative fueled vehicles that must

be zero emission vehicles. Additionally, the legislation amends EPCA section 400FF to increase the requirement for Federal use of alternative fuels, and includes a new requirement to reduce Federal fleet greenhouse gas emissions. Further, it amends subtitle B of title VII of EPAct05 to expand eligibility for the domestic manufacturing conversion grant program to include plug-in vehicles. And it amends EISA section 136 to modify the definition of an "advanced technology vehicle" to include ultra-efficient vehicles and light- and medium-duty vehicles that meet specific regulatory emission standards.

Sections 9101, 9102, 9103, 9104, 9105, and 9106 incorporate H.R. 1633, the "Smart Manufacturing Leadership Act". This legislation addresses the productivity and energy efficiency of the manufacturing sector as well as the development of smart manufacturing technologies (certain advanced technologies in information, automation, monitoring, computation, sensing, modeling, and networking). DOE must complete a national plan for smart manufacturing technology development and deployment to improve the productivity and energy efficiency of the U.S. manufacturing sector. DOE must revise the plan biennially to account for advancements in information and communication technology and manufacturing needs. DOE may make grants to states for supporting the implementation of smart manufacturing technologies. States must use those grants to (1) provide access to shared supercomputing facilities to small- and medium-sized manufacturers, (2) fund research and development of transformational manufacturing processes and materials technology that advance smart manufacturing, and (3) provide tools and training to aid the adoption of energy management systems and implement smart manufacturing technologies in the manufacturers' facilities. DOE must expand the scope of technologies covered by Industrial Assessment Centers to (1) include smart manufacturing technologies and practices, and (2) equip the centers' directors with the training and tools necessary to provide technical assistance in smart manufacturing technologies and practices. DOE must (1) study how it can increase access to existing high-performance computing resources in the National Laboratories, and (2) facilitate access to the laboratories by small- and medium-sized manufacturers.

Section 9401 incorporates H.R. 1480, the "Combined Heat and Power Support Act". This legislation redesignates DOE's Clean Energy Application Centers as the CHP Technical Assistance Partnership Program. The program encourages deployment of combined heat and power, heat to power, and efficient district energy technologies. It also provides project specific support to building and industrial professionals through economic and engineering assessments and advisory activities. The legislation reauthorizes the program through fiscal year 2024.

Sections 12101, 12102, 12103, 12111, 12112, and 12113 incorporate H.R. 1315, the "Blue Collar to Green Collar Jobs Act of 2019". This legislation amends section 211 of the Department of Energy Organization Act to rename the Office of Minority Economic Impact as the Office of Economic Impact, Diversity, and Employment. The legislation promotes energy workforce development by creating "a comprehensive nationwide program to improve edu-

cation and training for jobs in energy-related industries." Among other things, it encourages underrepresented groups—including religious and ethnic minorities, women, veterans, individuals with disabilities, socioeconomically disadvantaged individuals, and returning citizens—to enter the science, technology, engineering, and mathematics (STEM) fields. The legislation also requires DOE to provide direct assistance (including financial assistance awards and technical expertise) to educational institutions, local workforce development boards, State workforce development boards, non-profit organizations, labor organizations, and apprenticeship programs. It directs the Secretary of Energy to collaborate with the Secretaries of Labor and Education to develop educational guidelines and conduct outreach to minority-serving educational institutions and displaced and unemployed energy and manufacturing workers. In addition, it establishes a program to provide grants to eligible businesses to pay the eligible wages of new and existing employees receiving training to work in renewable energy, energy efficiency, grid modernization, carbon capture and storage, and fuel cell generation sectors.

Section 12602 incorporates H.R. 1426, the "Timely Review of Infrastructure Act". This legislation amends section 401 of the Department of Energy Organization Act by adding a new subsection (k) at the end. The new subsection grants the Federal Energy Regulatory Commission Chairman additional authority to adjust compensation for a category of employees and other personnel without regard to certain civil service laws. The FERC Chairman must publicly certify that other approaches to retaining and attracting employees are inadequate and that the adjustment to compensation is necessary to carry out the functions of FERC in a timely, efficient, and effective manner. It also requires that the FERC Chairman periodically submit to Congress a report including information related to hiring, vacancies, compensation, and efforts to retain and attract employees.

Section 12603 incorporates H.R. 3240, the "Public Engagement at FERC Act". This legislation amends the section 319 of the Federal Power Act to facilitate communication with the public relating to, and participation by the public in, matters under FERC's jurisdiction. It also requires the Office of Public Participation to advocate for, and act as a liaison with, environmental justice communities on matters under FERC's jurisdiction. Additionally, it specifies that Office funding shall be derived from fees and charges collected under section 3401 of the Omnibus Budget Reconciliation Act of 1986.

Legislative History

On September 20, 2019, H.R. 4447 was introduced by Representative O'Halleran, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was then referred to the Subcommittee on Energy on September 23, 2019.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills, including H.R. 4447. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Offi-

cer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., on behalf of the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., on behalf of the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4447 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 15, 2020, the Committee on Energy and Commerce reported H.R. 4447 to the House, as amended (H. Rept. 116–504), and the bill was placed on the Union Calendar (Calendar No. 404).

On September 24, 2020, the House considered an amended version of H.R. 4447 pursuant to the provisions of H. Res. 1129, that included additional provisions from the following bills referred to the Committee on Energy and Commerce: H.R. 762, the "Streamlining Energy Efficiency for Schools Act", introduced by Representative Cartwright; H.R. 1420, the "Energy Efficient Government Technology Act", introduced by Representative Eshoo; H.R. 5650, the "Federal Energy and Water Management Performance Act of 2020", introduced by Representative Welch; H.R. 3079, the "Energy Savings Through Public-Private Partnerships Act of 2019", introduced by Representative Welch; H.R. 2043, the "HOMES Act", introduced by Representative Welch; H.R. 2041, the "Weatherization Enhancement and Local Energy Efficient Investment and Accountability Act", introduced by Representative Tonko; H.R. 5758, the "Ceiling Fan Improvement Act of 2020", introduced by Representative Guthrie; H.R. 2665, the "Smart Energy and Water Efficiency Act of 2019", introduced by Representative McNerney; H.R. 2088, To amend the Energy Independence and Security Act of 2007 to reauthorize the Energy Efficiency and Conservative Block Grant Program, and for other purposes, introduced by Representative Stanton; H.R. 2119, To amend the Energy Policy Act of 2005 to reauthorize grants for improving the energy efficiency of public buildings, and for other purposes, introduced by Representative Kelly; H.R. 2044, the "Smart Building Acceleration Act", introduced by Representative Welch; H.R. 3962, the "Energy Savings and Industrial Competitiveness Act of 2019," introduced by Representative Welch; H.R. 1744, the "S.T.O.R.A.G.E. Act", introduced by Representative Takano; H.R. 2909, the "Promoting Grid Storage Act of 2019", introduced by Representative Casten; H.R. 5335, the "American Energy Opportunity Act of 2019", introduced by Representative Tonko; H.R. 8165, the "Affordable Solar Energy for Our Communities Act", introduced by Representative Cárdenas; H.R. 3361, the "RIVER Act", introduced by Representative McKinley; H.R. 3432, the "Safer Pipelines Act of 2019", introduced by Representative Rush; H.R. 5542, To require the Secretary of Energy to establish a grant program for States to provide incentives to natural gas distribution companies for the improvement of natural gas distribution systems, and for other purposes, introduced

by Representative Sherrill; H.R. 5454, the "Fairness for Landowners Facing Eminent Domain Act", introduced by Representative Malinowski; H.R. 1760, the "Advanced Nuclear Fuel Availability Act", introduced by Representative Flores; H.R. 3306, the "Nuclear Energy Leadership Act", introduced by Representative Luria (VA–02); H.R. 7141, the "Defending Against Rosatom Exports Act", introduced by Representative Torres Small; H.R. 5527, the "21st Century Power Grid Act", introduced by Representative Sarbanes; H.R. 2114, the "Enhancing State Energy Security Planning and Emergency Preparedness Act of 2019", introduced by Representative Rush; H.R. 5541, the "Tribal Power Act", introduced by Representative O'Halleran; H.R. 1768, the "Diesel Emissions Reduction Act of 2019", introduced by Representative Matsui; H.R. 2906, the "Clean Commute for Kids Act of 2019", introduced by Representative Cárdenas; H.R. 5518, a bill to require the Secretary of Energy to carry out a Clean Cities Coalition Program, and for other purposes, introduced by Representative McEachin; H.R. 5545, the "NO EXHAUST Act of 2020", introduced by Representative Rush; H.R. 1480, the "CHP Support Act", introduced by Representative Welch; H.R. 1315, the "Blue Collar to Green Collar Jobs Development Act of 2019", introduced by Representative Rush; H.R. 347, the "Responsible Disposal Reauthorization Act of 2019", introduced by Representative Tipton; H.R. 1426, the "Timely Review of Infrastructure Act", introduced by Representative Olson; H.R. 3420, the "Federal Law Enforcement and Public Protection Act" introduced by Representative DeSaulnier (CA–11); H.R. 1633, the "Smart Manufacturing Leadership Act", introduced by Representative Welch; and H.R. 4447, the "Expanding Access to Sustainable Energy Act of 2019", introduced by Representative O'Halleran.

On September 24, 2020, the House passed H.R. 4447, as amended, by a recorded vote of 220 yeas and 185 nays (Roll Call No. 206).

On October 19, 2020, H.R. 4447 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 4447 in the 116th Congress.

To Require the Secretary of Energy to Carry Out a Clean Cities Coalition Program, and for Other Purposes

H.R. 5518

To require the Secretary of Energy to carry out a Clean Cities Coalition Program, and for other purposes.

Summary

This legislation would authorize in law DOE's Clean Cities Coalition Program. DOE created the Clean Cities Coalition Program in the early 1990s based upon authorities in the Energy Policy Act of 1992 (EPAct92). The purpose of the program is to reduce dependence on petroleum fuels through the development of local government-industry partnerships to encourage the use of alternative fuels and vehicles.

H.R. 5518 directs the Secretary to carry out the program and establishes program elements. The legislation authorizes the program beginning in fiscal year 2020 at $50 million and increases the level

incrementally each year, ultimately reaching $100 million in fiscal year 2024.

Legislative History

On December 19, 2019, H.R. 5518 was introduced by Representative McEachin, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on December 20, 2019.

On January 9, 2020, the Subcommittee on Energy met in open markup session and considered H.R. 5518, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

There was no further action on H.R. 5518 in the 116th Congress.

21ST CENTURY POWER GRID ACT

H.R. 5527

To require the Secretary of Energy to establish a program to provide financial assistance for projects relating to the modernization of the electric grid, and for other purposes.

Summary

This legislation would require the Secretary of Energy to establish a program to provide financial assistance for projects relating to the modernization of the electric grid. The bill requires that eligible projects be designed to improve the resiliency, performance, or efficiency of the electric grid, while demonstrating secure integration and management of energy resources, communications interoperability, or information technologies. The bill also stipulates that each project carried out with financial assistance from the program include a cybersecurity plan to comply with guidelines in accordance with DOE's "DataGuard Energy Data Privacy Program."

Legislative History

On December 19, 2019, H.R. 5527 was introduced by Representative Sarbanes, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on December 20, 2019.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 5527, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

There was no further action on H.R. 5527 in the 116th Congress.

TRIBAL POWER ACT

H.R. 5541

To amend the Energy Policy Act of 1992 to reauthorize programs to assist consenting Indian Tribes in meeting energy education, planning, and management needs, and for other purposes.

Summary

This legislation would amend sections 2601 and 2602 of EPAct92, reauthorizing programs to assist consenting Indian Tribes in meeting energy education, planning, and management needs. The legislation amends the definition of Indian Land to extend eligibility for grant funding to consenting Alaskan Native Tribes. The bill also provides DOE's Director of the Office of Indian Energy Policy and Programs the authority to expand programmatic access by reducing applicable cost-share based on criteria such as proven financial need. Finally, the bill authorizes the programs at $30 million annually from fiscal year 2021 through 2025.

Legislative History

On January 7, 2020, H.R. 5541 was introduced by Representative O'Halleran and referred to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on January 8, 2020.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 5541, and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in open markup session to consider H.R. 5541, and ordered the bill reported favorably to the House, amended, by a voice vote.

On December 8, 2020, the Committee on Energy and Commerce reported H.R. 5541 to the House, as amended (H. Rept. 116–625).

On December 9, 2020, the House considered H.R. 5541 under a motion to suspend the Rules and, passed the bill, as amended, by a voice vote.

There was no further action on H.R. 5541 in the 116th Congress.

To Require the Secretary of Energy to Establish a Grant Program for States to Provide Incentives to Natural Gas Distribution Companies for the Improvement of Natural Gas Distribution Systems, and for Other Purposes

H.R. 5542

To require the Secretary of Energy to establish a grant program for States to provide incentives to natural gas distribution companies for the improvement of natural gas distribution systems, and for other purposes.

Summary

This legislation would require the Secretary of Energy to establish a grant program for States to provide incentives to natural gas distribution companies for the improvement of natural gas distribution systems.

The legislation establishes a grant program at DOE for the purposes of improving public safety and the environmental performance of the natural gas distribution system. The bill authorizes grant funding to States for the purposes of offsetting rate increases to low-income households and improving the safety and environmental performance of natural gas distribution systems through in-

centives for natural gas distribution companies to accelerate, expand, or enhance improvements to the natural gas distribution system. In awarding grants under the program, the agency must prioritize applications that produce quantifiable benefits to public safety, reduce methane emissions, and benefit low-income households, among other factors. The bill authorizes $250 million per year for the program from fiscal years 2021 through 2030.

Legislative History

On January 7, 2020, H.R. 5542 was introduced by Representative Sherrill and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on January 8, 2020.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 5542 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

No further action was taken on H.R. 5542 in the 116th Congress.

NO EXHAUST ACT OF 2020

H.R. 5545

To promote the domestic manufacture and use of advanced, fuel efficient vehicles and zero emission vehicles, encourage electrification of the transportation sector, create jobs, and improve air quality, and for other purposes.

Summary

This legislation would promote the domestic manufacture and use of advanced, fuel-efficient vehicles and zero-emission vehicles, encourage electrification of the transportation sector, create jobs, and improve air quality. The legislation seeks to expand access to electric vehicle charging infrastructure in several ways.

The legislation establishes a new program to provide rebates to offset the cost of purchasing and installing new electric vehicle charging stations. The bill authorizes $100 million annually for the program from fiscal years 2021 through 2030. H.R. 5545 also directs the Secretary of Energy to assess the availability, opportunity, and barriers to providing access to electric vehicle charging infrastructure in urban, underserved communities. It also directs the Secretary of Energy to consider the needs of underserved or disadvantaged communities when implementing programs intended to expand infrastructure to support clean transportation. The bill further directs the Secretary of Energy to establish or update model building codes to enable greater integration of electric vehicle charging equipment into buildings. It also amends section 111(d) of the Public Utility Regulatory Policies Act of 1978 to require States to consider additional measures that will promote expanded development of electric vehicle charging networks.

Additionally, H.R. 5545 amends sections 362 and 365 of the Energy Policy and Conservation Act to authorize funding for the development of State energy transportation and conservation plans. The bill authorizes $100 million for State energy conservation plans from FY 2021–2025, increasing to $125 million from fiscal

years 2026 through 2030. The bill also authorizes $25 million each year for State energy transportation plans from fiscal years 2021 through 2025, increasing to $35 million from fiscal years 2026 through 2030.

The bill amends several provisions related to Federal fleets. It amends section 303 of EPAct92 to increase the percentage of alternative fueled vehicles that Federal agencies must acquire and sets minimum requirements for the percentage of alternative fueled vehicles that must be zero emission vehicles. It also amends section 400FF of the Energy Policy and Conservation Act to increase the requirement for Federal use of alternative fuels and includes a new requirement to reduce Federal fleet greenhouse gas emissions.

The bill amends subtitle B of title VII of the Energy Policy Act of 2005 to expand eligibility for the domestic manufacturing conversion grant program to include plug-in vehicles, and sets priorities for awards to manufacturing facilities that have recently ceased operations or are scheduled to do so in the near term. The legislation contains provisions requiring grant applicants to provide written assurance that laborers will be paid prevailing wages for work on relevant projects receiving Federal funding. The bill also amends section 136 of the Energy Independence and Security Act of 2007 to modify the definition of an "advanced technology vehicle" to include ultra-efficient vehicles and light- and medium-duty vehicles that meet specific regulatory emission standards. The legislation authorizes $2.5 billion for the grant program annually from fiscal years 2021 through 2030.

Legislative History

On January 7, 2020, H.R. 5545 was introduced by Representative Rush and referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Reform. The bill was subsequently referred to the Subcommittee on Energy on January 8, 2020.

On January 9, 2020, the Subcommittee on Energy met in open markup session to consider H.R. 5545 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

No further action was taken on H.R. 5545 in the 116th Congress.

FEDERAL ENERGY AND WATER MANAGEMENT PERFORMANCE ACT OF 2020

H.R. 5650

To amend the National Energy Conservation Policy Act to improve Federal energy and water performance requirements for Federal buildings and establish a Federal Energy Management Program.

Summary

H.R. 5650 amends the National Energy Conservation Policy Act to direct the head of each Federal agency to reduce each year (through 2030) average building energy intensity by 2.5 percent relative to their respective energy intensities in 2018. Additionally, each agency head must improve water use efficiency and manage-

ment through a number of prescribed actions. These actions include reducing potable water consumption; lowering industrial, landscaping, and agricultural water consumption; and installing infrastructure features on federally-owned properties to improve stormwater and wastewater management.

The bill also establishes in law the Federal Energy Management Program to facilitate the implementation of cost-effective energy and water management and energy-related investment practices. The program, which would bear responsibility for monitoring and implementing Federal efficiency standards, provides strategic planning and technical assistance, establishes best practices, maintains information resources and tools, and recognizes efficiency achievements. The program would also be responsible for providing accredited training as well as guidance with portfolio-wide planning and project integration. The bill authorizes $36 million annually from fiscal years 2020 through 2024 for this program.

Legislative History

On January 16, 2020, H.R. 5650 was introduced by Representative Welch and referred to the Committee on Energy and Commerce.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills intended to improve energy efficiency and storage, including H.R. 5650. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Officer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., *on behalf of* the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

No further action was taken on H.R. 5650 in the 116th Congress.

CEILING FAN IMPROVEMENT ACT OF 2020

H.R. 5758

To amend the Energy Policy and Conservation Act to make technical corrections to the energy conservation standard for ceiling fans, and for other purposes.

Summary

This legislation would amend the Energy Policy and Conservation Act to make technical corrections to the energy conservation standard for large-diameter ceiling fans. DOE issued a final rule in January 2017 setting energy efficiency standards for ceiling fans with a compliance date of January 2020. The bill amends the final rule to adjust compliance requirements related to total airflow, and power consumption for large-diameter ceiling fans.

Legislative History

On February 5, 2020, H.R. 5758 was introduced by Representative Guthrie and referred to the Committee on Energy and Com-

merce. The bill was subsequently referred to the Subcommittee on Energy on February 6, 2020.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills, including H.R. 5758. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Officer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., *on behalf of* the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

The Committee on Energy and Commerce met in virtual open markup session on June 15, 2020 to consider H.R. 5758 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On December 8, 2020, the Committee on Energy and Commerce reported H.R. 5758 to the House, without amendment (H. Rept. 116–626) and the bill was placed on the Union Calendar (Calendar No. 511).

On December 9, 2020, the House considered H.R. 5758 under a motion to suspend the Rules and passed the bill by a recorded vote of 396 yeas and 2 nays (Roll no. 241).

No further action was taken on H.R. 5758 in the 116th Congress.

DEPARTMENT OF ENERGY ORGANIZATION AND MANAGEMENT IMPROVEMENT ACT

H.R. 8159

To require the Secretary of Energy to review and report periodically on measures and recommendations to improve general management of the Department of Energy, to implement reforms to ensure continuous improvement in such management, and for other purposes.

Summary

This legislation requires the Secretary of Energy to review and report periodically on measures and recommendations to improve general management of DOE, and to implement reforms to ensure continuous improvement in management.

The bill requires the Secretary to submit a report every two years containing an evaluation of the general management of DOE, a description of impediments to effective DOE management, recommendations to improve DOE management, a strategic plan for continuous improvement of DOE management, and an evaluation of the status of DOE departmental management improvement. It further requires the Secretary to submit a report describing the status of all orders issued by DOE relating to management of the Department and a schedule for updating these orders to ensure effective management of the Department.

The bill amends section 3220 of the National Nuclear Security Administration Act, which delineates the status of National Nu-

clear Security Administration (NNSA) personnel and independent contract personnel employed by or contracting with NNSA. The bill clarifies that NNSA officers and employees shall be responsible to and subject to the authority, direction, and control of the Secretary of Energy. It further strikes a provision from section 3220 barring DOE personnel other than the Secretary from exercising authority, direction, or control over personnel employed by or contracting with NNSA.

Legislative History

On September 4, 2020, H.R. 8159 was introduced by Representative Walden and referred to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services. The bill was subsequently referred to the Subcommittee on Energy on September 8, 2020.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 8159 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

There was no further action on H.R. 8159 in the 116th Congress.

OVERSIGHT ACTIVITIES

WASTED ENERGY: DOE'S INACTION ON EFFICIENCY STANDARDS AND ITS IMPACT ON CONSUMERS AND THE CLIMATE

On March 7, 2019, the Subcommittee on Energy held a hearing entitled "Wasted Energy: DOE's Inaction on Efficiency Standards and Its Impact on Consumers and the Climate." The purpose of this hearing was to discuss the Department of Energy's delay of appliance energy efficiency standards and its illegal refusal to publish Final Energy Conservation Standards required by law. The witnesses included the Honorable Daniel Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy; Katherine Kennedy, Senior Director, Climate & Clean Energy Program, Natural Resources Defense Council; Andrew deLaski, Executive Director, Appliance Standards Awareness Project, American Council for an Energy Efficient Economy; Charles Harak, Senior Attorney, Energy and Utility Issues, National Consumer Law Center; David Friedman, Vice President, Advocacy, Consumer Reports; Joseph M. McGuire, President and CEO, Association of Home Appliance Manufacturers; and Stephen Yurek, President and CEO, Air-Conditioning, Heating, and Refrigeration Institute.

THE STATE OF PIPELINE SAFETY AND SECURITY IN AMERICA

On May 1, 2019, the Subcommittee on Energy held a hearing entitled "The State of Pipeline Safety and Security in America." The purpose of this hearing was to perform oversight of the regulatory activities of the Pipeline and Hazardous Materials Safety Administration. The witnesses included the Honorable Howard R. "Skip" Elliott, Administrator, Pipeline and Hazardous Materials Safety Administration; William Russell, Acting Director, Government Accountability Office (GAO); Lawrence Friedeman, Commissioner,

Public Utilities Commission of Ohio; Andrew J. Black, President and CEO, Association of Oil Pipelines; Carl Weimer, Executive Director, The Pipeline Safety Trust; and Christina Sames, Vice President, Operations & Engineering, American Gas Association.

THE FISCAL YEAR 2020 DOE BUDGET

On May 9, 2019, the Subcommittee on Energy held a hearing entitled "The Fiscal Year 2020 DOE Budget." The purpose of this hearing was to analyze the DOE's fiscal year 2020 budget. The witnesses included the Honorable Rick Perry, Secretary, U.S. Department of Energy.

OVERSIGHT OF FERC: ENSURING ITS ACTIONS BENEFIT CONSUMERS AND THE ENVIRONMENT

On June 12, 2019, the Subcommittee on Energy held a hearing entitled "Oversight of FERC: Ensuring Its Actions Benefit Consumers and the Environment." The purpose of this hearing was to review the state of the Federal Energy Regulatory Commission. The witnesses included the Honorable Neil Chatterjee, Chairman, Federal Energy Regulatory Commission; the Honorable Cheryl A. LaFleur, Commissioner, Federal Energy Regulatory Commission; the Honorable Richard Glick, Commissioner, Federal Energy Regulatory Commission; and the Honorable Bernard L. McNamee, Commissioner, Federal Energy Regulatory Commission.

KEEPING THE LIGHTS ON: ADDRESSING CYBER THREATS TO THE GRID

On July 12, 2019, the Subcommittee on Energy held a hearing entitled "Keeping the Lights On: Addressing Cyber Threats to the Grid." The purpose of this hearing was to review the progress of DOE's Office of Cybersecurity, Energy Security, and Emergency Response. The witnesses included the Honorable Karen S. Evans, Assistant Secretary, Office of Cybersecurity, Energy Security, and Emergency Response, U.S. Department of Energy; J. Andrew Dodge, Sr., Director, Office of Electric Reliability, Federal Energy Regulatory Commission; and Jim Robb, President and CEO, North American Electric Reliability Corporation.

BUILDING A 100 PERCENT CLEAN ECONOMY: SOLUTIONS FOR THE U.S. BUILDING SECTOR

On September 20, 2019, the Subcommittee on Energy held a hearing entitled "Building a 100 Percent Clean Economy: Solutions for the U.S. Building Sector." The purpose of this hearing was to discuss paths to decarbonizing the U.S. building sector. The witnesses included Carl Elefante, FAIA, 2018 AIA President, the American Institute of Architects; Elizabeth Beardsley, Senior Policy Counsel, U.S. Green Building Council; Steven Nadel, Executive Director, American Council for an Energy-Efficient Economy; Timothy Keane, International Vice President at Large, International Association of Heat and Frost Insulators and Allied Workers; Curtis J. Zimmermann, Ph.D., Manager, Government Liaison, BASF Corporation; and Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders.

BUILDING A 100 PERCENT CLEAN ECONOMY: SOLUTIONS FOR THE U.S. POWER SECTOR

On October 30, 2019, the Subcommittee on Energy held a hearing entitled "Building a 100 Percent Clean Economy: Solutions for the U.S. Power Sector." The purpose of this hearing was to discuss how to achieve net zero greenhouse gas pollution within the power sector. The witnesses included Ralph Izzo, Chairman, President & CEO, Public Service Enterprise Group Incorporated; Lee Anderson, Government Affairs Director, Utility Workers Union of America, AFL CIO; Karen Palmer, Senior Fellow and Director, Future of Power Initiative, Resources for the Future; Jeff Dennis, General Counsel and Managing Director, Advanced Energy Economy; Jim Matheson, Chief Executive Officer, National Rural Electric Cooperative Association; and John Bear, Chief Executive Officer, Midcontinent Independent System Operator, Inc.

OUT OF CONTROL: THE IMPACT OF WILDFIRES ON OUR POWER SECTOR AND THE ENVIRONMENT

On January 28, 2020, the Subcommittee on Energy and the Subcommittee on Environment and Climate Change held a hearing entitled "Out of Control: The Impact of Wildfires on our Power Sector and the Environment." The purpose of this hearing was to assess the environmental impacts of wildfires, and examine the energy and infrastructure needs and upgrades necessary to prevent future wildfires and ensure reliable electricity delivery. The witnesses included William Johnson, CEO and President, PG&E Corporation; John MacWilliams, Senior Fellow, Center on Global Energy Policy, Columbia University; Anthony S. Davis, Ph.D., Interim Dean, College of Forestry, Oregon State University; Brandon M. Collins, Ph.D., Research Scientist, The Center for Fire Research and Outreach, Berkeley Forests, University of California, Berkeley; and David Markham, President and CEO, Central Electric Cooperative, Inc.

MODERNIZING THE NATURAL GAS ACT TO ENSURE IT WORKS FOR EVERYONE

On February 5, 2020, the Subcommittee on Energy held a hearing entitled "Modernizing the Natural Gas Act to Ensure it Works for Everyone." The purpose of this hearing was to review FERC's implementation of the Natural Gas Act and assess whether it is truly serving the needs and interests of all Americans. The witnesses included the Honorable Cheryl LaFleur, Former Chairman, Federal Energy Regulatory Commission; Susan Tierney, Senior Advisor, Analysis Group, Inc.; Richard Worsinger, Treasurer, Board of Directors, American Public Gas Association; Michael E. McMahon, Senior Vice President, General Counsel and Secretary, Boardwalk Pipelines, LP, *on behalf of* the Interstate Natural Gas Association of America; N. Jonathan Peress, Senior Director, Energy Markets and Utility Regulation, Environmental Defense Fund; Jennifer Danis, Staff Attorney, Environmental Law Clinic, Columbia University School of Law; Maya van Rossum, Leader, Delaware Riverkeeper Network; David Bookbinder, Chief Counsel, Niskanen Center; David Mallino, Legislative and Political Director, Laborers

International Union of North America; and Gene Barr, President and CEO, Pennsylvania Chamber of Business and Industry.

BUILDING A 100 PERCENT CLEAN ECONOMY: ADVANCED NUCLEAR TECHNOLOGY'S ROLE IN A DECARBONIZED FUTURE

On March 3, 2020, the Subcommittee on Energy held a hearing entitled "Building a 100 Percent Clean Economy: Advanced Nuclear Technology's Role in a Decarbonized Future." The purpose of this hearing was to discuss the state of advancements in nuclear technology and identify how such technologies can aid efforts to combat the climate crisis. The witnesses included Maria Korsnick, President and Chief Executive Officer, Nuclear Energy Institute; Armond Cohen, Executive Director, Clean Air Task Force; Joseph Hezir, Principal, Energy Futures Initiative; the Honorable Jeffrey S. Merrifield, Chairman, Advanced Reactor Task Force, U.S. Nuclear Industry Council; John L. Hopkins, Chairman and Chief Executive Officer, NuScale Power, LLC; and Chris Levesque, President and Chief Executive Officer, TerraPower, LLC.

REVIVING OUR ECONOMY: COVID–19'S IMPACT ON THE ENERGY SECTOR

On June 16, 2020, the Subcommittee on Energy held a hearing entitled "Reviving Our Nation's Economy: COVID–19's Impact on the Energy Sector." The purpose of this hearing was to examine the widespread effects of the COVID–19 pandemic, the resulting economic downturn in the energy sector, and paths to recovery. The witnesses included the Honorable Ernest J. Moniz, President and Chief Executive Officer, Energy Futures Initiative, Former Secretary, U.S. Department of Energy; Gregory Wetstone, President and Chief Executive Officer, American Council on Renewable Energy; and Rich Powell, Executive Director, ClearPath.

OVERSIGHT OF DOE DURING THE COVID–19 PANDEMIC

On July 14, 2020, the Subcommittee on Energy held a hearing entitled "Oversight of DOE During the COVID–19 Pandemic." The purpose of this hearing was to discuss the DOE's COVID–19 pandemic response, the pandemic's effects on the energy sector, the Department's 2021 Fiscal Year budget, and other energy matters. The witnesses included the Honorable Dan Brouillette, Secretary, U.S. Department of Energy.

GENERATING EQUITY: IMPROVING CLEAN ENERGY ACCESS AND AFFORDABILITY

On October 1, 2020, the Subcommittee on Energy held a hearing entitled "Generating Equity: Improving Clean Energy Access and Affordability." The purpose of this hearing was to discuss the clean energy access challenges and energy burdens that low-income communities and communities of color face. The witnesses included Ariel Drehobl, Senior Research Associate, Local Policy, American Council for an Energy-Efficient Economy; Tony G. Reames, Ph.D., Assistant Professor, School for Environment and Sustainability, University of Michigan; Robert Bryce, Visiting Fellow, The Founda-

tion for Research on Equal Opportunity; and Alexandra M. Wyatt, Policy and Regulatory Manager, GRID Alternatives.

SUBCOMMITTEE ON ENVIRONMENT AND CLIMATE CHANGE

LEGISLATIVE ACTIVITIES

CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM EXTENSION ACT

PUBLIC LAW 116–2 (H.R. 251)

To extend by 15 months the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

Summary

This legislation extends the Department of Homeland Security's Chemical Facility Anti-Terrorism Standards Program by 15 months.

Legislative History

On January 18, 2019, H.R. 251 was introduced by Representative Thompson (MS–02) and referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce.

On January 8, 2019, the House considered H.R. 251 under a motion to suspend the Rules and passed the bill, without amendment, by a recorded vote of 414 yeas and 3 nays (Roll no. 14).

On January 9, 2019, the Senate received H.R. 251, read the first time, and placed on the Senate Legislative Calendar under Read the First Time. The Senate read the bill a second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 8).

On January 16, 2019, H.R. 251 passed the Senate, amended, by unanimous consent.

On January 17, 2019, the House agreed to the Senate amendment to H.R. 251 under a motion to suspend the Rules by a voice vote.

On January 18, 2019, the President signed H.R. 251 into law (Public Law 116–2).

ALASKA REMOTE GENERATOR RELIABILITY AND PROTECTION ACT

PUBLIC LAW 116–62 (S. 163, H.R. 422)

To prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes.

Summary

This legislation directs the Environmental Protection Agency to revise certain regulations regarding particulate matter emissions

standards for nonemergency stationary diesel engines in remote areas of Alaska. The EPA Administrator, in consultation with the Secretary of Energy, must submit a report to Congress assessing options for assisting remote areas of Alaska in meeting specified energy needs.

Legislative History

On January 9, 2019, H.R. 422 was introduced by Representative Young (AK–00) and referred to the Committee on Energy and Commerce.

The Senate companion bill, S. 163, passed the Senate without amendment by unanimous consent on May 20, 2019.

On May 21, 2019, S. 163 was received in the House and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 22, 2019. On September 17, 2019, the House passed S. 163 by unanimous consent.

On October 4, 2019, the President signed S. 163 into law (Public Law 116–62).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020

PUBLIC LAW 116–92 (S. 1790, H.R. 2500, H.R. 535, H.R. 2377)

To authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Summary

Section 332 incorporates H.R. 2626, the "PFAS Accountability Act of 2019". This legislation requires the Department of Defense to enter into cooperative agreements for the cleanup of per- and polyfluoroalkyl substances (PFAS).

Section 7321 incorporates H.R. 2577, the "PFAS Right-To-Know Act". This legislation amends section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA) to include per- and polyfluoroalkyl substances on the Toxics Release Inventory.

Section 7351 incorporates a part of H.R. 2600, the "Toxic PFAS Control Act". This legislation amends section 8(a) of the Toxic Substances Control Act (TSCA) to require any person who has manufactured a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance since January 1, 2011, to submit to the Administrator of the EPA a report.

Legislative History

On May 2, 2019, H.R. 2500 was introduced by Representative Smith (WA–09) and referred to the Committee on Armed Services.

On July 11, 2011, H.R. 2500 was considered in the House pursuant to the provisions of H. Res. 476 and the bill passed by a recorded vote of 220 yeas and 197 nays (Roll No. 473).

On September 29, 2019, H.R. 2500 was received in the Senate. On August 11, 2020, H.R. 2500 was read twice in the Senate and

placed on the Senate Legislative Calendar under General Orders (Calendar No. 512).

No further action was taken on H.R. 2500 in the 116th Congress.

On June 11, 2019, S. 1790, "the National Defense Authorization Act for Fiscal Year 2020", was introduced by Senator Inhofe (OK).

On June 27, 2019, the Senate considered S. 1790 and the bill passed with an amendment by recorded vote of 86 yeas and 8 nays (Record Vote Number: 188).

On July 2, 2019, S. 1790 was received by the House and held at the desk. On September 12, 2019, the House returned papers to the Senate in compliance with a request of the Senate for the return thereof.

On September 12, 2019, the Senate passed S. 1790 with an amendment by unanimous consent. On September 16, 2019, S. 1760 was received by the House and held at the desk.

On September 17, 2019, the House considered S. 1790 and passed the bill with an amendment by unanimous consent. On that same day, the House insisted on its amendment and requested a conference with the Senate by unanimous consent.

On September 17, 2019, the Speaker appointed conferees. From the Committee on Energy and Commerce, the Speaker appointed Representatives Pallone, Tonko, and Upton for consideration of secs. 214, 315, 318, 703, 3112, 3113, 3201–03, 5318, 6001, 6006, 6021, 6701, 6711, 6721–24, 6741, 6742, 6751–54, 8101, 8202, 10421, 10422, and 10742 of the Senate bill, secs. 315, 330F, 330H, 330O, 606, 737, 3111, 3112, 3127, 3128, 3201, and 3202 of the House amendment, and modifications committed to conference.

On September 18, 2019, the Senate disagreed to the amendment of the House to the Senate bill, agreed to request a conference, and authorized the Presiding Officer to appoint conferees. On that same day, the Senate appointed the following conferees: Senators Inhofe, Wicker, Fischer, Cotton, Rounds, Ernst, Tillis, Sullivan, Perdue, Cramer, McSally, Scott, Blackburn, Hawley, Reed, Shaheen, Gillibrand, Blumenthal, Hirono, Kaine, King, Heinrich, Warren, Peters, Manchin, Duckworth, and Jones.

The conference report (H. Rept. 116–333) was filed on December 9, 2019.

On December 11, 2019, the House considered the conference report in the House pursuant to H. Res. 758 and the report was agreed to by a recorded vote of 377 yeas and 48 nays (Roll No. 672). On December 17, 2019, the Senate considered the conference report and agreed to the bill by a recorded vote of 86 yeas and 8 nays (Record Vote Number: 400).

On December 20, 2019, the President signed S. 1790 into law (Public Law 166–92).

On January 14, 2019, H.R. 535, the PFAS Action Act of 2019, was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, in addition to the Committee on Transportation and Infrastructure. H.R. 535 was referred to the Subcommittee on Environment and Climate Change on January 25, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 535. The witnesses included Erik D. Olson, Health Program Director, Nat-

ural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in an open markup session to consider H.R. 535 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 535 and ordered the bill reported favorably to the House, amended, by a recorded vote of 31 yeas and 19 nays.

On January 2, 2020, the Committee on Energy and Commerce reported H.R. 535 to the House, amended (H. Rept. 116–364), and the bill was placed on the Union Calendar (Calendar No. 289).

On January 10, 2020, the House considered H.R. 535 pursuant to the provisions of H. Res. 779 and passed the bill, amended, by a reported vote of 247 yeas to 159 nays (Roll No. 13).

On January 13, 2020, H.R. 535 was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

No further action was taken on H.R. 535 in the 116th Congress.

On April 29, 2019, H.R. 2377, the Protecting Drinking Water from PFAS Act of 2019, was introduced by Representative Boyle (PA–02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 30, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2377. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2377 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2377 in the 116th Congress.

On May 9, 2019, H.R. 2626 was introduced by Representative Upton and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources. The bill was subsequently re-

ferred to the Subcommittee on Environment and Climate Change on May 10, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2626. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2626 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2626 in the 116th Congress.

Provisions from H.R. 535, 2377, 2626 were incorporated into S. 1790.

TO REAUTHORIZE THE WEST VALLEY DEMONSTRATION PROJECT, AND FOR OTHER PURPOSES

PUBLIC LAW 116–95 (H.R. 1138)

To reauthorize the West Valley demonstration project, and for other purposes.

Summary

This legislation amends the West Valley Demonstration Project Act to authorize $75,000,000 for the West Valley Demonstration Project for each of the fiscal years 2017 through 2026. Additionally, the bill designates all the radioactive waste at the high-level radioactive waste management demonstration project at the Western New York Nuclear Service Center in West Valley, New York as waste resulting from atomic energy defense activities.

Legislative History

On February 11, 2019, H.R. 1138 was introduced by Representative Reed (NY 23) and referred to the Committee on Energy and Commerce. On February 12, 2019 it was referred to the Subcommittee on Energy.

On March 5, 2019, the House considered H.R. 1138 under a motion to suspend the Rules and passed the bill by a voice vote.

On March 6, 2019, H.R. 1138 was received in the Senate, read twice, and referred to the Senate Committee on Energy and Natural Resources. On August 16, 2019, H.R. 1138 was placed on the Senate Legislative Calendar under General Order (Calendar No. 171).

On December 2, 2019, the Senate considered H.R. 1138 and passed the bill, without amendment, by unanimous consent.

On December 20, 2019, the President sign H.R. 1138 into law (Public Law 116–95).

A BILL TO EXTEND THE CHEMICAL FACILITY ANTI TERRORISM STANDARDS

PUBLIC LAW 116–150 (S. 4148, H.R. 3256, H.R. 6160)

To extend the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

Summary

This legislation extends the Department of Homeland Security's Chemical Facility Anti-Terrorism Standards Program until July 17, 2023.

Legislative History

On June 13, 2019, H.R. 3256, the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2019, was introduced by Representative Richmond (LA–02) and referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change. On September 11, 2019, the Subcommittee on Environment and Climate Change held a legislative hearing on H.R. 3256. The witnesses included David Wulf, Acting Deputy Assistant Secretary for Infrastructure Protection, Department of Homeland Security; Matthew Fridley, Corporate Manager of Safety, Health, and Security, Brenntag North America, Inc., *on behalf of* the National Association of Chemical Distributors; Michele Roberts, National Co-Coordinator, Environmental Justice Health Alliance (EJHA); John Paul Smith, Legislative Representative, United Steelworkers (USW); and Scott Whelchel, Chief Security Officer and Global Director of Emergency Services and Security, Dow, *on behalf of* the American Chemistry Council.

On September 21, 2020, H.R. 3256 was placed on the Union Calendar (Calendar No. 427) after the Committee on Homeland Security reported the bill to the House.

No further action was taken on H.R. 3256 in the 116th Congress.

On March 9, 2020, H.R. 6160, To extend the chemical facility anti-terrorism standards program of the Department of Homeland Security was introduced by Representative Thompson (MS–02) and referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce.

On March 14, 2020, the House considered H.R. 6160 and passed the bill, without amendment, by unanimous consent. The Senate received H.R. 6160 on March 16, 2020.

No further action was taken on H.R. 6160 in the 116th Congress.

On July 1, 2020, a Senate companion bill, S. 4148, was introduced by Senator Johnson (WI). On that same day, the Senate considered S. 4148 and passed the bill, without amendment, by unanimous consent.

On July 6, 2020, S. 4148 was received by the House and held at the desk. On July 20, 2020, the House considered S. 4148 and passed the bill, without amendment, by unanimous consent.

On July 22, 2020, the President signed S. 4148 into law (Public Law No. 116–150).

THE CONSOLIDATED APPROPRIATIONS ACT, 2021

PUBLIC LAW 116–__ (H.R. 133, H.R. 1768, H.R. 1166, H.R. 5544)

Making consolidated appropriations for the fiscal year ending September 30, 2021, providing coronavirus emergency response and relief, and for other purposes.

Summary

Section 101 of division S incorporates H.R. 1768, the "Diesel Emission Reduction Act of 2019." This section reauthorizes through fiscal year 2024 a diesel emissions reduction program under which EPA provides grants, rebates, or loans for replacing diesel engines or retrofitting the engines with pollution control technologies.

Section 102 of division S incorporates an updated version of H.R. 1166, the "Utilizing Significant Emissions with Innovative Technologies Act" or "USE IT Act". This section authorizes EPA to establish a competitive prize program that awards funds to direct air capture research projects to reduce CO_2 from stationary sources. It also establishes a Direct Air Capture Technology Advisory Board of experts to advise the Administrator. Additionally, it directs the Secretary of Energy to establish a research, development, and demonstration program for carbon utilization to identify and evaluate novel uses for carbon. The legislation directs the National Academies to conduct a study examining the barriers and opportunities related to commercial application of CO_2. It also amends the Fixing America's Surface Transportation (FAST) Act to clarify that "covered projects" include carbon capture, utilization, and sequestration (CCUS) projects and CO_2 pipelines. Further, it directs the Chair of the Council on Environmental Quality (CEQ) to prepare a report evaluating the state of the industry for CCUS projects and CO_2 pipelines, and submit guidance to all relevant agencies to support their efficient, orderly and responsible development. Such guidance should address protections afforded by longstanding environmental laws. Finally, the provision directs the CEQ Chair to establish at least two regional task forces to identify successes and challenges faced by developers and operators of CCUS projects and CO_2 pipelines, and make recommendations to improve the permitting and regional coordination for efficient, orderly, and responsible development of such projects.

Section 103 of division S incorporates H.R. 5544, the "American Innovation and Manufacturing Leadership Act". This legislation directs EPA to implement an allowance allocation and trading program to phase down the production and consumption of hydrofluorocarbons (HFCs) by 85 percent over 15 years.

Legislative History

On January 3, 2019, H.R. 133, the "United States-Mexico Economic Partnership Act", was introduced by Representative Cuellar and referred to the Committee on Foreign Affairs. On January 10, 2019, the House considered H.R. 133 under a motion to suspend the Rules and passed H.R. 133 by a voice vote. On January 15, 2020, the Senate passed H.R. 133, amended, by unanimous consent.

On December 21, 2020, the House passed an amendment to the Senate amendment to H.R. 133 with a portion of amendment comprising divisions B, C, E, and F by a recorded vote of 327 yeas and 85 nays (Roll no. 250) and an amendment to the Senate amendment to H.R. 133 (except divisions B, C, E, and F) by a recorded vote of 359 yeas and 53 nays (Roll no. 251). That same day, the House pass the Senate amendment to H.R. 133 with amendment by unanimous consent.

On December 21, 2020, the Senate passed the House amendment to the Senate amendment to H.R. 133 by a recorded vote of 92 yeas to 6 nays (Recorded Vote Number: 289). On December 24, 2020, H.R. 133 was presented to the President. On December 27, 2020, the President signed H.R. 133 into law. The Public Law number had not been assigned when this report was filed.

On March 14, 2019, H.R. 1768, the Diesel Emissions Reduction Act of 2019 was introduced by Representative Matsui and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 15, 2019.

On September 9, 2019, the House considered H.R. 1768 under a motion to suspend the Rules and passed the bill, without amendment, by a recorded vote of 295 yeas to 114 nays (Roll no. 516).

On September 10, 2019, H.R. 1768 was received in the Senate. On December 18, 2019, H.R. 1768 was read twice and referred to the Senate Committee on Environment and Public Works.

On February 13, 2019, H.R. 1166, the USE IT Act, was introduced by Representative Peters (CA–52) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, Natural Resources, and Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 14, 2019.

On February 6, 2020, the Subcommittee on Environment and Climate Change held a hearing on H.R. 1166 entitled "Clearing the Air: Legislation to Promote Carbon Capture, Utilization and Storage." The witnesses include Laurel Harmon, Vice President, LanzaTech, Inc.; Jason Albritton, Director of Climate and Energy Policy, The Nature Conservancy; John Noel, Senior Climate Campaigner, Greenpeace USA; Sasha Mackler, Director, The Energy Project, Bipartisan Policy Center; Lee Anderson, Government Affairs Director, Utility Workers Union of America, AFL CIO; and Jason Begger, Executive Director, Wyoming Infrastructure Authority.

On January 7, 2020, H.R. 5544, the American Innovation and Manufacturing Leadership Act, was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on January 8, 2019.

On January 14, 2020, the Subcommittee on Environment and Climate Change held a hearing on H.R. 5544. The witnesses included Cynthia Newberg, Director, Stratospheric Protection Division, Office of Atmospheric Programs, U.S. Environmental Protection Agency, Office of Air and Radiation; Gary Bedard, President and Chief Operating Officer, Lennox International, Inc., On behalf

of the Alliance for Responsible Atmospheric Policy; David Doniger, Senior Strategic Director, Natural Resources Defense Council, John Galyen, President, Danfoss North America, *on behalf of* the Air-Conditioning, Heating, and Refrigeration Institute; and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

On March 12, 2020, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 5544 and forwarded the bill, amended, to the Committee on Energy and Commerce, by a recorded vote of 13 yeas and 9 nays.

No further action was taken on H.R. 1768, H.R. 1166, and H.R. 5544 in the 116th Congress. These bills were incorporated into H.R. 133.

MOVING FORWARD ACT

H.R. 2

(H.R. 7024, H.R. 7304, H.R. 5416, H.R. 5256, H.R. 7426, H.R. 7303)

To authorize fund for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

Sections 25001, 25002, and 25003 incorporate H.R. 7024, the "Climate Smart Ports Act". This legislation requires EPA to establish a grant program for purchasing or installing equipment and technology that (1) is used at a port and produces zero exhaust emissions of certain pollutants and greenhouse gases, or (2) captures 100 percent of the exhaust emissions produced by an ocean-going vessel at berth.

Section 33191 incorporates H.R. 7304, the "Climate Action Planning for Ports Act of 2020". This legislation authorizes $250 million per year over five years for a competitive grant program at EPA that incentivizes ports to create and implement climate action plans aimed at reducing greenhouse gas emissions and other air pollutants. The grants would be prioritized based on several factors, including regional collaboration, engagement with environmental justice and near-port communities when developing the climate action plans, and emissions reduction benefits.

Section 33192 incorporates H.R. 5416, the "National Climate Bank Act". The updated version of this legislation establishes a Clean Energy and Sustainability Accelerator to bolster and expand a robust clean energy workforce, deploy emissions reduction technologies, and invest in low-carbon infrastructure projects. The Accelerator is established as an independent non-profit capitalized with $20 billion of Federal funds spread over a six-year period. The Accelerator is also authorized to provide financial and technical support to state and local green banks in the United States.

Section 33321 incorporates H.R. 5256, the "Fostering and Realizing Electrification by Encouraging Zero Emission Refrigeration Trucks Act of 2019" or the "FREEZER Act of 2019". This legislation requires EPA to establish a pilot program to award grants for projects that replace an existing diesel-powered transport refrigeration unit in a heavy-duty vehicle with an electric unit. Grants may also be used to purchase and install shore power infrastructure (in-

frastructure that provides power to the vehicle when it is stationary) or other equipment that enables transport refrigeration units to connect to electric power at places where heavy-duty vehicles congregate. Finally, grant funds may be used to operate and maintain vehicles, infrastructure, or equipment relating to electric transport refrigeration units and associated shore power.

Sections 33501, 33502, and 33503 incorporates H.R. 7426, the "Ohio River Basin Preparedness Act". This legislation requires specified agencies to develop and implement an interagency plan for assisting States, Indian Tribes, and communities in the Ohio River Basin prepare for, and respond to, the effects of climate change.

Sections 33601, 33602, and 33603 incorporate H.R. 7303, the "Open Back Better Act of 2020". This legislation authorizes $20 billion over five years and $84 million per year over 10 years to help States, Tribes, and other entities upgrade public building infrastructure (such as hospitals and schools) to increase efficiency and resiliency. Funds will be administered through three existing DOE programs and prioritize projects in environmental justice and low-income communities.

Legislative History

On June 11, 2020, H.R. 2 was introduced by Representative DeFazio and referred to the Committee on Transportation and Infrastructure.

On July 1, 2020, H.R. 2 was considered in the House pursuant to the provisions of H. Res. 1028 and the bill, as amended, was passed by a recorded vote of 233 yeas to 188 nays (Roll Call No. 138).

On July 20, 2020, H.R. 2 was received in the Senate.

No further action was taken on H.R. 2 in the 116th Congress.

H.R. 2 contains provisions of the following bills: H.R. 7024, the Climate Smart Ports Act, introduced by Representative Barragán (CA–44); H.R. 7304, the Climate Action Planning for Ports Act of 2020, introduced by Representative Blunt Rochester; H.R. 5416, the National Climate Bank Act, introduced by Representative Dingell; H.R. 5256, the FREEZER Trucks Act of 2019, introduced by Representative Clarke; H.R. 7426, the Ohio River Basin Preparedness Act, introduced by Representative Lamb (PA–17); and H.R. 7303, the Open Back Better Act of 2020, introduced by Representative Blunt Rochester.

CLIMATE ACTION NOW ACT

H.R. 9

To direct the President to develop a plan for the United States to meet its nationally determined contribution under the Paris Agreement, and for other purposes.

Summary

The legislation prevents the President from withdrawing the United States from the Paris Climate Agreement and requires him to submit a plan for meeting our obligations under that accord.

Legislative History

On March 27, 2019, H.R. 9 was introduced by Representative Castor and referred to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 28, 2019.

On April 4, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 9 and ordered the bill reported favorably to the House, without amendment, by a reported vote of 29 yeas and 19 nays.

On April 18, 2019, the Committee on Energy and Commerce reported H.R. 9 to the House, without amendment (H. Rept. 116–41, Part II) and placed on the Union Calendar (Calendar No. 21).

On May 2, 2019, the House considered H.R. 9 pursuant to the provisions of H. Res. 329 and passed the bill, amended, by a recorded vote of 231 yeas and 190 nays.

On May 6, 2019, H.R. 9 was received in the Senate, read the first time, and placed on the Senate Legislative Calendar under Read the First Time. On May 7, 2019, H.R. 9 was read a second time and placed on the Senate Legislative Calendar Under General Orders (Calendar No. 79).

No further action was taken on H.R. 9 in the 116th Congress.

RESPONSIBLE DISPOSAL REAUTHORIZATION ACT OF 2019

H.R. 347

To extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado.

Summary

This legislation extends the closure of the Cheney waste disposal cell in Grand Junction, Colorado from September 2023 to September 2031. The Cheney cell is the last waste disposal site in the United States that processes uranium mill tailings, a radioactive material that was once used in the construction of homes, roads, parks and schools, making the Cheney disposal site critically important for ongoing cleanup efforts.

Legislative History

On January 8, 2019, H.R. 347 was introduced by Representative Tipton and referred to the Committee on Energy and Commerce. On January 25, 2019, H.R. 347 was referred to the Subcommittee on Environment and Climate Change.

On March 5, 2019, the House considered H.R. 347 under a motion to suspend the Rules and passed the bill, without amendment, by a voice vote.

On March 6, 2019, H.R. 347 was received in the Senate, read twice, and referred to the Senate Committee on Energy and Natural Resources.

On September 10, 2019, H.R. 347 was reported to the Senate (S. Rept. 116–98) and placed on the Senate Legislative Calendar.

No further action was taken on H.R. 347 in the 116th Congress.

PFAS ACTION ACT OF 2019

H.R. 535

(H.R. 2608, H.R. 2596, H.R. 2377, H.R. 2533, H.R. 2605, H.R. 2591, H.R. 2566, H.R. 2638)

To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under CERCLA.

Summary

Section 3 incorporates H.R. 2608, the "PFAS Testing Act of 2019." This legislation requires EPA to promulgate a test rule requiring health effects testing for all PFAS. The section allows the EPA Administrator to divide PFAS into subclasses through the rulemaking process.

Section 4 incorporates H.R. 2596, the "Protecting Communities from New PFAS Act." This legislation enacts a moratorium under TSCA on the approval of new PFAS for five years, as well as a permanent bar on the introduction of new PFAS into commerce under low volume exemptions.

Section 5 incorporates H.R. 2377, the "Protect Drinking Water from PFAS Act of 2019." This legislation ensures the adoption of a drinking water standard under the Safe Drinking Water Act (SDWA) for certain PFAS that protects the health of vulnerable subpopulations, including pregnant women, infants, and children.

Section 13 incorporates H.R. 2533, the "Providing Financial Assistance for Safe Drinking Water Act." This legislation provides financial assistance under SDWA to water utilities that must install new treatment technology to remove PFAS from the water they provide.

Section 15 incorporates H.R. 2605, the "Prevent Release of Toxics Emissions, Contamination, and Transfer Act of 2019" or the "PROTECT Act of 2019." This legislation requires the EPA Administrator to issue a final rule within 180 days listing PFAS as a hazardous air pollutant under the Clean Air Act. It also requires the Administrator to identify source categories for PFAS within one year.

Section 16 incorporates H.R. 2591, the "PFAS Waste Incineration Ban Act of 2019." This legislation amends the Solid Waste Disposal Act (SWDA) to allow for incineration of PFAS-containing wastes so long as that incineration is done at an approved hazardous waste incinerator and meets emissions standards (including those for hydrogen fluoride), while minimizing PFAS air emissions to the extent feasible.

Section 17 incorporates H.R. 2566, a bill to require the Administrator of the Environmental Protection Agency to revise the Safer Choice Standard to provide for a Safer Choice label for pots, pans, and cooking utensils that do not contain PFAS, and for other purposes. This legislation requires the EPA Administrator to establish a voluntary label to be available to the manufacturers of pots, pans, and cooking utensils that do not contain PFAS.

Section 18 incorporates H.R. 2638, a bill to direct the Administrator of the Environment Protection Agency to issue guidance on

minimizing the use of firefighting foam containing PFAS, and for other purposes. This legislation directs the EPA Administrator to issue guidance for firefighters and other first responders to minimize the use of foam and other firefighting materials containing PFAS and to minimize their health risk from PFAS exposure. As amended, this section requires EPA to consult with the head of the U.S. Fire Administration and other relevant Federal agencies in developing the guidance.

Legislative History

On January 14, 2019, H.R. 535, the PFAS Action Act of 2019, was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, in addition to the Committee on Transportation and Infrastructure. H.R. 535 was referred to the Subcommittee on Environment and Climate Change on January 25, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 535. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in an open markup session to consider H.R. 535 and forwarded the bill to the Committee on Energy and Commerce, without amendment, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 535 and ordered the bill reported favorably to the House, amended, by a recorded vote of 31 yeas and 19 nays.

On January 2, 2020, the Committee on Energy and Commerce reported H.R. 535 to the House, amended (H. Rept. 116–364), and the bill was placed on the Union Calendar (Calendar No. 289).

On January 10, 2020, the House considered H.R. 535 pursuant to the provisions of H. Res. 779 and passed the bill, amended, by a reported vote of 247 yeas to 159 nays (Roll no. 13).

On January 13, 2020, H.R. 535 was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

No further action was taken on H.R. 535 in the 116th Congress.

H.R. 535 included provisions of the following bills: H.R. 2608, the "PFAS Testing Act of 2019," introduced by Representative Sean Patrick Maloney (NY–18); H.R. 2596, the "Protecting Communities from New PFAS Act," introduced by Representative Kuster (NH–02); H.R. 2377, the "Protect Drinking Water from PFAS Act of 2019," introduced by Representative Boyle (PA–02); H.R. 2533, the "Providing Financial Assistance for Safe Drinking Water Act," in-

troduced by Representative Pallone; H.R. 2605, the "PROTECT Act of 2019," introduced by Representative Stevens (MI–11); H.R. 2591, the "PFAS Waste Incineration Ban Act of 2019," introduced by Representative Khanna (CA–17); H.R. 2566, a bill to require the Administrator of the Environmental Protection Agency to revise the Safer Choice Standard to provide for a Safer Choice label for pots, pans, and cooking utensils that do not contain PFAS, and for other purposes, introduced by Representative Soto (FL–09); and H.R. 2638, a bill to direct the Administrator of the Environmental Protection Agency to issue guidance on minimizing the use of fire-fighting foam containing PFAS, and for other purposes, introduced by Representative Fletcher (TX–07).

ALAN REINSTEIN BAN ASBESTOS NOW ACT OF 2019

H.R. 1603

To amend the Toxic Substances Control Act to prohibit the manufacture, processing, and distribution in commerce of asbestos and asbestos-containing mixtures and articles, and for other purposes.

Summary

This legislation amends section 6 of the Toxic Substances Control Act (15 U.S.C. 2605) to prohibit the manufacture, processing, and distribution in commerce of asbestos and asbestos-containing mixtures and articles within one year. It establishes a limited national security exemption from the ban and requires extensive reporting of any manufacture that occurs pursuant to an exemption or before the ban takes effect. The legislation also requires a study and report on the risks posed by legacy asbestos.

Legislative History

On March 7, 2019, H.R. 1603 was introduced by Representative Bonamici (OR–01) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 8, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 1603. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 1603 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1603 and ordered the bill reported favorably to the House, amended, by a recorded vote of 47 yeas and 1 nay.

No further action was taken on H.R. 1603 in the 116th Congress.

PROVIDING FINANCIAL ASSISTANCE FOR SAFE DRINKING WATER ACT

H.R. 2533

To assist community water systems affected by PFAS contamination, and for other purposes.

Summary

This legislation amends the Safe Drinking Water Act (42 U.S.C. 300) to require the EPA Administrator to establish, within 180 days of enactment, a program to award grants to PFAS-affected water systems to pay the capital costs associated with treatment technologies that remove PFAS. The legislation further directs the EPA Administrator to create a list of eligible treatment technologies, defined as those that can remove all detectable amounts of PFAS from drinking water.

Legislative History

On May 7, 2019, H.R. 2533 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change and the Subcommittee on Health on May 8, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 2533. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2533 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2533 in the 116th Congress.

TO REQUIRE THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO REVISE THE SAFER CHOICE STANDARD TO PROVIDE FOR A SAFER CHOICE LABEL FOR POTS, PANS, AND COOKING UTENSILS THAT DO NOT CONTAIN PFAS, AND FOR OTHER PURPOSES

H.R. 2566

To require the EPA Administrator to revise the Safer Choice Standard to provide for a Safer Choice label for pots, pans, and cooking utensils that do not contain PFAS, and for other purposes.

Summary

This legislation would require the EPA Administrator to revise the Safer Choice Standard to provide for a Safer Choice label for pots, pans, and cooking utensils that do not contain any PFAS.

Legislative History

On May 7, 2019, H.R. 2566 was introduced by Representative Soto (FL–09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 8, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 2566. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2566 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2566 in the 116th Congress.

PFAS USER FEE ACT OF 2019

H.R. 2570

To ensure that polluters pay ongoing water treatment costs associated with contamination from perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.

Summary

This legislation requires that producers of per- and polyfluoroalkyl substances pay ongoing water treatment costs associated with PFAS contamination.

Legislative History

On May 8, 2019, H.R. 2570 was introduced by Representative Rouda (CA–48) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. That same day, H.R. 2570 was referred to the Subcommittee on Environment and Climate Change.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 2570. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2570 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2570 in the 116th Congress.

PFAS RIGHT-TO-KNOW ACT

H.R. 2577

To amend the Emergency Planning and Community Right-To-Know Act of 1986 to include per- and polyfluoroalkyl substances on the Toxics Release Inventory, and for other purposes.

Summary

This legislation amends section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023) to include per- and polyfluoroalkyl substances, as a class, on the Toxics Release Inventory.

Legislative History

On May 8, 2019, H.R. 2577 was introduced by Representative Delgado and referred to the Committee on Energy and Commerce. On May 9, 2019, the bill was subsequently referred to the Subcommittee on Environment and Climate Change.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 2577. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner,

Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2577 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2577 in the 116th Congress.

PFAS WASTE INCINERATION BAN ACT OF 2019

H.R. 2591

To prohibit the waste incineration of per- and polyfluoroalkyl substances, and for other purposes.

Summary

This legislation amends section 5 of the Solid Waste Disposal Act (42 U.S.C. 6924) to prohibit the disposal by waste incineration of fire-fighting foam containing per- and polyfluoroalkyl substances. The bill also requires the EPA Administrator, no later than 12 months after enactment, to promulgate regulations identifying additional wastes containing PFAS for which a prohibition on incineration may be necessary to protect human health.

Legislative History

On May 8, 2019, H.R. 2591 was introduced by Representative Khanna (CA–17) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 9, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills intended to protect Americans from PFAS contamination and exposure, including H.R. 2591. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2591 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2591 in the 116th Congress.

PROTECTING COMMUNITIES FROM NEW PFAS ACT

H.R. 2596

To amend the Toxic Substances Control Act with respect to manufacturing and processing notices for per- and polyfluoroalkyl substances, and for other purposes.

Summary

This legislation amends section 5 of TSCA (15 U.S.C. 2604) such that any PFAS chemical substance for which a manufacturing and processing notice is submitted shall be deemed by the EPA Administrator to present an unreasonable risk of injury to health or the environment.

Legislative History

On May 8, 2019, H.R. 2596 was introduced by Representative Kuster and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 9, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2596. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2596 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2596 in the 116th Congress.

TOXIC PFAS CONTROL ACT

H.R. 2600

To regulate per- and polyfluoroalkyl substances under the Toxic Substances Control Act, and for other purposes.

Summary

This legislation amends section 6 of TSCA (15 U.S.C. 2605) to require EPA to comprehensively regulate PFAS, through prohibitions on manufacturing, waste disposal requirements, and labeling.

Legislative History

On May 8, 2019, H.R. 2600 was introduced by Representative Dean (PA–04) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 9, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2600. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann

Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2600 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2600 in the 116th Congress.

PREVENT RELEASE OF TOXICS EMISSIONS, CONTAMINATION, AND TRANSFER ACT OF 2019

H.R. 2605

To direct the Administrator of the Environmental Protection Agency to issue a final rule adding as a class all perfluoroalkyl and polyfluoroalkyl substances to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)), and for other purposes.

Summary

This legislation directs the EPA Administrator to issue a final rule adding as a class all per- and polyfluoroalkyl substances to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)).

Legislative History

On May 8, 2019, H.R. 2605 was introduced by Representative Stevens and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 9, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2605. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2605 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2605 in the 116th Congress.

PFAS TESTING ACT OF 2019

H.R. 2608

To require the testing of perfluoroalkyl and polyfluoroalkyl substances under the Toxic Substances Control Act, and for other purposes.

Summary

This legislation requires comprehensive health testing of all PFAS under TSCA section 4 reporting from all manufacturers and processors of PFAS on health, safety, and environmental impacts.

Legislative History

On May 8, 2019, H.R. 2608 was introduced by Representative Sean Patrick Maloney and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 9, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2608. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2608 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2608 in the 116th Congress.

A BILL TO DIRECT THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO ISSUE GUIDANCE ON MINIMIZING THE USE OF FIREFIGHTING FOAM CONTAINING PFAS, AND FOR OTHER PURPOSES

H.R. 2638

To direct the Administrator of the Environmental Protection Agency to issue guidance on minimizing the use of firefighting foam containing PFAS and for other purposes.

Summary

This legislation directs the EPA Administrator to issue guidance for firefighters and other first responders to minimize the use of foam and other firefighting materials containing PFAS and to minimize their health risk from PFAS exposure.

Legislative History

On May 9, 2019, H.R. 2638 was introduced by Representative Fletcher and referred to the Committee on Energy and Commerce.

The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 10, 2019.

On May 15, 2019, the Subcommittee on Environment and Climate Change held a hearing on 13 bills, including H.R. 2638. The witnesses included Erik D. Olson, Health Program Director, Natural Resources Defense Council; Jamie DeWitt, Ph.D., DABT, Associate Professor, Department of Pharmacology & Toxicology, Brody School of Medicine at East Carolina University; Emily Marpe, Mother and Community Member, Petersburgh, New York; Brian Steglitz, P.E., Manager, Water Treatment Services, City of Ann Arbor; Tracy Mehan, Executive Director, Government Affairs, American Water Works Association; and Jane C. Luxton, Partner, Co-Chair of the Environmental and Administrative Law Practice, Lewis Brisbois.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2638 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

No further action was taken on H.R. 2638 in the 116th Congress.

NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2019

H.R. 2699

To amend the Nuclear Waste Policy Act of 1982, and for other purposes.

Summary

This legislation amends the Nuclear Waste Policy Act (NWPA) to update the ability of the Department of Energy to manage nuclear waste. The bill addresses the need for both interim storage and long-term disposal of nuclear waste and spent nuclear fuel (SNF). In the near term, the bill gives DOE authority to site, construct, and operate one or more interim storage sites that would consolidate SNF from decommissioned reactors. One interim storage site would proceed notwithstanding the Nuclear Regulatory Commission's (NRC) ultimate decision on a permanent repository, and subsequent interim storage sites could be licensed once NRC issues a final repository decision. The program would also prioritize the transfer of SNF from seismically active areas.

The bill would permit DOE to undertake "infrastructure activities" intended to enable construction and operation of a repository at Yucca Mountain in the State of Nevada, including safety upgrades, site preparation, construction of a rail line, and grid connection. That process would also allow the Federal Government to enter into agreements to provide financial benefits to State, local, and Tribal governments that may be affected by storage and disposal of SNF. Additionally, H.R. 2699 establishes ratepayer protections by reforming the finance mechanism of the Nuclear Waste Fund and assures that DOE has adequate funding to construct and operate a repository.

Legislative History

On May 14, 2019, H.R. 2699 was introduced by Representative McNerney and referred to the Committee on Energy and Com-

merce, and in addition to the Committees on Natural Resources, Armed Services, the Budget, and Rules. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 15, 2019.

On June 13, 2019, the Subcommittee on Environment and Climate Change held a hearing on three bills, including H.R. 2699. The witnesses included Maria G. Korsnick, President and CEO, Nuclear Energy Institute; Geoffrey H. Fettus, Senior Attorney, Nuclear, Climate, and Clean Energy Program, Natural Resources Defense Council; Robert J. Halstead, Executive Director, State of Nevada, Office of the Governor, Agency for Nuclear Projects; Austin Keyser, Director, Political & Legislative Affairs, International Brotherhood of Electrical Workers; and Lake Barrett, Former Acting Director, Office of Civilian Radioactive Waste Management, U.S. Department of Energy.

On September 26, 2019, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2699 and forwarded the bill, without amendment, to the Committee on Energy and Commerce, by a voice vote.

On November 20, 2019, the Committee on Energy and Commerce met in open markup session and H.R. 2699 was ordered reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 2699 in the 116th Congress.

SPENT FUEL PRIORITIZATION ACT OF 2019

H.R. 2995

To amend the Nuclear Waste Policy Act of 1982 to prioritize the acceptance of high-level radioactive waste or spent nuclear fuel from certain civilian nuclear power reactors, and for other purposes.

Summary

The bill amends the NWPA to require the Secretary of Energy to prioritize the removal of SNF from decommissioned nuclear sites in areas with large populations and high seismic hazard.

Legislative History

On May 23, 2019, H.R. 2995 was introduced by Representative Levin (CA–49) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 24, 2019.

On June 13, 2019, the Subcommittee on Environment and Climate Change held a hearing on three bills, including H.R. 2995. The witnesses included Maria G. Korsnick, President and CEO, Nuclear Energy Institute; Geoffrey H. Fettus, Senior Attorney, Nuclear, Climate, and Clean Energy Program, Natural Resources Defense Council; Robert J. Halstead, Executive Director, State of Nevada, Office of the Governor, Agency for Nuclear Projects; Austin Keyser, Director, Political & Legislative Affairs, International Brotherhood of Electrical Workers; and Lake Barrett, Former Acting Director, Office of Civilian Radioactive Waste Management, U.S. Department of Energy.

No further action was taken on H.R. 2995 in the 116th Congress.

RENEWABLE FUEL STANDARD INTEGRITY ACT OF 2019

H.R. 3006

To impose an annual deadline of June 1 for small refineries to submit petitions for exemptions from the renewable fuel requirements under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) based on disproportionate economic hardship.

Summary

This legislation sets an annual deadline of June 1 for small refineries to petition for exemption from the upcoming year's blending requirements under the Renewable Fuel Standard. H.R. 3006 also requires public disclosure of any information included in petitions for exemption from the annual blending requirements.

Legislative History

On May 23, 2019, H.R. 3006 was introduced by Representative Peterson (CA–52) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 24, 2019.

On October 29, 2019, the Subcommittee on Environment and Climate Change held a hearing on H.R. 3006. The witnesses included Geoff Cooper, President and CEO, Renewable Fuels Association; Gene Gebolys, President and CEO, World Energy; Kelly Nieuwenhuis, President, Siouxland Energy Cooperative; and Chet Thompson, President and CEO, American Fuel & Petrochemical Manufacturers.

No further action was taken on H.R. 3006 in the 116th Congress.

STORAGE AND TRANSPORTATION OF RESIDUAL AND EXCESS NUCLEAR FUEL ACT OF 2019

H.R. 3136

To direct the Secretary of Energy to establish a program for the interim storage of high-level radioactive waste and spent nuclear fuel, and for other purposes.

Summary

The bill directs the Secretary of Energy to establish an interim storage program for high-level radioactive waste and SNF. It would allow DOE to contract with private storage facilities capable of storing such material, while requiring the Secretary to prioritize the storage of high-level waste and SNF generated by defense-related activities and decommissioned civil nuclear reactors. The bill gives site preference to facilities that are co-located with a repository. In order to approve a final site, the bill requires the Secretary to enter into a consent agreement with the State where the site would be located, as well as local government officials and any affected Indian Tribes.

Legislative History

On June 5, 2019, H.R. 3136 was introduced by Representative Matsui and referred to the Committee on Energy and Commerce.

The bill was subsequently referred to the Subcommittee on Environment and Climate Change on June 6, 2019.

On June 13, 2019, the Subcommittee on Environment and Climate Change held a hearing on three bills intended to ensure safe storage and disposal of spent nuclear fuel, including H.R. 3136. The witnesses included Maria G. Korsnick, President and CEO, Nuclear Energy Institute; Geoffrey H. Fettus, Senior Attorney, Nuclear, Climate, and Clean Energy Program, Natural Resources Defense Council; Robert J. Halstead, Executive Director, State of Nevada, Office of the Governor, Agency for Nuclear Projects; Austin Keyser, Director, Political & Legislative Affairs, International Brotherhood of Electrical Workers; and Lake Barrett, Former Acting Director, Office of Civilian Radioactive Waste Management, U.S. Department of Energy.

No further action was taken on H.R. 3136 in the 116th Congress.

CLEAN ECONOMY JOBS AND INNOVATION ACT

H.R. 4447 (H.R. 7024, H.R. 4143, H.R. 3006, H.R. 5434, H.R. 5256, H.R. 5416, H.R. 347, H.R. 4924, H.R. 7303, H.R. 4050)

To establish an energy storage and microgrid grant and technical assistance program.

Summary

Section 3401 incorporates H.R. 7024, the "Climate Smart Ports Act". This legislation requires EPA to establish a grant program for purchasing or installing equipment and technology that is used at a port and produces zero exhaust emissions of certain pollutants and greenhouse gases, or captures 100 percent of the exhaust emissions produced by an ocean-going vessel at berth.

Sections 3501 and 3601 incorporate portions of H.R. 4143, the "Super Pollutants Act of 2019". Section 3501 establishes an interagency task force to create an action plan to reduce super pollutants based on policy recommendations provided by the Intergovernmental Panel on Climate Change, U.S. Climate Alliance, and other relevant agencies. Section 3601 directs EPA, DOE, and other relevant agencies to develop a comprehensive plan to reduce black carbon emissions from the international shipping industry through its membership in the International Maritime Organization (IMO), including binding limits on black carbon as part of the Polar Code.

Sections 6401 and 6402 incorporate H.R. 3006, the "Renewable Fuel Standard Integrity Act of 2019". This legislation sets an annual deadline of June 1 for small refineries to petition EPA for exemption from the upcoming year's Renewable Fuel Standard blending requirements. H.R. 3006 also requires public disclosure of any information included in petitions for exemption from the annual blending requirements.

Section 6601 incorporates an updated version of H.R. 5434, the "Recognizing the Protection of Motorsports (RPM) Act of 2019". This legislation clarifies that motor vehicles that are no longer legal for operation on a street or highway can be modified into vehicles used solely for competition and not driven on public roads.

Section 6701 incorporates H.R. 5256, the "Fostering and Realizing Electrification by Encouraging Zero Emission Refrigeration

Trucks Act of 2019" or the "FREEZER Act of 2019". This legislation requires EPA to establish a pilot program to award grants for projects that replace an existing diesel-powered transport refrigeration unit in a heavy-duty vehicle with an electric unit. Grants may also be used to purchase and install shore power infrastructure (infrastructure that provides power to the vehicle when it is stationary) or other equipment that enables transport refrigeration units to connect to electric power at places where heavy-duty vehicles congregate. Finally, grant funds may be used to operate and maintain vehicles, infrastructure, or equipment relating to electric transport refrigeration units and associated shore power.

Section 12401 incorporates H.R. 5416, the "National Climate Bank Act". The updated version of this legislation establishes a Clean Energy and Sustainability Accelerator to bolster and expand a robust clean energy workforce, deploy emissions reduction technologies, and invest in low-carbon infrastructure projects. The Accelerator is established as an independent non-profit capitalized with $20 billion of Federal funds spread over a six-year period. The Accelerator is also authorized to provide financial and technical support to State and local green banks in the United States.

Section 12601 incorporates H.R. 347, the "Responsible Disposal Reauthorization Act of 2019". This legislation extends through fiscal year 2031 the authorization for DOE to operate the Cheney disposal cell in Mesa County, Colorado. The disposal cell serves as a repository for mill tailings, which is sandy waste that results from the process of turning natural uranium into fuel.

Section 12605 incorporates H.R. 4924, the "Smoke Planning and Research Act of 2019". This legislation requires EPA to research and mitigate the effects of smoke emissions from wildland fires. Specifically, EPA must establish four Centers of Excellence for Wildfire Smoke at institutions of higher education, and a grant program to support community mitigation efforts.

Sections 12701 and 12702 incorporate H.R. 7303, the "Open Back Better Act of 2020". This legislation authorizes $20 billion over five years and $84 million per year over 10 years to help States, Tribes, and other entities upgrade public building infrastructure to increase efficiency and resiliency. Funds will be administered through three existing DOE programs and will prioritize projects in environmental justice and low-income communities.

Sections 12801, 12802, 12803, 12804, 12805, and 12806 incorporate H.R. 4050, the "Zeroing Excess, Reducing Organic Waste, and Sustaining Technical Expertise Act" or the "ZERO WASTE Act". This legislation directs the EPA Administrator to establish and carry out a program to award grants, on a competitive basis, to eligible entities for projects that are consistent with zero-waste practices. Funds may be used for projects that improve organics recycling infrastructure, electronic waste reuse and recycling, education and outreach, and other forms of waste reduction.

Legislative History

On September 20, 2019, H.R. 4447 was introduced by Representative O'Halleran and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space,

and Technology. The bill was then referred to the Subcommittee on Energy on September 23, 2019.

On February 12, 2020, the Subcommittee on Energy held a hearing on six bills intended to improve energy efficiency and storage, including H.R. 4447. The witnesses included the Honorable Mark W. Menezes, Under Secretary of Energy, U.S. Department of Energy; Kelly Speakes-Backman, Chief Executive Officer, Energy Storage Association; Bryan Howard, Legislative Director, U.S. Green Building Council; Julie Hiromoto, Principal, HKS, Inc., *on behalf of* the American Institute of Architects; Lowell Ungar, Senior Policy Advisor, American Council for an Energy-Efficient Economy; Arn McIntyre, President, McIntyre Builders Inc., *on behalf of* the National Association of Home Builders; and Jennifer Schafer, Executive Director, Federal Performance Contracting Coalition.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4447, and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 15, 2020, the Committee on Energy and Commerce reported H.R. 4447 to the House, as amended (H. Rept. 116–504) and the bill was placed on the Union Calendar (Calendar No. 404).

On September 24, 2020, the House considered an amended version of H.R. 4447, pursuant to the provisions of H. Res. 1129, that included additional provisions from the following bills referred to the Committee on Energy and Commerce: H.R. 7024, the Climate Smart Ports Act, introduced by Representative Barragán; H.R. 4143, the Super Pollutants Act of 2019, introduced by Representative Peters; H.R. 3006, the Renewable Fuel Standard Integrity Act of 2019, introduced by Representative Peterson (MN–07); H.R. 5434, the RPM Act of 2019, introduced by Representative McHenry (NC–10); H.R. 5256, the FREEZER Trucks Act of 2019, introduced by Representative Clarke; H.R. 5416, the National Climate Bank Act, introduced by Representative Dingell; H.R. 347, the Responsible Disposal Reauthorization Act of 2019, introduced by Representative Tipton; H.R. 4924, the Smoke Planning and Research Act of 2019, introduced by Representative Eshoo; H.R. 7303, the Open Back Better Act of 2020, introduced by Representative Blunt Rochester; and H.R. 4050, the ZERO WASTE Act, introduced by Representative Omar (MN–05).

On September 24, 2020, the House passed H.R. 4447, as amended, by a recorded vote of 220 yeas and 185 nays (Roll Call No. 206).

On October 19, 2020, H.R. 4447 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on H.R. 4447 in the 116th Congress.

THE HEROES ACT

H.R. 6800 (H.R. 6692)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Section 190702 incorporates H.R. 6692, a bill to require the Administrator of the Environmental Protection Agency to continue to carry out certain programs relating to environmental justice, and for other purposes. This legislation reauthorizes through fiscal year 2020 the Environmental Justice Small Grants Program, as well as the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, which provides financial assistance to address local environmental or public health issues. It also reauthorizes the Community Action for a Renewed Environment grant program, which assists communities address multiple sources of toxic pollutants.

Legislative History

On May 12, 2020, H.R. 6800 was introduced by Representative Lowey and referred to the Committee on Appropriations, in addition to the Committees on the Budget and Ways and Means.

On May 15, 2020, the House considered H.R. 6800 pursuant to the provisions of H. Res. 967 and passed H.R. 6800 by a recorded vote of 208 yeas and 199 nays (Roll Call No. 109). On May 20, 2020, H.R. 6800 was received by the Senate and read the first time. On May 21, 2020, the bill was placed on the Senate Legislative Calendar under Read the First Time. On June 1, 2020, H.R. 6800 was read a second time and placed on the Senate Calendar under General Orders (Calendar No. 455). On June 23, 2020, the Senate referred the bill to the Senate Committee on Small Business and Entrepreneurship. No further action was taken on H.R. 6800 in the 116th Congress.

On May 1, 2020, H.R. 6692, a bill to require the Administrator of the Environmental Protection Agency to continue to carry out certain programs relating to environmental justice, and for other purposes, was introduced by Representative Ruiz and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 4, 2020.

Provisions of H.R. 6692 were incorporated into H.R. 6800. No further action was taken on H.R. 6692 in the 116th Congress.

OVERSIGHT ACTIVITIES

TIME FOR ACTION: ADDRESSING THE ENVIRONMENTAL AND ECONOMIC EFFECTS OF CLIMATE CHANGE

On February 6, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Time for Action: Addressing the Environmental and Economic Effects of Climate Change." The purpose of this hearing was to examine how climate change is affecting our communities, environment, and economy. The witnesses included Brenda Ekwurzel, Ph.D., Director of Climate Science, Union of Concerned Scientists; Leo Woodberry, Reverend, Justice First Tour, Kingdom Living Temple Church; Michael Williams, Deputy Director, BlueGreen Alliance; Rick Duke, Principal, Gigaton Strategies; Barry K. Worthington, Executive Director, U.S.

Energy Association; and Rich Powell, Executive Director, ClearPath.

WE'LL ALWAYS HAVE PARIS: FILLING THE LEADERSHIP VOID CAUSED BY FEDERAL INACTION ON CLIMATE CHANGE

On February 28, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "We'll Always Have Paris: Filling the Leadership Void Caused by Federal Inaction on Climate Change." The purpose of this hearing was to examine the importance of the commitment of the United States to the Paris Agreement, how subnational actors organized to address the threat of climate change in the absence of Federal leadership, and the need for the United States Government to reengage with international climate agreements. The witnesses included Andrew Light, Distinguished Senior Fellow, World Resource Institute, University Professor, George Mason University; Carla Frisch, Principal, Rocky Mountain Institute; Nathan Hultman, Director, Center for Global Sustainability, Associate Professor, University of Maryland School of Public Policy; and Samuel Thernstrom, CEO, Energy Innovation Reform Project.

MISMANAGING CHEMICAL RISKS: EPA'S FAILURE TO PROTECT WORKERS

On March 13, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Mismanaging Chemical Risks: EPA's Failure to Protect Workers." The purpose of this hearing was to discuss how the Environmental Protection Agency is systemically ignoring risks to workers from toxic chemical exposures in its implementation of the Frank R. Lautenberg Chemical Safety Act and other authorities. The witnesses included Adam M. Finkel, Sc.D., CIH, Clinical Professor of Environmental Health Sciences, University of Michigan School of Public Health; Wendy Hutchinson, *on behalf of* the Baltimore Teachers Union and the American Federation of Teachers; Patrick Morrison, Assistant to the General President for Health, Safety, and Medicine, International Association of Firefighters; Jeaneen McGinnis, Benefits Representative, United Auto Workers; Mark Duvall, Principal, Beveridge & Diamond PC; Giev Kashkooli, Vice President, United Farm Workers; and Tom Grumbles, CIH, FAIHA, Past President, American Industrial Hygiene Association and the Product Stewardship Society.

LESSONS FROM ACROSS THE NATION: STATE AND LOCAL ACTION TO COMBAT CLIMATE CHANGE

On April 2, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Lessons From Across the Nation: State and local Action to Combat Climate Change." The purpose of this hearing was to discuss how State and local leaders are responding to the climate crisis in the wake of President Trump's intent to withdraw from the Paris Climate Agreement. The witnesses included the Honorable Jay Inslee, Governor, State of Washington; the Honorable Steve Benjamin, Mayor, City of Columbia, South Carolina; the Honorable Jackie Biskupski, Mayor, City of

Salt Lake City, Utah; the Honorable James Brainard, Mayor, City of Carmel, Indiana; the Honorable Daniel C. Camp III, Chairman, Beaver County Board of Commissioners, Beaver County, Pennsylvania; and the Honorable Jerry F. Morales, Mayor, City of Midland, Texas.

THE FISCAL YEAR 2020 EPA BUDGET

On April 9, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "The Fiscal Year 2020 EPA Budget." The purpose of this hearing was to review the Environmental Protection Agency's FY 2020 budget. The witness for this hearing was the Honorable Andrew Wheeler, Administrator, U.S. Environmental Protection Agency.

DRIVING IN REVERSE: THE ADMINISTRATION'S ROLLBACK OF FUEL ECONOMY AND CLEAN CAR STANDARDS

On June 20, 2019, the Subcommittee on Environment and Climate Change and the Subcommittee on Consumer Protection and Commerce held a joint hearing entitled "Driving in Reverse: The Administration's Rollback of Fuel Economy and Clean Car Standards." The purpose of this hearing was to examine the Trump administration's efforts to roll back Corporate Average Fuel Economy (CAFE) standards and greenhouse gas tailpipe emission standards for light duty cars and trucks. the witnesses included The Honorable William L. Wehrum, Assistant Administrator, Office of Air and Radiation, U.S. Environmental Protection Agency; Heidi King, Deputy Administrator, National Highway Traffic Safety Administration, U.S. Department of Transportation; The Honorable Mary D. Nichols, Chair, California Air Resources Board; David Friedman, Vice President, Advocacy, Consumer Reports; Ramzi Y. Hermiz, President and Chief Executive Officer, Shiloh Industries, Inc.; Josh Nassar, Legislative Director, United Auto Workers; The Honorable Shoshana M. Lew, Executive Director, Colorado Department of Transportation; The Honorable Jeff Landry, Attorney General, State of Louisiana; David Schwietert, Interim Chief Executive Officer, Alliance of Automobile Manufacturers; and Nick Loris, Deputy Director of the Thomas A. Roe Institute for Economic Policy Studies, Herbert and Joyce Morgan Fellow in Energy and Environmental Policy, Heritage Foundation.

BUILDING AMERICA'S CLEAN FUTURE: PATHWAYS TO DECARBONIZE THE ECONOMY

On July 24, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Building America's Clean Future: Pathways to Decarbonize the Economy." The purpose of this hearing was to examine the challenges and opportunities associated with deep decarbonization of the United States economy. The witnesses included Karl Hausker, Senior Fellow, Climate Program, World Resources Institute; Rachel Cleetus, Policy Director, Climate and Energy Program, Union of Concerned Scientists; Armond Cohen, Executive Director, Clean Air Task Force; and Shannon Angielski, Executive Director, Carbon Utilization Research Council.

BUILDING A 100 PERCENT CLEAN ECONOMY: PATHWAYS TO NET ZERO INDUSTRIAL EMISSIONS

On September 18, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Building a 100 Percent Clean Economy: Pathways to Net Zero Industrial Emissions." The purpose of this hearing was to examine the challenges and opportunities associated with reducing greenhouse gas emissions from the U.S. industrial sector. The witnesses included Julio Friedmann, Ph.D., Senior Research Scholar, Columbia University Center on Global Energy Policy; Jason Walsh, Executive Director, BlueGreen Alliance; Gaurav Sant, Ph.D., Professor and Henry Samueli Fellow, UCLA Samueli School of Engineering; Bob Perciasepe, President, Center for Climate and Energy Solutions; Jeremy Gregory, Ph.D., Executive Director, MIT Concrete Sustainability Hub, *on behalf of* Portland Cement Association; and Ross E. Eisenberg, Vice President, Energy and Resources Policy, National Association of Manufacturers.

BUILDING A 100 PERCENT CLEAN ECONOMY: SOLUTIONS FOR PLANES, TRAINS, AND EVERYTHING BEYOND AUTOMOBILES

On October 23, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Building a 100 Percent Clean Economy: Solutions for Planes, Trains, and Everything Beyond Automobiles." The purpose of this hearing was to examine the challenges and opportunities associated with decarbonizing the U.S. transportation sector, with an emphasis on medium- and heavy-duty trucks, buses, ships, aircraft, and rail. The witnesses included Jeremy Baines, President, Neste US, Inc.; Emily Wimberger, Climate Economist, Rhodium Group; Wayne Eckerle, Vice President, Research and Technology, Cummins, Inc.; Adrian Martinez, Staff Attorney, Earthjustice; Fred Felleman, Commissioner, Port of Seattle and the Northwest Seaport Alliance; Timothy A. Blubaugh, Executive Vice President, Truck & Engine Manufacturers Association; and J.P. Fjeld-Hansen, Managing Director and Vice President, Musket Corporation, *on behalf of* the National Association of Truckstop Operators.

BUILDING A 100 PERCENT CLEAN ECONOMY: THE CHALLENGES FACING FRONTLINE COMMUNITIES

On November 20, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Building a 100 Percent Clean Economy: The Challenges Facing Frontline Communities." The purpose of this hearing was to examine the disparate burden of legacy toxic exposures on environmental justice communities and how the effects of climate change and extreme weather exacerbate that disparate burden. The witnesses included Alfredo Gomez, Director, Natural Resources and Environment, U.S. Government Accountability Office; Lilian Sotolongo Dorka, Esq., Director, External Civil Rights Compliance Office, U.S. Environmental Protection Agency; Helena Wooden-Aguilar, Deputy Associate Administrator, Office of Policy, U.S. EPA; Mustafa Santiago Ali, Vice President, Environmental Justice, Climate and Community Revitalization, National Advocacy Center at the National Wildlife Federation; Me-

lissa Cribbins, Commissioner, Coos County Board of Commissioners, *on behalf of* the National Association of Counties; Patrick B. Ford, Executive Director, Lebanon/Marion County Industrial Foundation; Elsie Herring, Duplin County, North Carolina, Resident and Organizer, North Carolina Environmental Justice Network; Sharon Lavigne, Founder and President, RISE St. James; and Ruth Santiago, J.D., LL.M., Attorney, Comité Diálogo Ambiental de Salinas.

BUILDING A 100 PERCENT CLEAN ECONOMY: SOLUTIONS FOR ECONOMY WIDE DEEP DECARBONIZATION

On December 5, 2019, the Subcommittee on Environment and Climate Change held a hearing entitled "Building a 100 Percent Clean Economy: Solutions for Economy-Wide Deep Decarbonization." The purpose of this hearing was to examine and consider economy-wide measures to address climate change in the United States. The witnesses included Tim Profeta, Director, Nicholas Institute for Environmental Policy Solutions, Duke University; Noah Kaufman, Research Scholar, Center on Global Energy Policy, Columbia University; Daniel C. Esty, Director, Center for Environmental Law and Policy, Hillhouse Professor of Environmental Law and Policy, Yale University; and David K. Gattie, Ph.D., Associate Professor, College of Engineering, University of Georgia.

OUT OF CONTROL: THE IMPACT OF WILDFIRES ON OUR POWER SECTOR AND THE ENVIRONMENT

On January 28, 2020, the Subcommittee on Energy and the Subcommittee on Environment and Climate Change held a hearing entitled "Out of Control: The Impact of Wildfires on our Power Sector and the Environment." The purpose of this hearing was to assess the environmental impacts of wildfires and examine the energy and infrastructure needs and upgrades necessary to prevent future wildfires and ensure reliable electricity delivery. The witnesses included William Johnson, CEO and President, PG&E Corporation; John MacWilliams, Senior Fellow, Center on Global Energy Policy, Columbia University; Anthony S. Davis, Ph.D., Interim Dean, College of Forestry, Oregon State University; Brandon M. Collins, Ph.D., Research Scientist, the Center for Fire Research and Outreach, Berkeley Forests, University of California, Berkeley; and David Markham, President and CEO, Central Electric Cooperative, Inc.

EPA'S LEAD AND COPPER RULE PROPOSAL: FALLING SHORT OF PROTECTING PUBLIC HEALTH

On February 11, 2020, the Subcommittee on Environment and Climate Change held a hearing entitled "EPA's Lead and Copper Rule Proposal: Falling Short of Protecting Public Health." The purpose of this hearing was to examine delays and issues in EPA's ongoing efforts to revise the drinking water standard for lead and copper, including the proposed rule published November 13, 2019. The witnesses included Kim Gaddy, Environmental Justice Organizer, Clean Water Action of New Jersey; Mona Hanna-Attisha, M.D., M.P.H., F.A.A.P., Director, Pediatric Public Health Initiative,

C.S. Mott Endowed Professor of Public Health, Division of Public Health, Associate Professor, Department of Pediatrics and Human Development, Michigan State University College of Human Medicine; Angela Licata, Deputy Commissioner, New York City Department of Environmental Protection, *on behalf of* the Association of Metropolitan Water; Cathy Tucker-Vogel, Public Water Supply Section Chief, Kansas Department of Health & Environment, *on behalf of* the Association of State Drinking Water Administrators; Mae Wu, Senior Director, Health & Food, Senior Attorney, Healthy People & Thriving Communities Program, Natural Resources Defense Council; Steve Estes-Smargiassi, Director of Planning and Sustainability, Massachusetts Water Resources Authority, *on behalf of* the American Water Works Association; and the Honorable Cindy R. Bobbitt, Commissioner, Grant County, Oklahoma, *on behalf of* the National Association of Counties.

THE FISCAL YEAR 2021 EPA BUDGET

On February 27, 2020, the Subcommittee on Environment and Climate Change held a hearing entitled "The Fiscal Year 2021 EPA Budget." The purpose of this hearing was to examine the proposed EPA Budget for Fiscal Year 2021. The witnesses included the Honorable Andrew Wheeler, Administrator, U.S. Environmental Protection Agency.

REDUCE, REUSE, RECYCLE, REFORM: ADDRESSING AMERICA'S PLASTIC WASTE CRISIS

On March 4, 2020, the Subcommittee on Environment and Climate Change held a hearing entitled "Reduce, Reuse, Recycle, Reform: Addressing America's Plastic Waste Crisis." The purpose of this hearing was to examine issues related to recycling and waste management in the United States, including effects on climate and the environment. The witnesses included Jenna Jambeck, Ph.D., Professor, College of Engineering, University of Georgia; Enrique C. Zaldivar, P.E., General Manager, Los Angeles Sanitation and Environment Bureau, City of Los Angeles; Lynn Hoffman, Co-President, Eureka Recycling; Denise Patel, U.S. Program Director, Global Alliance for Incinerator Alternatives; Keith Christman, Managing Director, Plastic Markets, American Chemistry Council; and William H. Johnson, Chief Lobbyist, Institute of Scrap Recycling Industries, Inc.

POLLUTION AND PANDEMICS: COVID–19'S DISPROPORTIONATE IMPACT ON ENVIRONMENTAL JUSTICE COMMUNITIES

On June 9, 2020, the Subcommittee on Environment and Climate Change held a hearing entitled "Pollution and Pandemics: COVID–19's Disproportionate Impact on Environmental Justice Communities." The purpose of this hearing was to examine the relationship between disproportionate exposures to environmental pollution and disproportionate effects of the 2019 coronavirus (COVID–19) pandemic. The witnesses included Mustafa Santiago Ali, Vice President, Environmental Justice, Climate, and Community Revitalization, National Advocacy Center at the National Wildlife Federation; Jacqueline Patterson, Senior Director, Environmental at

Climate Justice Program, National Association for the Advancement of Colored People (NAACP); and Shay Hawkins, President, Opportunity Funds Association.

THERE'S SOMETHING IN THE WATER: REFORMING OUR NATION'S DRINKING WATER STANDARDS

On July 28, 2020, the Subcommittee on Environment and Climate Change held a hearing entitled "There's Something in the Water: Reforming Our Nation's Drinking Water Standards." The purpose of this hearing was to examine the role statutory limits have played in delaying the setting of needed drinking water standards under section 1412(b) of the Safe Drinking Water Act. The witnesses included Shellie Chard, Director, Water Quality Division, Oklahoma Department of Environmental Quality, *on behalf of* the Association of State Drinking Water Administrators; Diane VanDe Hei, Chief Executive Officer, Association of Metropolitan Water Agencies; and Mae Wu, Senior Director, Health and Food, Healthy People and Thriving Communities Program, Natural Resources Defense Council.

BUILDING A 100 PERCENT CLEAN ECONOMY: OPPORTUNITIES FOR AN EQUITABLE, LOW CARBON RECOVERY

On September 16, 2020, the Subcommittee on Environment and Climate Change held a hearing entitled "Building a 100 Percent Clean Economy: Opportunities for an Equitable, Low-Carbon Recovery." The purpose of this hearing was to examine the importance of enabling an economic recovery that benefits all Americans and sets the United States on the path to a low-carbon future. The witnesses included Lonnie R. Stephenson, International President, International Brotherhood of Electrical Workers; Devashree Saha, Ph.D., Senior Associate, World Resources Institute; Denise Fairchild, Ph.D., President and Chief Executive Officer, Emerald Cities Collaborative; and Michelle Michot Foss, Ph.D., Fellow in Energy & Minerals, Baker Institute for Public Policy, Center for Energy Studies, Rice University.

SUBCOMMITTEE ON HEALTH

LEGISLATIVE ACTIVITIES

MEDICAID EXTENDERS ACT OF 2019

PUBLIC LAW 116–3 (H.R. 259)

To extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, and for other purposes.

Summary

This legislation provides additional funds for the Money Follows the Person Rebalancing demonstration, extends spousal impoverishment protections for partners of recipients of Medicaid home and community-based services (HCBS) through March 31, 2019, reduces the Federal medical assistance percentage (FMAP) for States that fail to implement an asset verification system, and reduces the size of the Medicaid improvement fund.

Legislative History

On January 4, 2019, H.R. 259 was introduced by Representative Pallone, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget.

On January 8, 2019, the House considered H.R. 259 under a motion to suspend the Rules and passed the bill by a voice vote.

On January 9, 2019, H.R. 259 was received by the Senate, read twice, and passed without amendment by a voice vote.

On January 23, 2019, H.R. 259 was presented to the President and the President signed H.R. 259 into law on January 24, 2019 (Public Law 116–3).

MEDICAID SERVICES INVESTMENT AND ACCOUNTABILITY ACT OF 2019

PUBLIC LAW 116–16 (H.R. 1839)

To amend title XIX to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, establish a State Medicaid option to provide coordinated care to children with complex medical conditions through health homes, prevent the misclassification of drugs for purposes of the Medicaid drug rebate program, and for other purposes.

Summary

This legislation extends spousal impoverishment protections for partners of HCBS recipients through September 30, 2019. It provides additional funding for the Money Follows the Person rebal-

ancing demonstration and extends the Community Mental Health Services Demonstration Program. It authorizes a new Medicaid State plan option to provide coordinated care for children with complex medical conditions and provides the Centers for Medicare & Medicaid Services (CMS) with additional enforcement authorities to ensure that drug manufacturers are complying with the requirements of the Medicaid Drug Rebate Program.

Legislative History

On March 21, 2019, H.R. 1839 was introduced by Representative Ruiz, and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on March 22, 2019.

On March 25, 2019, the House considered H.R. 1839 under a motion to suspend the Rules and passed the bill by a voice vote.

On March 26, 2019, H.R. 1839 was received by the Senate and read twice. On April 2, 2019, the Senate passed H.R. 1839, without amendment, by a voice vote.

On April 10, 2019, H.R. 1839 was presented to the President and the President signed H.R. 1839 into law on April 18, 2019 (Public Law 116–16).

SUSTAINING EXCELLENCE IN MEDICAID ACT OF 2019

PUBLIC LAW 116–39 (H.R. 3253, H.R. 2822)

To provide for certain extensions with respect to the Medicaid program under title XIX of the Social Security Act, and for other purposes.

Summary

This legislation extends the authorization for the Medicaid Community Mental Health Demonstration Program through September 13, 2019. It extends protections against spousal impoverishment for partners of HCBS recipients through December 31, 2019, increases funding for the Money Follows the Person Rebalancing demonstration, permanently extends authorization for Family-to-Family Health Information Centers, and amends how Medicare pays for certain drugs.

Legislative History

On June 13, 2019, H.R. 3253 was introduced by Representative Dingell, and referred to the Committee on Energy and Commerce.

On June 18, 2019, the House considered H.R. 3253 under a motion to suspend the Rules and passed the bill by a recorded vote of 371 yeas to 46 nays (Roll Call No. 333).

On June 19, 2019, H.R. 3253 was received by the Senate and read twice. On July 25, 2019, the Senate passed H.R. 3253, amended, by a voice vote. On July 30, 2019, the House passed the Senate amendment to the H.R. 3253 by unanimous consent.

On August 1, 2019, H.R. 3253 was presented to the President and the President signed H.R. 3253 into law on August 6, 2019 (Public Law 116–39).

On May 17, 2019, H.R. 2822, the "Family-to-Family Reauthorization Act", was introduced by Representative Sherrill and referred

to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 20, 2019.

On June 6, 2019, the Subcommittee on Health held a hearing on twelve bills, including H.R. 2822. The witnesses included Dean Germano, Chief Executive Officer, Shasta Community Health Center; Diana Autin, Executive Co-Director, SPAN Parent Advocacy Network; Aaron Kowalski, President and Chief Executive Officer, JDRF; Lisa Cooper, Professor of Medicine, Johns Hopkins University School of Medicine; Thomas Barker, Partner, Co-Chair, Healthcare Practice, Foley Hoag; Mary-Catherine Bohan, Vice President of Outpatient Services, Rutgers University Behavioral Health Care; Michael Waldrum, Chief Executive Officer, Vidant Health; and Fred Riccardi, President, Medicare Rights Center.

No further action was taken on H.R. 2822 in the 116th Congress. The provisions of H.R. 2822 were included in H.R. 3253.

EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM REAUTHORIZATION ACT OF 2019

PUBLIC LAW 116–49 (H.R. 776)

To amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program.

Summary

This legislation reauthorizes the Emergency Medical Services for Children program at $22.334 million each year for fiscal years 2020 through 2024.

Legislative History

On January 24, 2019, H.R. 776 was introduced by Representative King (NY–02) and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on January 25, 2019.

On June 25, 2019, the Subcommittee on Health held a legislative hearing on four bills, including H.R. 776. The witnesses included Amy Hewitt, Ph.D., Director, Institute on Community Integration, University of Minnesota; Joseph Bocchini, M.D., Professor, Department of Pediatrics, Louisiana State University Health, Shreveport; Patricia Kunz Howard, Ph.D., RN, President, Emergency Nurses Association, Director, Emergency Services, University of Kentucky Healthcare; and Jill Kagan, Director, ARCH National Respite Network and Resource Center.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 776 and forwarded H.R. 776, without amendment, to the Committee on Energy and Commerce by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 776 and ordered H.R. 776 favorably reported, without amendment, to the House by a voice vote.

On July 23, 2019, the Committee on Energy and Commerce reported H.R. 776 to the House (H. Rept. 116–176) and the bill was placed on the Union Calendar (Calendar No. 136). On July 24,

2019, the House considered H.R. 776, under a motion to suspend the Rules passed H.R. 776 by a voice vote.

On July 25, 2019, H.R. 776 was received by the Senate and read twice. On July 31, 2019, H.R. 776 passed the Senate, without amendment, by a voice vote.

On August 13, 2019, H.R. 776 was presented to the President and the President signed H.R. 776 into law on August 22, 2019 (Public Law 116–49).

ONDCP Technical Corrections Act of 2019

PUBLIC LAW 116–74 (H.R. 3889)

To amend the Office of National Drug Control Policy Reauthorization Act of 1998 to make technical corrections.

Summary

This legislation makes technical corrections to statutory authorities given to the Office of National Drug Control Policy (ONDCP). H.R. 3889 also makes permanent a grant supporting the National Community Anti-Drug Coalition Institute and repeals a requirement that the Government Accountability Office (GAO) audit ONDCP.

Legislative History

On July 23, 2019, H.R. 3889 was introduced by Representative Rouda, and referred to the Committee on Oversight and Reform, and in addition to the Committee on Energy and Commerce. H.R. 3889 was subsequently referred to the Subcommittee on Health on July 24, 2019.

On October 16, 2019, the House considered H.R. 3889 under a motion to suspend the Rules and passed H.R. 3889 by a voice vote.

On October 17, 2019, H.R. 3889 was received by the Senate, read twice, and referred to the Senate Committee on the Judiciary. On November 14, 2019, the Senate passed H.R. 3889, without amendment, by unanimous consent.

On November 21, 2019, H.R. 3889 was presented to the President and the President signed H.R. 3889 into law on November 27, 2019 (Public Law 116–74).

Further Consolidated Appropriations Act, 2020

PUBLIC LAW 116–94 (H.R. 1865, H.R. 501, H.R. 2293, H.R. 3584, H.R. 5057)

Making further consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

Division N of this bill extends several Medicare, Medicaid, and public health related programs.

Section 403 of division N authorizes $700,000 for each of fiscal years 2020 through 2024 for the establishment and maintenance of a national toll-free number, reauthorizes the Nationwide Public Awareness Campaign by providing $800,000 for each of fiscal years 2020 through 2024, and reauthorizes the Poison Control Center

grant program by providing $29,600,000 for each of fiscal years 2020 through 2024.

Section 610 of division N establishes a process to facilitate access for generic drug manufacturers to sufficient quantities of samples for testing if authorized by the Food and Drug Administration (FDA). The bill would allow a generic drug manufacturer facing delays in accessing such samples to bring an action in Federal court to obtain the samples it needs. Courts would be authorized to award monetary damages sufficient to deter future gaming. It would also clarify FDA's discretion to allow generic drug manufacturers to operationalize equivalent safety protocols in a separate system instead of entering a shared safety protocol with brand manufacturers, provided that such separate protocol meets the same safety standard as the original system.

Subtitle A of division N includes Medicare related provisions. Sec. 105 delays for one year a statutory data reporting period for laboratories paid by Medicare, with the goal of allowing additional time for more robust data to be collected. Sec. 106 permanently exempts manual complex rehab technology (CRT) wheelchairs and accessories from competitive bidding and delays for 18 months competitive bidding pricing of CRT manual wheelchair accessories. Sec. 107 extends "pass-through" status for two Medicare part B drugs used to detect Alzheimer's disease. Sec. 108 requires Medicare to reimburse hospitals for the cost of acquiring bone marrow, blood stem cell, and cord blood cells.

Legislative History

On March 25, 2019, H.R. 1865 was introduced by Representative Pascrell, and referred to the Committee on Financial Services. On October 28, 2019, the House considered H.R. 1865 under a motion to suspend the Rules and passed H.R. 1865 by a voice vote.

On October 29, 2019, H.R. 1865 was received by the Senate and read twice. On November 12, 2019, the Senate passed H.R. 1865, amended, by unanimous consent.

On December 17, 2019, the House considered the Senate amendment to H.R. 1865 pursuant to the provisions of H. Res. 765 and passed an amendment to the Senate amendment to H.R. 1865 by a recorded vote of 297 yeas and 120 nays (Roll Call No. 689).

On December 19, 2019, the Senate passed the House amendment to the Senate amendment to H.R. 1865 by a recorded vote of 71 yeas and 23 nays (Roll Call No. 45).

On December 20, 2019, H.R. 1865 was presented to the President and the President signed H.R. 1865 into law (Public Law No. 116–94).

On January 11, 2019, H.R. 501, the "Poison Center Network Enhancement Act of 2019", was introduced by Representative Engel, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on January 25, 2019.

On February 25, 2019, the House considered H.R. 501 under a motion to suspend the Rules and passed the bill by a voice vote.

On February 26, 2019, H.R. 501 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

On April 12, 2019, H.R. 2293, the "Protecting Access to Wheelchairs Act", was introduced by Representative Larson (CT–01) and referred to the Committee on Energy and Commerce, and in addition, to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on April 15, 2019.

On June 27, 2019, H.R. 3584, the "Laboratory Access for Beneficiaries Act", was introduced by Representative Peters and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 28, 2019.

On November 12, 2019, H.R. 5057, the "Pass-Through Technical Corrections Act", was introduced by Representative Tonko and referred to the Committee on Energy and Commerce and, in addition, to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on November 13, 2019.

No further action was taken on H.R. 501, H.R. 2293, H.R. 3584, and H.R. 5057 in the 116th Congress. Provisions from H.R. 501, H.R. 2293, H.R. 3584, and H.R. 5057 were included in H.R. 1865.

CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020

PUBLIC LAW 116–123 (H.R. 6074)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

The Telehealth Services During Certain Emergency Periods of 2020, enacted as division B of title V of H.R. 6074, provides the HHS Secretary with the authority to temporarily waive statutory restrictions on reimbursement for telehealth services under Medicare, such as originating site and geographic restrictions, for the duration of the COVID–19 public health emergency (PHE).

Legislative History

On March 4, 2020, H.R. 6074 was introduced by Representative Lowey, and referred to the Committee on Appropriations, and in addition to the Committee on the Budget. That same day, the House considered H.R. 6074 under a motion to suspend the Rules passed H.R. 6074 by a voice vote.

On March 4, 2020, H.R. 6074 was received by the Senate and read twice. On March 5, 2020, Senate passed H.R. 6074, without amendment, by a recorded vote of 96 yeas and 1 nay (Roll Call No. 66).

On March 6, 2020, the President signed H.R. 6074 into law (Public Law 116–123).

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

PUBLIC LAW 116–127 (H.R. 6201)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

This legislation requires private health plans, Medicare, and Medicaid to provide coverage for COVID–19 diagnostic testing at no cost-sharing, including the cost of a provider, urgent care center and emergency room visits and other COVID–19 testing related items and services.

The legislation also clarifies that certain personal respiratory protective devices shall be considered covered countermeasures when used during the COVID–19 public health emergency.

The legislation increased the State Federal medical assistance percentage (FMAP) by 6.2 percentage points pursuant to certain maintenance of effort provisions. It creates a new Medicaid state plan option to provide any uninsured individual with coverage for COVID–19 diagnostic testing.

Legislative History

On March 11, 2020, H.R. 6201 was introduced by Representative Lowey, and referred to the Committee on Appropriations, and in addition to the Committees on the Budget, and Ways and Means.

On March 14, 2020, the House considered H.R. 6201, under a motion to suspend the Rules and passed H.R. 6201, amended, by a voice vote.

On March 17, 2020, H.R. 6201 was received by the Senate and read twice. On March 18, 2020, the Senate passed H.R. 620, without amendment, by a recorded vote of 90 yeas and 8 nays (Roll Call No. 76).

On March 18, 2020, the President signed H.R. 6201 into law (Public Law 116–127).

AUTISM COLLABORATION, ACCOUNTABILITY, RESEARCH, EDUCATION, AND SUPPORT ACT OF 2019 OR THE AUTISM CARES ACT OF 2019

PUBLIC LAW 116–60 (H.R. 1058)

To reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

Summary

This legislation reauthorizes funding for autism programs at the National Institutes of Health (NIH), Centers for Disease Control and Prevention, and Health Resources & Services Administration (HRSA) through fiscal year 2024. The legislation expands efforts to conduct research, surveillance, education, detection, and intervention for all individuals with autism spectrum disorder (ASD) across their lifespan, regardless of age. The bill also aims to reduce disparities among individuals from diverse racial, ethnic, geographic, or linguistic backgrounds, and directs additional care to rural and underserved areas. The five-year reauthorization includes annual authorizations of $23.1 million for developmental disabilities surveillance and research, $50.599 million for autism education, early detection, and intervention, and such sums as may be necessary to carry out the work of the Interagency Autism Coordinating Committee (IACC) and other programs at the NIH.

Legislative History

On February 7, 2019, H.R. 1058 was introduced by Representative Smith (NJ–04) and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on February 8, 2019.

On June 25, 2019, the Subcommittee on Health held a hearing on four bills, including H.R. 1058. The witnesses included Amy Hewitt, Ph.D., Director, Institute on Community Integration, University of Minnesota; Joseph Bocchini, M.D., Professor, Department of Pediatrics, Louisiana State University Health, Shreveport; Patricia Kunz Howard, Ph.D., R.N., President, Emergency Nurses Association, Director, Emergency Services, University of Kentucky Healthcare; and Jill Kagan, Director, ARCH National Respite Network and Resource Center.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1058 and forwarded H.R. 1058, amended, to the Committee on Energy and Commerce by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1058 and ordered H.R. 1058 reported favorably to the House, amended, by a voice vote.

On July 23, 2019, the Committee on Energy and Commerce reported H.R. 1058 to the House (H. Rept. 116–17), and it was placed on the Union Calendar (Calendar No. 137).

On July 24, 2019, the House considered H.R. 1058, under a motion to suspend the Rules and passed H.R. 1058 by a voice vote.

On July 25, 2019, H.R. 1058 was received by the Senate and read twice. On September 19, 2019, the Senate passed H.R. 1058, without amendment, by a voice vote.

On September 30, 2019, the President signed H.R. 1058 into law (Public Law 116–60).

TEMPORARY REAUTHORIZATION AND STUDY OF THE EMERGENCY SCHEDULING OF FENTANYL ANALOGUES ACT

PUBLIC LAW 116–114 (S. 3201)

To extend the temporary scheduling order for fentanyl-related substances, and for other purposes.

Summary

This legislation extends a temporary scheduling order issued by the Drug Enforcement Administration (DEA) to place fentanyl-related substances in Schedule I of the Controlled Substances Act (CSA) to May 6, 2021. The temporary order expired on February 6, 2020. Additionally, the bill directs GAO to study and report on the classification of fentanyl-related substances as Schedule I controlled substances, research on fentanyl-related substances, and the importation of fentanyl-related substances into the United States.

Legislative History

On January 16, 2020, S. 3201 was introduced by Senator Graham (SC), read twice, considered, read a third time, and passed without amendment by unanimous consent.

On January 17, 2020, S. 3201 was received in the House and referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means. It was subsequently referred to the Subcommittee on Health on January 21, 2020.

On January 29, 2020, the House passed S. 3201, under a motion to suspend the Rules and passed S. 3201 by a recorded vote of 320 yeas and 88 nays (Roll Call No. 32).

On February 6, 2020, the President signed S. 3201 into law (Public Law 116–114).

THE CARES ACT

PUBLIC LAW 116–136 (H.R. 748, H.R. 4801, H.R. 6283, AND H.R. 3443)

To amend the Internal Revenue Code of 1986 to repeal the excise tax on high-cost employer-sponsored health coverage.

Summary

This legislation requires private health plans to provide coverage of a brand range of COVID–19 diagnostic and serological testing at no cost-sharing, including any related items and services. The legislation also requires insurers to reimburse providers of COVID–19 testing at an amount that equals the negotiated rate in effect prior to the public health emergency or, if the insurer does not have a negotiated rate with the provider, the cash price for such service that is listed by the provider on a public website, and the insurer may also negotiate a rate less than the listed cash price.

This legislation addresses supply chain shortages by directing the National Academies to study the manufacturing supply chain of drugs and medical devices, clarifying the Strategic National Stockpile can stockpile personal protective equipment and certain other medical supplies, and providing permanent liability protection for manufacturers of certain personal respiratory protective equipment.

This legislation requires FDA to prioritize reviews of drug applications for drugs that are in shortage or at risk of shortage. The legislation also requires additional manufacturer reporting requirements of active pharmaceutical ingredients in response to drug shortages and requires drug manufacturers to adopt risk management plans that identify and evaluate risks to the supply of particular drugs. The legislation also requires device manufacturers to notify FDA of changes to the manufacturing of certain critical devices that is likely to lead to a meaningful disruption in supply, as well as requiring FDA to take actions that could help prevent or mitigate such device shortages.

This legislation provides additional funding to community health centers for the purpose of testing and treating patients with COVID–19. It also reauthorizes the HRSA grant programs that promote the use of telehealth technologies for health care delivery, education, and health information services and grant programs for rural health care services outreach, rural health network development, and small health care provider quality improvement grant programs, while also increasing telehealth flexibility for certain patients.

The legislation modernizes the U.S. Public Health Service Corps by establishing a Ready Reserve Corps to help ensure nation has enough trained doctors and nurses to respond to COVID–19 and other public health emergencies. The legislation also allows certain National Health Service Corps members to be reassigned in order to respond to the COVID–19 public health emergency.

This legislation addresses the confidentiality and disclosure of records related to substance use disorder. The legislation also requires guidance to be issued related to protecting health information during the COVID–19 public health emergency.

This legislation reauthorizes the Health Start program for five years and requires the creation of a campaign to improve awareness of the importance and safety of blood donation and the continued need for blood donations during the COVID–19 public health emergency.

Additionally, this legislation removes the cap on Biomedical Advanced Research and Development Authority's (BARDA) use of other transaction authority (OTA) during public health emergencies. It also provides a pathway for expedited reviews for certain zoonotic animal drugs.

This legislation reauthorizes and updates title VII and title VIII of the Public Health Service Act (PHSA), strengthens title VII programs to improve education and training related to geriatrics, and updates title VIII programs to address current and emerging health care challenges.

This legislation includes extensions for community health centers, the National Health Service Corps, and teaching health centers that operate graduate medication education programs, as well as the Personal Responsibility Education Program and the Sexual Risk Avoidance program.

The legislation also reforms the over-the-counter drug monograph regulatory framework at FDA and establishes a user fee program to offset costs for over-the-counter drug activities at FDA.

The legislation also included several Medicare provisions that, for example, expands access to telehealth services under Medicare, temporarily delays Medicare sequester cuts, provides increased payments to hospitals for inpatient COVID–19 treatment, eliminate cost-sharing for the COVID–19 vaccine, and expands the Accelerated Payment Program to provide loans to Medicare providers during the emergency period.

Legislative History

On January 24, 2019, H.R. 748 was introduced by Representative Courtney (CT–02) and referred to the Committee on Ways and Means.

On May 21, 2019, Representative Courtney filed a motion to place the bill on Consensus Calendar. On July 17, 2019, H.R. 748 was placed the Consensus Calendar (Calendar No. 2). That same day, the House considered H.R. 748 under a motion to suspend the Rules and passed H.R. 748, amended, by a recorded vote of 419 yeas and 6 nays (Roll Call No. 493).

On July 18, 2019, H.R. 748 was received by the Senate, and read the first time, and placed on the Senate Legislative Calendar under Read First Time. On July 22, 2019, H.R. 748 was read a second

time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 157). On March 25, 2020, the Senate passed an amendment in the nature of a substitute to H.R. 748, inserting the text of the Coronavirus Aid, Relief, and Economic Security Act by unanimous consent. On that same day, the Senate passed the Senate amendment to H.R. 748 by a recorded vote of 96 yeas and 0 nays (Roll Call No. 80).

On March 27, 2020, the House considered the Senate amendment to H.R. 748 pursuant to the provisions of H. Res. 911 and passed the Senate amendment to H.R. 748 by a voice vote. On March 27, 2020, H.R. 748 was presented to the President and the President signed H.R. 748 into law (Public Law 116–136).

On June 24, 2019, H.R. 3443, the "Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2019", was introduced by Representative DeGette and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on July 25, 2019.

On October 23, 2019, H.R. 4801, the "Healthy Start Reauthorization Act", was introduced by Representative Ryan and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on October 24, 2019.

On January 8, 2020, the Subcommittee on Health held a hearing on seven bills, including H.R. 4801. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky, Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI, Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, on behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On March 11, 2020, the Subcommittee on Health met in open markup session and forwarded H.R. 4801, without amendment, to the Committee on Energy and Commerce by a voice vote.

On March 13, 2020, H.R. 6283, the "Good Samaritan Health Professionals Act of 2020", was introduced by Representative Ruiz and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health on March 16, 2020.

No further action was taken on H.R. 3443, H.R. 4801, and H.R. 6283 in the 116th Congress. Provisions of H.R. 3443, H.R. 4801, and H.R. 6283 were included in H.R. 748.

CONTINUING APPROPRIATIONS ACT, 2020, AND HEALTH EXTENDERS ACT OF 2019

PUBLIC LAW 116–59 (H.R. 4378)

Making continuing appropriations for fiscal year 2020, and for other purposes.

Summary

Section 1602 of H.R. 4378 increases the number of eligible enrollees in the World Trade Center Health Program, which provides medical care for first responders and survivors affected by World Trade Center related conditions and diseases. The numerical limits for eligible first responders and survivors were 25,000 each. Section 602 increased the respective limits to 75,000 each.

Legislative History

On September 18, 2019, H.R. 4378 was introduced by Representative Lowey and referred to the Committee on Appropriations, and in addition to the Committee on the Budget.

On September 19, 2019, the House considered H.R. 4378 pursuant to the provisions of H. Res. 564 and passed the bill by a recorded vote of 301 yeas and 123 nays (Roll Call No. 538).

On September 19, 2019, H.R. 4378 was received in the Senate, read the first time, and placed on Senate Legislative Calendar under Read the First Time. On September 23, 2019, H.R. 4378 was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 213).

On September 26, 2019, the Senate passed H.R. 4378, without amendment, by a recorded vote of 81 yeas and 16 nays (Roll Call No. 311).

On September 27, 2019, H.R. 4378 was presented to the President and the President signed H.R. 4378 into law (Public Law No. 116–59).

THE CONSOLIDATED APPROPRIATIONS ACT, 2021

PUBLIC LAW 116—__ (H.R. 133, H.R. 233, H.R. 525, H.R. 913, H.R. 938, H.R. 1052, H.R. 1191, H.R. 1520, H.R. 1570, H.R. 1781, H.R. 1791, H.R. 1873, H.R. 2075, H.R. 2328, H.R. 2477, H.R. 2862, H.R. 3029, H.R. 3031, H.R. 3039, H.R. 3415, H.R. 3935, H.R. 4078, H.R. 4400, H.R. 4439, H.R. 4821, H.R. 4955, H.R. 5199, H.R. 5201, H.R. 5281, H.R. 5321, H.R. 5534, H.R. 5668, H.R. 5654, H.R. 6005, H.R. 7539, H.R. 7839, H.R. 8158, H.R. 8834)

Making consolidated appropriations for the fiscal year ending September 30, 2021, providing coronavirus emergency response and relief, and for other purposes.

Summary

This legislation includes extensions for community health centers, the National Health Service Corps, and teaching health centers that operate graduate medication education programs, special diabetes programs, as well as the Personal Responsibility Education Program and the Sexual Risk Avoidance program. Additionally, this legislation includes extensions of the Medicaid demonstration program for certified community behavioral health centers (CCBHCs), the money follows the person rebalancing demonstration, and protections against spousal impoverishment for partners of recipients of Medicaid home- and community-based services (HCBS), and it averts the reductions to allotments for Medicaid disproportionate share hospitals (DSH). This legislation would also extend several Medicare extenders policies including increased payments for the work component of physician fees in areas where

labor cost is determined to be lower than the national average, funding to a consensus-based entity to carry out duties related to quality measurement and performance improvement, funding for low-income Medicare beneficiary outreach, enrollment, and education activities, an extension of the Intravenous Immunoglobulin (IVIG) treatment demonstration, and extension of the Independence at Home demonstration.

The legislation holds patients harmless from surprise medical bills, including from air ambulance providers, by ensuring they are only responsible for their in-network cost-sharing amounts, including deductibles, in both emergency situations and certain non-emergency situations where patients do not have the ability to choose an in-network provider. Insurers will make a payment to providers for out-of-network services that is determined either through negotiation between the parties or an independent dispute resolution (IDR) process.

The legislation allows the Secretary to add up to 10 quality measures—including measures of functional status, patient safety, care coordination, or patient experience—to the skilled nursing facility (SNF) value-based purchasing program for facilities with more than the required minimum number of cases.

The legislation provides the Medicare Payment Advisory Commission (MedPAC) and the Medicaid and CHIP Payment and Access Commission (MACPAC) with access to drug pricing and rebate data under Medicare Parts B and D, as well as under Medicaid. Currently, MedPAC and MACPAC lack access to this drug pricing data and are limited in their ability to analyze and provide information on related topics to Congress, such as issues related to prescription drug costs. H.R. 1781 would ensure the Commissions have access to this data in order to analyze and report to Congress on these issues.

The legislation prohibits the Secretary of HHS from making payments under the Physician Fee Schedule for services described by Healthcare Common Procedure Coding System (HCPCS) code G2211 (or any successor or substantially similar code) prior to January 1, 2024.

The legislation freezes the current payment and patient count thresholds for physicians and other eligible clinicians participating in Advanced Alternative Payment Models (APMs) to receive a five percent incentive payment in payment years 2023 and 2024 (performance years 2021 and 2022). It also freezes the Partial Qualifying APM participant payment and patient count thresholds at current levels for payment years 2023 and 2024 (performance years 2021 and 2022).

The legislation requires the Secretary of HHS, no later than January 1, 2022, to allow occupational therapists to conduct initial assessment visits and complete comprehensive assessments for certain home health services if the referral order by the physician does not include skilled nursing care but includes occupational therapy and physical therapy or speech language pathology.

The legislation permanently authorizes the Limited Income Newly Eligible Transition (LI NET) program to ensure low-income beneficiaries can obtain transitional and retroactive Medicare part D prescription drug coverage when not already enrolled in a Medi-

care drug plan. This program was first created as a demonstration program and is permanently authorized by this legislation.

The legislation requires Medicare prescription drug plan sponsors to implement an electronic, real-time benefit tool that is capable of integrating with at least one prescriber's electronic prescribing system or electronic health record. The tool must provide prescription with patient-specific, real-time formulary and benefit information, including information regarding cost-sharing, formulary alternatives, and utilization management requirements.

This legislation would require the Secretary of HHS to conduct outreach to Medicare providers regarding Medicare payment for cognitive assessment and care plan services furnished to individuals with cognitive impairment, such as Alzheimer's and related dementias.

The legislation ensures continued coverage of home infusion therapy services for beneficiaries taking self-administered and biological drugs that are currently included under the temporary transitional home infusion therapy benefit when the permanent home infusion therapy benefit takes effect January 1, 2021.

This legislation eliminates coverage gaps by requiring that part B insurance coverage begin the first of the month following an individual's enrollment and provides for a part B Special Enrollment Period for "exceptional circumstances," such as hurricanes and other natural disasters, to mirror authority in Medicare Advantage and Medicare part D.

This legislation would specify that the budget neutrality requirement for establishing new payment classes of oxygen and oxygen equipment no longer applies, thereby increasing reimbursement for certain oxygen equipment in rural areas.

This legislation gradually eliminates cost-sharing for Medicare beneficiaries with respect to colorectal cancer screening tests, even in cases where a polyp is detected and removed.

This legislation expands access to telehealth services in Medicare to allow beneficiaries to receive mental health services via telehealth, including from the beneficiary's home. To be eligible to receive these services via telehealth, the beneficiary must have been seen in person at least once by the physician or non-physician practitioner within the past six months, with additional face-to-face requirements determined by the Secretary.

The legislation creates a new, voluntary Medicare payment designation that allows either a Critical Access Hospital (CAH) or a small, rural hospital with less than 50 beds to convert to a Rural Emergency Hospital (REH) to preserve beneficiary access to emergency medical care in rural areas that can no longer support a fully operational inpatient hospital. REHs can also furnish additional medical services needed in their community, such as observation care, outpatient hospital services, telehealth services, ambulance services, and skilled nursing facility services. REHs will be reimbursed under all applicable Medicare prospective payment systems, plus an additional monthly facility payment and an add-on payment for hospital outpatient services.

The legislation supports physician workforce development by providing for the distribution of additional Medicare-funded graduate medical education (GME) residency positions. Rural hospitals, hos-

pitals that are already above their Medicare cap for residency positions, hospitals in states with new medical schools, and hospitals that serve Health Professional Shortage Areas will be eligible for these new positions.

The legislation makes changes to Medicare GME Rural Training Tracks (RTT) to provide greater flexibility for rural and urban hospitals that participate in RTT programs. Section 128. Five-year extension of the Rural Community Hospital Demonstration.

The legislation extends the Rural Community Hospital Demonstration (RCHD) by five years. The demonstration tests the feasibility and advisability of establishing "rural community hospitals" to furnish covered inpatient hospital services to Medicare beneficiaries in states with low population densities. Participating hospitals are mostly paid using reasonable cost-based methodology instead of the inpatient prospective payment system.

The legislation extends the Frontier Community Health Integration Project (FCHIP) demonstration by five years. The FCHIP demonstration tests new models of health care delivery for rural CAHs.

The legislation implements a comprehensive Rural Health Clinic (RHC) payment reform plan. It phases-in a steady increase in the RHC statutory cap over an eight-year period, subjects all new RHCs to a uniform per-visit cap, and controls the annual rate of growth for uncapped RHCs whose payments are above the upper limit. It ensures that no RHC would see a reduction in reimbursement. RHCs with an all-inclusive rate (AIR) above the upper limit will continue to experience annual growth, but the payment amount will be constrained to the facility's prior year reimbursement rate plus the Medicare Economic Index (MEI). Specifically, the policy raises the statutory RHC cap to $100 starting on April 1, 2021, and gradually increases the upper limit each year through 2028 until the cap reaches $190. This brings the RHC upper limit roughly in line with the Federally Qualified Health Centers (FQHC) Medicare base rate. In each subsequent calendar year, starting in 2029, the new statutorily set RHC cap reverts back to an annual MEI inflationary adjustment.

The legislation allows hospitals to host a limited number of residents for short-term rotations without being negatively impacted by a set permanent full-time equivalent (FTE) resident cap or a Per Resident Amount (PRA).

The legislation allows RHCs and FQHCs to furnish and bill for hospice attending physician services when RHC and FQHC patients become terminally ill and elect the hospice benefit, beginning January 1, 2022.

The legislation provides for a statutory six-month additional delay, in addition to the delay announced by CMS of the Medicare radiation oncology model to January 1, 2022.

The legislation adds blood clotting factors and items and services related to their furnishing to the categories of high-cost, low probability services that are excluded from the skilled nursing facility per-diem prospective payment system and are separately payable. This change will allow SNF care to be an option instead of continued inpatient care for this limited population.

The legislation requires all manufacturers of drugs covered under Medicare part B to report average sales price (ASP) information to

the Secretary of HHS beginning on January 1, 2022. Specifically, it adds a new requirement for manufacturers that do not have a rebate agreement through the Medicaid Drug Rebate Program to report ASP information.

The legislation establishes eligibility for immunosuppressive drug coverage through Medicare to post-kidney transplant individuals whose entitlement to benefits under part A ends (whether before, on, or after January 1, 2023) and who do not receive coverage of immunosuppressive drugs through other insurance.

The legislation allows direct payment under the Medicare program to physician assistants for services furnished to beneficiaries on or after January 1, 2022.

The legislation extends the change to the annual updates to the hospice aggregate cap made in the Improving Medicare Post-Acute Care Transformation Act (IMPACT Act) of 2014 and applies the hospice payment update percentage rather than the Consumer Price Index for Urban Consumers (CPI—U) to the hospice aggregate cap for fiscal years 2026 through 2030. Section 405. Special rule for determination of ASP in cases of certain self-administered versions of drugs.

The legislation authorizes CMS, when determining payment for products covered under Medicare part B, to review and exclude payments made for the self-administered versions of products that are not covered under part B.

The legislation rescinds $3,464,000,000 from the Medicaid Improvement Fund.

The legislation makes changes to the Medicare hospice survey and certification process to improve consistency and oversight, allowing the Secretary to use intermediate remedies to enforce compliance with hospice requirements and extending the requirement that hospices be surveyed no less frequently than once every 36 months. It also creates a new Special Focus Facility Program for poor-performing hospice providers, who will be surveyed not less frequently than once every six months. It increases the penalty for hospices not reporting quality data to the Secretary from two to four percentage points, beginning in fiscal year 2024.

The legislation provides $165 million for the Medicare Improvement Fund.

The legislation provides for a one-time, one-year increase in the Medicare physician fee schedule of 3.75 percent, in order to support physicians and other professionals in adjusting to changes in the Medicare physician fee schedule during 2021, and to provide relief during the COVID–19 public health emergency. It also provides for a three-month delay of the Medicare sequester payment reductions through March 31, 2021.

The legislation also includes a national campaign program to increase awareness and knowledge of the safety and effectiveness of vaccines for the prevention and control of diseases, to combat misinformation, and to disseminate scientific and evidence-based vaccine-related information.

The legislation authorizes HHS to develop and disseminate guides on evidence-based obesity prevention and control strategies for State, territorial, and local health departments and Indian tribes and tribal organizations.

The legislation authorizes the provision of technical assistance and grants to evaluate, develop, and expand the use of technology-enabled collaborative learning and capacity building models to increase access to specialized health care services in medically underserved areas and for medically underserved populations.

The legislation requires HHS to expand, enhance, and improve public health data systems used by the Centers for Disease Control and Prevention (CDC). It also requires HHS to award grants to State, local, Tribal, or territorial public health departments for the modernization of public health data systems in order to assist public health departments in assessing current data infrastructure capabilities and gaps; to improve secure public health data collection, transmission, exchange, maintenance, and analysis; to enhance the interoperability of public health data systems; to support and train related personnel; to support earlier disease and health condition detection; and to develop and disseminate related information and improved electronic case reporting.

The legislation ensures states consult with Indian tribes, tribal organizations, urban Indian organizations, and Native Hawaiian Health Care Systems in developing youth suicide early intervention and prevention strategies.

The legislation reauthorizes the young women's breast health awareness and education program at $9 million for each of fiscal years 2022–2026.

The legislation reauthorizes the School-Based Health Center program for fiscal years 2022 through 2026.

The legislation allows the FDA to continue to award priority review vouchers for drugs that treat rare pediatric diseases and are designated no later than September 30, 2024, and approved no later than September 30, 2026.

The legislation clarifies that biosimilar applicants can include information in biosimilar submissions to show that the proposed conditions of use for the biosimilar product have been previously approved for the reference product.

The legislation clarifies that the clinical superiority standard applies to all drugs with an orphan drug designation for which an application was approved after the enactment of the FDA Reauthorization Act of 2017, regardless of the date of the orphan drug designation.

The legislation allows FDA to identify and select certain covered generic drugs for which labeling updates would provide a public health benefit and require sponsors of such drug applications to update labeling. It also requires FDA to report on the number of covered drugs and a description of the types of drugs selected for labeling changes, and the rationale for such recommended changes, and to provide recommendations for modifying the program under this section.

The legislation would ban gag clauses in contracts between providers and health plans that prevent enrollees, plan sponsors, or referring providers from seeing cost and quality data on providers. The legislation would also ban gag clauses in contracts between providers and health insurance plans that prevent plan sponsors from accessing de-identified claims data that could be shared, under Health Insurance Portability and Accountability Act

(HIPAA) business associate agreements, with third parties for plan administration and quality improvement purposes.

This legislation would help improve and strengthen enforcement of existing mental health parity laws. The legislation would prohibit health insurance plans from imposing less favorable benefit limitations on mental and substance use disorder treatments than on medical and surgical benefits. The bill would increase transparency with respect to how health insurance plans are applying mental health parity laws, by requiring plans to make available certain analyses of how plans are applying non-quantitative treatment limits (NQTLs) to mental health and substance use disorder benefits, in comparison to medical and surgical benefits. The legislation would also require federal regulators to request comparative analyses for plans that involve potential violations or complaints regarding noncompliance with mental health parity standards and to request no fewer than twenty comparative analyses per year. In addition, HHS, the Departments of Labor and the Treasury would be required to submit an annual report to Congress, including a summary of the comparative analyses and federal regulators' findings.

This legislation codifies an existing public-private partnership operated by the Centers for Medicare and Medicaid Services (CMS) as part of the agency's ongoing responsibility to combat fraud, waste, and abuse.

This legislation restores Medicaid eligibility for citizens of the Freely Associated States who are residing in the United States. It also requires state Medicaid programs to cover routine patient costs for Medicaid beneficiaries who are participating in a clinical trial. This legislation also requires that state Medicaid programs cover non-emergency medical transportation (NEMT) as a mandatory Medicaid benefit. It strengthens program integrity and provider participation requirements for the benefit.

It authorizes Medicaid Fraud Control Units (MFCUs) to investigate fraud and abuse in non-institutional settings.

This legislation also requires the Secretary of Health and Human Services (HHS) to establish a system that States may use to report on certain supplemental payments to hospitals. It also revises how States calculate the hospital-specific Medicaid DSH limit.

Legislative History

On January 3, 2019, H.R. 133 was introduced by Representative Cuellar (TX–28), and referred to the Committee on Foreign Affairs. On January 10, 2019, the House considered H.R. 133 under a motion to suspend the Rules and passed H.R. 133 by a voice vote. On January 15, 2020, the Senate passed H.R. 133, amended, by unanimous consent.

On December 21, 2020, the House passed an amendment to the Senate amendment to H.R. 133 with a portion of the amendment comprising divisions B, C, E, and F by a recorded vote of 327 yeas and 85 nays (Roll no. 250) and an amendment to the Senate amendment to H.R. 133 (except divisions B, C, E, and F) by a recorded vote of 359 yeas and 53 nays (Roll no. 251). That same day, the House passed the Senate amendment to H.R. 133, amended, by unanimous consent.

On December 21, 2020, the Senate passed the House amendment to the Senate amendment to H.R. 133 by a recorded vote of 92 yeas to 6 nays (Recorded Vote Number: 289).

On December 27, 2020, the President signed H.R. 133 into law (Public Law 116–__). The Public Law number had not been assigned when this report was filed.

H.R. 133 includes provisions from the following bills: H.R. 233, the "Medicaid Patient Abuse Prevention Act", introduced by Representative Walberg; H.R. 913, the "CLINICAL TREATMENT Act", introduced by Representative Luján; H.R. 525, the "Strengthening the Health Care Fraud Prevention Task Force Act of 2019", introduced by Representative Walden; H.R. 938, the "BLOCKING Act of 2019", introduced by Representative Schrader; H.R. 1052, To amend title XVIII of the Social Security Act to provide for direct payment to physician assistants under the Medicare program for certain services furnished by such physician assistants, introduced by Representative Sewell; H.R. 1191, the "Native American Suicide Prevention Act of 2019", introduced by Representative Grijalva; H.R. 1520, the "Purple Book Continuity Act of 2019", introduced by Representative Eshoo; H.R. 1570, the "Removing Barriers to Colorectal Cancer Screening Act of 2020", introduced by Representative Payne; H.R. 1791, the "Children of Fallen Servicemembers AMT Relief Act of 2019", introduced by Representative Larsen; H.R. 1873, the "Improving HOPE for Alzheimer's", introduced by Representative Tonko; H.R. 2075, the "School-Based Health Centers Reauthorization Act of 2020", introduced by Representative Sarbanes; H.R. 2328, the "Community Health Investment, Modernization, and Excellence Act of 2019", introduced by Representative O'Halleran; H.R. 2477, the "BENES Act of 2020", introduced by Representative Ruiz; H.R. 2862, the "VACCINES Act of 2019", introduced by Representative Schrier; H.R. 3029, the "Improving Low-Income Access to Prescription Drugs Act of 2019", introduced by Representative Olson; H.R. 3031, To amend title XVIII of the Social Security Act to extend funding for quality measure endorsement, input, and selection under the Medicare program, introduced by Representative Chu; H.R. 3039, To provide for a 5-year extension of funding outreach and assistance for low-income programs, introduced by Representative Gomez; H.R. 3415, the "Real-Time Beneficiary Drug Cost Bill", introduced by Representative Slotkin; H.R. 3935, the "Protecting Patients Transportation to Care Act", introduced by Representative Carter (GA–01); H.R. 4078, the "EARLY Act Reauthorization of 2020", introduced by Representative Wasserman Schultz; H.R. 4400, the "Advancing Education on Biosimilars Act of 2019", introduced by Representative Bucshon (IN–08); H.R. 4439, the "Creating Hope Reauthorization Act", introduced by Representative Butterfield; H.R. 4821, the "Covering our FAS Allies Act", introduced by Representative Cárdenas; H.R. 4955, the "Protecting Access to Safe and Effective Medicines Act of 2019", introduced by Representative Engel; H.R. 5199, the "ECHO Act of 2019", introduced by Representative Luján; H.R. 5201, the "Telemental Health Expansion Act of 2020", introduced by Representative Matsui; H.R. 5281, the "Drug Price Transparency in Medicaid Act of 2019", introduced by Representative Carter (GA–01); H.R. 5321, the "Public Health Infrastructure Modernization

Act of 2019", introduced by Representative McBath; H.R. 5534, the "Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2020", introduced by Representative Kind; H.R. 5668, the "MODERN Labeling Act of 2020", introduced by Representative Matsui; H.R. 5654, the "Expanding Medical Education Act of 2020", introduced by Representative Costa; H.R. 6005, the "Know the Price Act", introduced by Representative Malinowski; H.R. 7539, the "Strengthening Behavioral Health Parity Act", introduced by Representative Kennedy; H.R. 7839, the "Continuing Access to In-Home IVIG Act", introduced by Representative Matsui; H.R. 8158, To amend title XVIII of the Social Security Act to waive budget neutrality for oxygen under the Medicare program, and for other purposes, introduced by Representative Rodgers; and H.R. 8834, the "Independence at Home Demonstration Improvement Act of 2020", introduced by Representative Dingell.

ELIJAH E. CUMMINGS LOWER DRUG COSTS NOW ACT

H.R. 3 (H.R. 1570, H.R. 1948, H.R. 2466, H.R. 2922, H.R. 3924, H.R. 4455, H.R. 4618, H.R. 4619, H.R. 4620, H.R. 4632, H.R. 4633, H.R. 4649, H.R. 4650, H.R. 4655, H.R. 4661, H.R. 4663, H.R. 4665, H.R. 4666, H.R. 4667, H.R. 4669, H.R. 4671, H.R. 4675, H.R. 4676, H.R. 4835, AND H.R. 4893)

To establish a fair price negotiation program, protect the Medicare program from excessive price increases, and establish an out-of-pocket maximum for Medicare part D enrollees, and for other purposes.

Summary

H.R. 3 empowers the Secretary for the U.S. Department of Health and Human Services (the Secretary) to negotiate with drug manufacturers for certain high-priced single source drugs in order to lower prices, protects the Medicare program from excessive prescription drug price increases, and establishes a $2,000 out-of-pocket maximum for Medicare part D (part D) enrollees.

Additionally, the bill reforms the part D prescription drug benefit and increases consumer transparency of the prescription drug supply chain by requiring certain drug manufacturers to report specific information to the Secretary about the prices of their drugs. The legislation also improves the part D low-income subsidy (LIS) program in order for low-income part D enrollees to better access their prescriptions, while also reducing out-of-pocket costs for these enrollees. It also expands coverage of vision, dental, and hearing services under Medicare part B (part B).

Legislative History

On September 19, 2019, H.R. 3 was introduced by Representative Pallone, and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor. It was subsequently referred to the Subcommittee on Health that same day.

On September 25, 2019, the Subcommittee on Health held a hearing on four bills, including H.R. 3. The witnesses included Robert Fowler, Ph.D., Professor Emeritus, Baldwin Wallace University;

Gerard Anderson, Ph.D., Professor, Johns Hopkins Bloomberg School of Public Health; and Benedic Ippolito, Ph.D., Research Fellow in Economic Policy Studies, American Enterprise Institute.

On October 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 3 and ordered H.R. 3, amended, reported favorably to the House by a recorded vote of 30 yeas to 22 nays.

On December 6, 2019, the Committee on Energy and Commerce reported H.R. 3 to the House (H. Rept. 116–324 Part I). On December 9, 2019, it was placed on the Union Calendar (Calendar No. 264).

On December 12, 2019, the House considered H.R. 3 pursuant to the provisions of H.R. 758 and passed H.R. 3 by a recorded vote of 230 yeas and 192 nays (Roll Call No. 682).

On December 16, 2019, H.R. 3 was received by the Senate. On August 13, 2020, H.R. 3 was read for the first time and placed on the Senate Legislative Calendar under Read the First Time. On September 8, 2020, H.R. 3 was read for the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 521).

No further action was taken on H.R. 3 in the 116th Congress.

H.R. 3 included provisions from the following bills: H.R. 1570, the "Removing Barriers to Colorectal Cancer Screening Act of 2020", introduced by Representative Payne (NJ–10); H.R. 1948, the "Lymphedema Treatment Act of 2019", introduced by Representative Schakowsky; H.R. 2466, the "State Opioid Response Grant Authorization Act of 2020", introduced by Representative Trone; H.R. 2922, the "Respond to the Needs in the Opioid War Act", introduced by Representative Kuster; H.R. 3924, the "Streamlining Part D Appeals Process Act", introduced by Representative Suozzi (NY–03); H.R. 4455, the "Bolstering Innovative Options to Save Immediately on Medicines Act", introduced by Representative Schrader; H.R. 4618, the "Medicare Hearing Act of 2019", introduced by Representative McBath; H.R. 4619, the "Pharmaceutical Rebates for Excessive Pricing Above Inflation Act", introduced by Representative Schakowsky; H.R. 4620, the "More Help for Seniors Act of 2019", introduced by Representative Rose (NY–11); H.R. 4632, the "Better Transparency in Information for Medicare Beneficiaries Act of 2019", introduced by Representative Kind (WI–03); H.R. 4633, the "Investing in Safety and Innovation Act of 2019", introduced by Representative Eshoo; H.R. 4649, the "Capping Drug Costs for Seniors Act of 2019", introduced by Representative Horsford (NV–04); H.R. 4650, the "Medicare Dental Coverage Act of 2019", introduced by Representative Kelly; H.R. 4655, the "Enhancing Retirement Security for Medicare Beneficiaries Act of 2019", introduced by Representative Lee (NV–03); H.R. 4661, the "Advancing Enrollment and Reducing Drug Costs Act of 2019", introduced by Representative Pappas (NH–01); H.R. 4663, the "Freedom from Price Gouging Act", introduced by Rep. Porter (CA–45); H.R. 4665, the "Medicare Vision Act of 2019", introduced by Representative Schrier; H.R. 4666, a bill to amend title XVIII of the Social Security Act to provide certain low-income territorial residents with automatic eligibility for premium and cost-sharing subsidies under the Medicare program, and for other purposes, introduced by Representative

Shalala (FL–27); H.R. 4667, the "Biomedical Innovation Expansion Act of 2019", introduced by Representative Sherrill; H.R. 4669, the "Maximizing Drug Coverage for Low-Income Seniors Act of 2019", introduced by Representative Stevens; H.R. 4671, the "Helping Seniors Afford Health Care Act", introduced by Representative Kim (NJ–03); H.R. 4675, the "Language Access for Medicare Beneficiaries Act of 2019", introduced by Representative Gomez (CA–34); H.R. 4676, the "Protecting Medicare Beneficiaries with Pre-Existing Conditions Act", introduced by Representative Schneider (IL–10); H.R. 4835, the "Supporting Trauma-Informed Education Practices Act of 2019", introduced by Representative Hayes (CT–05); and H.R. 4893, the "Keeping Our Children Safe Act", introduced by Representative Wild (PA–07).

LEGITIMATE USE OF MEDICINAL MARIJUANA ACT

H.R. 171

To provide for the legitimate use of medicinal marihuana in accordance with the laws of the various States.

Summary

This legislation transfers marijuana from Schedule I to Schedule II of the Controlled Substances Act. It also specifies that no provision of the CSA or the Federal Food, Drug, and Cosmetic Act (FFDCA) shall prohibit or restrict activities related to medical marijuana that comply with a state's medical marijuana law. The bill does not affect any Federal, State, or local law that regulates or prohibits smoking in public.

Legislative History

On January 3, 2019, H.R. 171 was introduced by Representative Griffith, and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on January 25, 2019.

On January 15, 2020, the Subcommittee on Health held a hearing on six bills, including H.R. 171. The witnesses included Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health.

No further action was taken on H.R. 171 in the 116th Congress.

MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT OF 2019

H.R. 275

To amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

Summary

This legislation would give the Secretary of HHS authority to negotiate the prices, including discounts, rebates, and other price con-

cessions, that may be charged to PDPs for covered part D drugs. H.R. 275 would not authorize the Secretary to establish or require a particular formulary or affect the Secretary's authority to ensure plan compliance with existing part D formulary requirements.

Legislative History

On January 8, 2019, H.R. 275 was introduced by Representative Welch and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means. It was subsequently referred to the Subcommittee on Health that same day.

On September 25, 2019, the Subcommittee on Health held a hearing on four bills including H.R. 275. The witnesses included Robert Fowler, Ph.D., Professor Emeritus, Baldwin Wallace University; Gerard Anderson, Ph.D., Professor, Johns Hopkins Bloomberg School of Public Health; and Benedic Ippolito, Ph.D., Research Fellow in Economic Policy Studies, American Enterprise Institute.

No further action was taken on H.R. 275 in the 116th Congress.

MEDICARE DRUG PRICE NEGOTIATION ACT

H.R. 448

To amend title XVIII of the Social Security Act to provide for the negotiation of lower covered part D drug prices on behalf of Medicare beneficiaries and the establishment and application of a formulary by the Secretary of Health and Human Services under Medicare part D, and for other purposes.

Summary

This legislation would instruct the Secretary of HHS to negotiate with drug manufacturers the prices to be charged to part D plans (PDPs) for covered part D drugs furnished to part D enrollees during the applicable period. If the Secretary is not successful in obtaining an appropriate price for an applicable covered part D drug during negotiations with the drug manufacturer, the price charged to PDPs during the applicable period shall be the lowest of three options: (1) the contract price for drugs for certain Federal agencies; (2) the average of the prices available in the most recent 12-month period in Canada, the United Kingdom, Germany, France, and Japan; or (3) the Medicaid best price. The bill also instructs the Secretary to prioritize certain covered part D drugs for the purposes of negotiation.

H.R. 448 would also establish and apply a formulary for required use by PDPs or requires PDPs to consider negotiations carried out by the Secretary and make changes, as necessary. H.R. 448 would also require drug manufacturers to provide mandatory rebates for drugs purchased by part D low-income subsidy enrollees who have incomes up to 150 percent of the Federal poverty level and meet certain asset tests.

Legislative History

On January 10, 2019, H.R. 448 was introduced by Representative Cummings (MD–07) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means.

It was subsequently referred to the Subcommittee on Health that same day.

On September 25, 2019, the Subcommittee on Health held a hearing on four bills including H.R. 448. The witnesses included Robert Fowler, Ph.D., Professor Emeritus, Baldwin Wallace University; Gerard Anderson, Ph.D., Professor, Johns Hopkins Bloomberg School of Public Health; and Benedic Ippolito, Ph.D., Research Fellow in Economic Policy Studies, American Enterprise Institute.

No further action was taken on H.R. 448 in the 116th Congress

STRENGTHENING THE HEALTH CARE FRAUD PREVENTION TASK FORCE OF 2019

H.R. 525

To amend title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse.

Summary

This legislation codifies the Health Fraud Prevention Partnership (HFPP), a public-private partnership between the Federal Government, law enforcement, state health agencies, private health insurance plans, and health care anti-fraud associations. HFPP exchanges data and information between the partners to combat fraud, waste, and abuse in the health care sector. Eighty-five public, private, and state organizations participated in HFPP in fiscal year 2017.

The discussion draft authorizes the HFPP and ensures adequate transparency requirements are in place to enable HFPP to fulfill its mission.

Legislative History

On January 11, 2019, H.R. 525 was introduced by Representative Walden (OR–02), and referred to Committee on Energy and Commerce, and in addition to the Committees on Ways and Means. It was subsequently referred to the Subcommittee on Health on January 25, 2019.

On February 25, 2019, the House considered H.R. 525 under a motion to suspend the Rules and passed H.R. 525 by a voice vote.

On February 26, 2019, H.R. 525 was received in the Senate, read twice, and referred to the Committee on Finance.

There was no further action on H.R. 525 in the 116th Congress.

MEDICAL CANNABIS RESEARCH ACT OF 2019

H.R. 601

To increase the number of manufacturers registered under the Controlled Substances Act to manufacture cannabis for legitimate research purposes, to authorize health care providers of the Department of Veterans Affairs to provide recommendations to veterans regarding participation in federally approved cannabis clinical trials, and for other purposes.

Summary

This legislation requires the Attorney General to assess the supply of research grade cannabis and directs the Attorney General to increase the number of federally registered cannabis manufacturers for research purposes. The bill also allows Department of Veterans Affairs health providers to provide information to veterans about federally approved cannabis clinical trials, and to participate in such trials if registered under the CSA.

Legislative History

On January 16, 2019, H.R. 601 was introduced by Representative Gaetz (FL–01), and referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Veterans' Affairs. It was subsequently referred to the Subcommittee on Health on January 25, 2019.

On January 15, 2020, the Subcommittee on Health held a hearing on six bills, including H.R. 601. The witnesses included Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health.

No further action was taken on H.R. 601 in the 116th Congress.

TITLE VIII NURSING WORKFORCE REAUTHORIZATION ACT OF 2019

H.R. 728

To amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

Summary

This legislation reauthorizes Federal nursing workforce development grant programs administered by HRSA for each year for fiscal years 2020 through 2024. These programs include traineeships, loan repayment, and scholarships for nurses to attain advance practice status and become nursing faculty. H.R. 728 also amends the statute to allow nurses to qualify for the student loan repayment program regardless of facility status.

Legislative History

On January 23, 2019, H.R. 728 was introduced by Representative Joyce (OH–14), and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on January 25, 2019.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 728 and forwarded H.R. 728, amended, to the Committee on Energy and Commerce by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 728 and ordered H.R. 728, amended, reported favorably to the House by a voice vote.

On September 24, 2019, the Committee on Energy and Commerce reported H.R. 728 to the House (H. Rept. 116–216), and it was placed on the Union Calendar (Calendar No. 171).

On October 28, 2019, the House considered H.R. 728, under a motion to suspend the Rules and passed H.R. 728 by a voice vote.

On October 29, 2019, H.R. 728 was received by the Senate, read twice, and was referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 728 in the 116th Congress.

MEDICARE MENTAL HEALTH ACCESS ACT

H.R. 884

To amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

Summary

This legislation would expand the definition of "physician" under the Medicare program to include a clinical psychologist, but only with respect to the furnishing of qualified psychologist services within the psychologist's scope of practice.

Legislative History

On January 30, 2019, H.R. 884 was introduced by Representative Chu (CA–27) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. It was subsequently referred to the Subcommittee on Health that same day.

On June 30, 2020, the Subcommittee on Health held a hearing on 22 bills, including H.R. 884. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 884 in the 116th Congress.

MENTAL HEALTH ACCESS IMPROVEMENT ACT OF 2019

H.R. 945

To amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

Summary

This legislation would provide for coverage of marriage and family therapist services and mental health counselor services under Medicare part B.

Legislative History

On January 31, 2019, H.R. 945 was introduced by Representative Thompson (CA–05), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. It was subsequently referred to the Subcommittee on Health on February 1, 2019.

On June 30, 2020, the Subcommittee on Health held a hearing on 22 bills, including H.R. 945. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 945 and ordered H.R. 945, amended, reported favorably to the House by a voice vote.

No further action was taken on H.R. 945 in the 116th Congress.

SAFEGUARD AMERICAN FOOD EXPORTS ACT OF 2019

H.R. 961

To prevent human health threats posed by the consumption of equines raised in the United States.

Summary

This legislation amends the Federal Food, Drug, and Cosmetic Act to deem equine parts, or horse parts, as unsafe and to prohibit the knowing sale or transport of equines or equine parts in interstate or foreign commerce for purposes of human consumption.

Legislative History

On February 4, 2019, H.R. 961 was introduced by Representative Schakowsky and referred to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture.

On January 29, 2020, the Subcommittee on Health held a hearing on 10 bills, including H.R. 961. The invited witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers, the State University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association, Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.;

Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

No further action was taken on H.R. 961 in the 116th Congress.

PROTECTING AMERICANS WITH PREEXISTING CONDITIONS ACT OF 2019

H.R. 986

To provide that certain guidance related to waivers for State Innovation under the Patient Protection and Affordable Care Act shall have no force or effect.

Summary

This legislation would revoke the section 1332 guidance issued by the Trump Administration in October 2018. The bill would also prevent the Secretaries of HHS and Treasury from promulgating any substantially similar guidance or rule.

Legislative History

On February 6, 2019, H.R. 986 was introduced by Representative Kuster and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. It was subsequently referred to the Subcommittee on Health on February 7, 2019.

On February 13, 2019, the Subcommittee on Health held a hearing on four bills, including H.R. 986. The witnesses included Grace-Marie Turner, President, Galen Institute; Katie Keith, J.D., M.P.H., Associate Research Professor and Adjunct Professor of Law, Georgetown University; and Jessica K. Altman, Commissioner, Pennsylvania Insurance Department.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 986 and forwarded H.R. 986, without amendment, to the Committee on Energy and Commerce by a recorded vote of 19 yeas and 13 nays.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 986 and ordered H.R. 986, amended, reported favorably to the House by a voice vote.

On April 30, 2019, the Committee on Energy and Commerce filed a House report on H.R. 986 (H. Rept. 116–44) and the bill was placed on the Union Calendar (Calendar No. 22).

On May 9, 2019, the House considered H.R. 986 under the provisions of H. Res. 357 and passed H.R. 986, amended, by a roll call vote of 230 yeas, 183 nays, and 1 present (Roll Call No. 196).

On May 14, 2019, H.R. 986 was received by the Senate, read the first time, and placed on the Senate Legislative Calendar under Read the First Time. On May 15, 2019, H.R. 986 was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 90).

There was no further action taken on H.R. 986 in the 116th Congress.

STRENGTHENING HEALTH CARE AND LOWERING PRESCRIPTION DRUG COSTS ACT

H.R. 987

(H.R. 938, H.R. 965, H.R. 1010, H.R. 1385, H.R. 1386, AND H.R. 1499)

To amend the Patient Protection and Affordable Care Act to provide for Federal Exchange outreach and educational activities.

Summary

This legislation would require HHS to conduct consumer outreach and enrollment educational activities for the Affordable Care Act (ACA) marketplaces. The legislation would fund these activities at $100 million per year. The bill further prohibits HHS from expending the funds on promoting plans that do not provide comprehensive consumer protections, including short-term, limited duration insurance (STLDI) plans and association health plans.

This legislation discourages parking of 180-day exclusivity by a first generic drug applicant. It allows the FDA to approve a subsequent generic drug application prior to the first generic applicant's first date of commercial marketing when the following four conditions are all met: (1) the subsequent generic drug application is ready for full approval; (2) a minimum of 30 months has passed since at least one first generic drug applicant submitted their application for the drug; (3) any related patent litigation has been fully resolved; and (4) no first applicant has received final approval.

This legislation would fund the Navigator program for the federally-facilitated marketplace (FFM) at $100 million per year. The bill would require HHS to ensure that Navigator grants are awarded to organizations with a demonstrated capacity to carry out the duties specified in the ACA and would reinstate the requirement that there be at least two Navigator entities in each state. The legislation would further give Navigators new duties pertaining to enrolling individuals in Medicaid and the Children's Health Insurance Program, and it would allow Navigators to provide their services year-round. Lastly, the bill would prohibit HHS from taking an entity's capacity to provide information regarding association health plans or short-term, limited duration insurance (STLDI) into account in awarding grants.

This legislation would provide States with $200 million in Federal funds to establish State-based marketplaces in States that have not already elected to do so. This legislation prohibits brand-name drug manufacturers from compensating generic drug manufacturers to delay entry of a generic drug product into the market and prohibit biological product manufacturers from compensating biosimilar and interchangeable product manufacturers to delay entry of biosimilar and interchangeable products into the market and enables the FTC to take enforcement action related to violations of this prohibition.

Legislative History

On February 6, 2019, H.R. 987 was introduced by Representative Blunt Rochester and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget. It was

subsequently referred to the Subcommittee on Health on February 7, 2019.

On February 13, 2019, the Subcommittee on Health held a hearing on four bills, including H.R. 987. The witnesses included Grace-Marie Turner, President, Galen Institute; Katie Keith, J.D., M.P.H., Associate Research Professor and Adjunct Professor of Law, Georgetown University; and Jessica K. Altman, Commissioner, Pennsylvania Insurance Department.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 987 and forwarded H.R. 987, without amendment, to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 987 and ordered H.R. 987, amended, reported favorably to the House by a recorded vote of 30 yeas and 22 nays.

On May 10, 2019, the Committee on Energy and Commerce reported H.R. 987 to the House (H. Rept. 116–53) and the bill was placed on the Union Calendar (Calendar No. 31).

On May 16, 2019, the House considered H.R. 987 under the provisions of rule H. Res. 377 and passed H.R. 987, amended, by a recorded call vote of 234 yeas and 183 nays (Roll Call No. 214).

On May 20, 2019, H.R. 987 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

There was no further action on H.R. 987 in the 116th Congress.

On January 31, 2019, H.R. 938, the "BLOCKING Act of 2019", was introduced by Representative Schrader and referred to the Committee on Energy and Commerce. The bill was subsequently referred to Subcommittee on Health on February 2, 2019.

On March 19, 2019, the Subcommittee on Health held a hearing on seven bills, including H.R. 938. The witnesses included Lou Kennedy, CEO and Owner, Nephron Pharmaceuticals; Anthony Barruetay, Senior Vice President, Government Relations, Kaiser Permanente; Michael Carrier, Distinguished Professor, Rutgers Law School; Kurt Karst, Director, Hyman, Phelps & McNamara, P.C.; Jeff Kushan, Partner, Sidley Austin LLP; Marc M. Boutin, J.D., Chief Executive Officer, National Health Council; and Chester "Chip" Davis, Jr., President and CEO, Association for Accessible Medicines (AAM).

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 938 and forwarded H.R. 938, without amendment, to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 938 and ordered H.R. 938, without amendment, reported favorably to the House by a voice vote.

On May 2, 2019, the Committee on Energy and Commerce reported H.R. 938 to the House (H. Rept. 116–46) and H.R. 938 was placed on the Union Calendar (Calendar No. 24).

On February 5, 2019, H.R. 965, the "CREATES Act of 2019", was introduced by Representative Cicilline, and referred to Committee on Energy and Commerce, and in addition to the Committee on the

Judiciary. The bill was subsequently referred to the Subcommittee on Health on February 6, 2019.

On March 19, 2019, the Subcommittee on Health held a hearing on seven bills, including H.R. 965.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 965 and forwarded H.R. 965, amended, to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 965 and ordered H.R. 965, amended, reported favorably to the House by a recorded vote of 50 yeas and 0 nays.

On May 10, 2019, the Committee on Energy and Commerce reported H.R. 965 to the House (H. Rept. 116–55, Part I) and the bill was placed on the Union Calendar (Calendar No. 33).

On March 5, 2019, H.R. 1499, the "Protecting Consumer Access to Generic Drugs Act of 2019", was introduced by Representative Rush, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health on March 6, 2019.

On March 19, 2019, the Subcommittee on Health held a hearing on seven bills, including H.R. 1499.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1499 and forwarded H.R. 1499, amended, to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1499 and ordered H.R. 1499 reported favorably to the House, amended, by a voice vote.

On May 10, 2019, the Committee on Energy and Commerce reported H.R. 965 to the House (H. Rept. 116–52) and the bill was placed on the Union Calendar (Calendar No. 30).

On February 6, 2019, H.R. 1010, a bill to provide that the rule entitled "Short-Term, Limited Duration Insurance" shall have no force or effect, was introduced by Representative Rush and referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means. The bill was subsequently referred to the Subcommittee on Health on February 7, 2019.

On February 13, 2019, the Subcommittee on Health held a hearing on four bills, including H.R. 1010.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1010 and forwarded H.R. 1010 to the Committee on Energy and Commerce, without amendment, by a record vote of 19 yeas and 13 nays.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1010 and ordered the bill reported favorably to the House, without amendment, by a recorded vote of 30 yeas and 22 nays.

On May 10, 2019, the Committee on Energy and Commerce reported H.R. 1010 to the House (H. Rept. 116–43, Part II) and the bill was placed on the Union Calendar (Calendar No. 29).

On February 27, 2019, H.R. 1385, the "SAVE Act", was introduced by Representative Kim (NJ–03), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on March 1, 2019.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1385 and forwarded H.R. 1385 favorably to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1385 and ordered H.R. 1385 reported favorably to the House, amended, by a recorded vote of 29 yeas and 22 nays.

On May 10, 2019, the Committee on Energy and Commerce reported H.R. 1385 to the House (H. Rept. 116–49, Part II) and the bill was placed on the Union Calendar (Calendar No. 27).

No further action was taken on the bills H.R. 938, H.R. 965, H.R. 1010, H.R. 1385, and H.R. 1499 in the 116th Congress. Provisions of H.R. 938, H.R. 965, H.R. 1010, H.R. 1385, and H.R. 1499 were included in H.R. 987.

MEDICARE NEGOTIATION AND COMPETITIVE LICENSING ACT OF 2019

H.R. 1046

To amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate prices of prescription drugs furnished under part D of the Medicare program.

Summary

This legislation would require the Secretary of HHS to negotiate prices for all drugs covered under part D and take into account certain factors when negotiating, including comparative clinical effectiveness and cost effectiveness; the budgetary impact of providing coverage of such drug; the financial burden on patients; unmet patient need for a drug; and total revenues and associated investment in research and development. Should the Secretary be unable to successfully negotiate an appropriate price for a covered part D drug, the Secretary shall authorize the use of any patent, clinical trial data, or other exclusivity granted by the Federal Government for the purposes of manufacturing such drug for sale by a PDP. The manufacturer may seek recovery for reasonable compensation in the United States Court of Federal Claims. In the interim period wherein a third party seeks approval for a drug subject to a compulsory license from the FDA, the bill would require that PDPs pay no more than the average price of the drug in ten Organization for Economic Cooperation and Development (OECD) countries.

Legislative History

On February 7, 2019, H.R. 1046 was introduced by Representative Doggett (TX–35), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. It was subsequently referred to the Subcommittee on Health on February 8, 2020.

On September 25, 2019, the Subcommittee on Health held a legislative hearing on four bills, including H.R. 1046. The witnesses included Robert Fowler, Ph.D., Professor Emeritus, Baldwin Wal-

lace University; Gerard Anderson, Ph.D., Professor, Johns Hopkins Bloomberg School of Public Health; and Benedic Ippolito, Ph.D., Research Fellow in Economic Policy Studies, American Enterprise Institute.

No further action was taken on H.R. 1046 in the 116th Congress.

MENTAL HEALTH SERVICES FOR STUDENTS ACT OF 2020

H.R. 1109

To amend the Public Health Service Act to revise and extend projects relating to children and to provide access to school-based comprehensive mental health programs.

Summary

This legislation expands and increases funding for existing Substance Abuse and Mental Health Administration (SAMHSA) grants to fund a comprehensive mental health program at schools throughout the country. The program funds grants that allow for prevention screening for social, emotional, mental, and behavioral issues, including suicide or substance use disorders; treatment and referral for these issues; development of evidence-based programs for students experiencing these issues; and other strategies for schools to treat students.

Legislative History

On February 8, 2019, H.R. 1109 was introduced by Representative Napolitano (CA–32), and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on February 9, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 1109. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in open markup session and forwarded H.R. 1109, amended, to the House by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce filed a House report on H.R. 1109 (H. Rept. 116–553) and the bill was placed on the Union Calendar (Calendar No. 453). That same day, the House considered H.R. 1109 under a motion to suspend the Rules and passed the bill by a voice vote.

On September 30, 2020, H.R. 1109 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1109 in the 116th Congress.

EDUCATING CONSUMERS ON THE RISKS OF SHORT TERM PLANS ACT OF 2019

H.R. 1143

To amend title XXVII of the Public Health Service Act to require a health insurance issuer offering short-term limited duration insurance to include a standardized disclosure and certain information with respect to coverage exclusions and premium variations in marketing, application, and enrollment materials distributed in connection with such insurance and prohibiting the sale of such insurance during certain periods.

Summary

This legislation would require short-term limited duration insurance (STLDI) issuers to disclose the risks of STLDI to prospective consumers, including disclosure that STLDI may not cover pre-existing conditions, may not cover the costs of medical services, and that coverage may be rescinded if the individual seeks treatment for a pre-existing condition. The bill further prohibits insurers from enrolling individuals in STLDI during the ACA's annual Open Enrollment period.

Legislative History

On February 11, 2019, H.R. 1143 was introduced by Representative Eshoo, and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on February 12, 2019.

On February 13, 2019, the Subcommittee on Health held a legislative hearing on four bills, including H.R. 1143. The witnesses included Grace-Marie Turner, President, Galen Institute; Katie Keith, J.D., M.P.H., Associate Research Professor and Adjunct Professor of Law, Georgetown University; and Jessica K. Altman, Commissioner, Pennsylvania Insurance Department.

No further action was taken on H.R. 1143 in the 116th Congress.

VETERANS MEDICAL MARIJUANA SAFE HARBOR ACT

H.R. 1151

To allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by a State or Indian Tribe, and for other purposes.

Summary

This legislation amends the CSA to include a safe harbor provision for veterans to use, possess, or transport medical marijuana. The bill also allows physicians to discuss medical marijuana treatment with veterans and allows physicians to recommend a veteran participate in medical marijuana treatment programs approved by State or tribal laws. The bill also directs the Secretary of Veterans Affairs to conduct a study on the effects of medical marijuana on veterans in pain.

Legislative History

On February 12, 2019, H.R. 1151 was introduced by Representative Barbara Lee (CA–13), and referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. It was subsequently referred to the Subcommittee on Health on February 13, 2019.

On January 15, 2020, the Subcommittee on Health held a legislative hearing on six bills, including H.R. 1151. The witnesses included Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health.

No further action was taken on H.R. 1151 in the 116th Congress.

STATE PUBLIC OPTION ACT

H.R. 1277

To establish a State public option through Medicaid to provide Americans with the choice of a high-quality, low-cost health insurance plan.

Summary

This legislation would authorize states to offer a Medicaid buy-in on the Marketplace that would cover the 10 essential health benefits. States would be authorized to charge premiums, deductibles, and cost-sharing, and beneficiaries would be eligible for the advance premium tax credits and cost-sharing subsidies, subject to the same limitations as exist for a qualified health plan (QHP) currently offered on the ACA Marketplace. States would receive a 90 percent Federal medical assistance percentage (FMAP) for the administrative costs of establishing and operating the buy-in.

Legislative History

On February 14, 2019, H.R. 1277 was introduced by Representative Luján (NM–03), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. It was subsequently referred to the Subcommittee on Health on February 15, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on nine bills including H.R. 1277. The witnesses included Representative Pramila Jayapal (D–WA), Member of Congress; Representative Rosa L. DeLauro (D–CT), Member of Congress; Representative Brian Higgins (D–NY), Member of Congress; Representative Antonio Delgado, Member of Congress; Representative Tom Malinowski (D–NJ), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and

Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 1277 in the 116th Congress.

MEDICAID REENTRY ACT

H.R. 1329

To amend title XIX of the Social Security Act to allow for medical assistance under Medicaid for inmates during the 30-day period preceding release from a public institution.

Summary

This legislation would allow Medicaid payment for medical services furnished to an incarcerated individual during the 30-day period preceding the individual's release.

Legislative History

On February 25, 2019, H.R. 1329 was introduced by Representative Tonko (NY–20), and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on February 26, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 1329. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 1329 in the 116th Congress.

MEDICARE BUY-IN AND HEALTH CARE STABILIZATION ACT OF 2019

H.R. 1346

To amend title XVIII of the Social Security Act to provide for an option for individuals who are ages 50 to 64 to buy into Medicare, to provide for health insurance market stabilization, and for other purposes.

Summary

This legislation would allow for individuals ages 50–64 to buy-in to Medicare. The coverage would be treated as coverage provided by a QHP offered on the ACA Marketplace and individuals would be eligible for the advance premium tax credits and cost-sharing subsidies. The bill would enhance cost-sharing subsidies for all ACA Marketplace enrollees. States would be prohibited from purchasing Medicare buy-in coverage on behalf of Medicaid eligible individuals ages 50–64. H.R. 1346 would also permit the Secretary of HHS to negotiate drug prices for Medicare and for the buy-in plan, create a new voluntary public Medigap option, establish a reinsurance program for the individual market, and reinstate the ACA's risk corridor program through 2024.

Legislative History

On February 25, 2019, H.R. 1346 was introduced by Representative Higgins (NY–26), and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. It was subsequently referred to the Subcommittee on Health on February 26, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on nine bills, including H.R. 1346. The witnesses included Representative Pramila Jayapal (D–WA), Member of Congress; Representative Rosa L. DeLauro (D–CT), Member of Congress; Representative Brian Higgins (D–NY), Member of Congress; Representative Antonio Delgado (D–NY), Member of Congress; Representative Tom Malinowski (D–NJ), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 1346 in the 116th Congress.

ENSURING LASTING SMILES ACT

H.R. 1379

To amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect.

Summary

This legislation would require all individual and group market health insurance plans to cover medically necessary treatment resulting from congenital anomalies or birth defects. The bill requires plans to provide coverage for any service or treatment that is medically necessary to restore or achieve a normal appearance or function of the body.

Legislative History

On February 26, 2019, H.R. 1379 was introduced by Representative Peterson (MN–07), and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. H.R. 1379 was subsequently referred to the Subcommittee on Health on February 27, 2019.

On January 8, 2020, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 1379. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky, Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI, Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, on behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On February 26, 2020, Representative Peterson filed a motion to place H.R. 1370 on the Consensus Calendar.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 1379 and forwarded H.R. 1379, amended, to the Committee on Energy and Commerce by a voice vote.

On September 9, 2020, the Committee on Energy and Commerce met in open markup session and forwarded H.R. 1379, amended, to the House by a voice vote.

No further action was taken on H.R. 1379 in the 116th Congress.

MEDICARE FOR ALL ACT OF 2019

H.R. 1384

To establish an improved Medicare for All national health insurance program.

Summary

This legislation would create a national health insurance program for all United States residents. The national program would replace the current Medicare program, Medicaid, CHIP and private health insurance for covered services. The bill would not change coverage provided by the Indian Health Service or Department of Veterans Affairs. Individuals would pay no premiums or cost sharing for covered services. One year after enactment, individuals over the age of 55 and under 19 would be eligible to enroll and two years after enactment all U.S. residents would be eligible to enroll. H.R. 1384 would also permit the Secretary of HHS to negotiate drug prices and issue compulsory licenses to allow generic production if negotiation fails.

Legislative History

On February 27, 2019, H.R. 1384 was introduced by Representative Jayapal (WA–07) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, Rules, Oversight and Reform, and Armed Services. It was subsequently referred to the Subcommittee on Health on February 28, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on nine bills, including H.R. 1384. The witnesses included the Representative Jayapal, Member of Congress; the Honorable Rosa L. DeLauro (CT–03), Member of Congress; Representative Higgins (NY–26), Member of Congress; Representative Delgado (NY–19), Member of Congress; Representative Malinowski (NJ–07), Member of Congress; Sara Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 1384 in the 116th Congress.

PATIENT PROTECTION AND AFFORDABLE CARE ENHANCEMENT ACT

H.R. 1425 (H.R. 584, H.R. 1879, H.R. 4821, H.R. 6149, H.R. 6151, H.R. 1385, H.R. 1386, H.R. 987, H.R. 986, H.R. 6135, AND H.R. 6136)

To amend the Patient Protection and Affordable Care Act to provide for a Improve Health Insurance Affordability Fund to provide for certain reinsurance payments to lower premiums in the individual health insurance market.

Summary

This legislation would provide $10 billion annually to states, with the option for states to establish a state reinsurance program or to provide financial assistance for individuals enrolled in qualified health plans by reducing their out-of-pocket costs. The bill would further require the Centers for Medicare and Medicaid Services (CMS) to establish and implement a reinsurance program in states that do not apply for Federal funding. The bill would set a state's allocation amount based on the state's share of claims of high-cost enrollees. It would provide permanent funding for the Children's Health Insurance Program (CHIP), provide a temporary FMAP increase to states that take up Medicaid expansion, increase transparency on state uninsured rates, authorize 12 months of continuous eligibility in Medicaid and CHIP, require 12 months of Medicaid eligibility postpartum, and restore Medicaid eligibility to citizens of the Freely Associated States (FAS).

This legislation would provide states with $200 million in Federal funds to establish state-based marketplaces in states that have not already elected to do so.

This legislation would also fund the Navigator program for the federally-facilitated marketplace (FFM) at $100 million per year. The bill would require HHS to ensure that Navigator grants are awarded to organizations with a demonstrated capacity to carry out

the duties specified in the ACA and would reinstate the requirement that there be at least two Navigator entities in each state. The legislation would further give Navigators new duties pertaining to enrolling individuals in Medicaid and the Children's Health Insurance Program, and it would allow Navigators to provide their services year-round. Lastly, the legislation would prohibit HHS from taking an entity's capacity to provide information regarding association health plans or short-term, limited duration insurance (STLDI) into account in awarding grants.

Additionally, this legislation would require HHS to conduct consumer outreach and enrollment educational activities for the ACA marketplaces. The legislation would fund these activities at $100 million per year. The bill further prohibits HHS from expending the funds on promoting plans that do not provide comprehensive consumer protections, including short-term, limited duration insurance (STLDI) plans and association health plans.

The legislation would also revoke the section 1332 guidance issued by the Trump Administration in October 2018. The bill would also prevent the Secretaries of HHS and Treasury from promulgating any substantially similar guidance or rule. The legislation requires CMS to promulgate quantitative network adequacy standards for qualified health plans on the FFM.

The legislation requires HHS or the state regulatory authority to ensure that any excessive, unjustified, or unfairly discriminatory rates on the Marketplaces are corrected before, or as soon as possible after, implementation, including through mechanisms such as denying rates, modifying rates, or requiring rebates to consumers. The legislation provides HHS the authority to apply civil monetary penalties to health insurers that fail to comply with a corrective action taken by HHS.

The legislation requires a GAO report examining whether HHS has been conducting maintenance of www.healthcare.gov during annual open enrollment in order to minimize any disruptions to the use of the website. It would require HHS to be transparent in the Administration's use of the FFM user fee, and requires HHS to report on the FFM enrollment metrics and submit open enrollment after action reports. The legislation provides $200 million a year for two years in funding for states to conduct feasibility studies, pilot programs, technology upgrades, and other efforts to encourage enrollment in the individual and small group markets.

Legislative History

On February 28, 2019, H.R. 1425 was introduced by Representative Craig (MN–02), and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on March 1, 2019.

On March 6, 2019, the Subcommittee on Health held a legislative hearing on three bills, including H.R. 1425. The witnesses included Peter Lee, Executive Director, Covered California; Audrey Morse Gasteier, Chief of Policy, Massachusetts Health Connector; and J.P. Wieske, Vice President, State Affairs, Council for Affordable Health Coverage.

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1425 and forwarded H.R. 1425,

amended, to the Committee on Energy and Commerce by a recorded vote of 18 yeas and 13 nays.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1425. On April 4, 2019, the Committee on Energy and Commerce ordered H.R. 1425, amended, reported favorably to the House by a recorded vote of 30 yeas and 22 nays.

On March 9, 2020, the Committee on Energy and Commerce reported H.R. 1425 to the House (H. Rept. 116–414) and the bill was placed on the Union Calendar (Calendar No. 334).

On June 29, 2020, the House considered H.R. 1425 under the provisions of H. Res. 1017 and H.R. 1425 passed the House, as amended, by a recorded vote of 234 yeas and 179 nays (Roll Call No. 124).

On June 30, 2020, H.R. 1425 was received by the Senate. On August 13, 2020, H.R. 1425 was read the first time and placed on the Senate Legislative Calendar under Read the First Time. On September 8, 2020, H.R. 1425 was read the second time and placed on the Senate Legislative Calendar under General Orders, Calendar No. 523.

There was no further action on H.R. 1425 in the 116th Congress.

H.R. 1425 included provisions from the following bills: H.R. 584, the "Incentivizing Medicaid Expansion Act of 2019", introduced by Representative Veasey; H.R. 1879, the "Stabilize Medicaid and CHIP Coverage Act", introduced by Representative Kennedy; H.R. 4821, the "Covering our FAS Allies Act", introduced by Representative Cárdenas; H.R. 6149, the "Medicaid REACH Act", introduced by Representative Cunningham (SC 01); H.R. 6151, the "CARING for Kids Act", introduced by Representative Finkenauer; H.R. 1385, the "SAVE Act", introduced by Representative Kim; H.R. 1386, the "ENROLL Act of 2019", introduced by Representative Castor; H.R. 987, the "Strengthening Health Care and Lowering Prescription Drug Costs Act", introduced by Representative Blunt Rochester; H.R. 986, the "Protecting Americans with Preexisting Conditions Act of 2019", introduced by Representative Kuster; H.R. 6135, the "No More Narrow Networks Act of 2020", introduced by Representative Schakowsky; and H.R. 6136, the "Protecting Consumers from Unreasonable Rates Act of 2020", introduced by Representative Schakowsky.

ORANGE BOOK TRANSPARENCY ACT OF 2019

H.R. 1503

To amend the Federal Food, Drug, and Cosmetics Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetics Act, and for other purposes.

Summary

This legislation requires manufacturers to share complete and timely information with FDA regarding patents for their drug products, as well as ensuring that patents listed in the Orange Book are relevant to the approved drug product. Patents found to be invalid through a court decision or a decision by the Patent Trial and Appeal Board would be required to be removed promptly. FDA is

also directed to reconsider the types of patents that should be listed in the Orange Book within one year of enactment.

Legislative History

On March 5, 2019, H.R. 1503 was introduced by Representative Kelly (IL–02), and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on March 6, 2019.

On March 13, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 1503. The witnesses included Lou Kennedy, CEO and Owner, Nephron Pharmaceuticals; Anthony Barrueta, Senior Vice President, Government Relations, Kaiser Permanente; Michael Carrier, Distinguished Professor, Rutgers Law School; Kurt Karst, Director, Hyman, Phelps & McNamara, P.C.; Jeff Kushan, Partner, Sidley Austin LLP; Marc M. Boutin, J.D., Chief Executive Officer, National Health Council; and Chester "Chip" Davis, Jr., President and CEO, Association for Accessible Medicines (AAM).

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1503 and forwarded H.R. 1503, amended, to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1503 and ordered H.R. 1503, amended, reported favorably to the House by a voice vote.

On May 2, 2019, the Committee on Energy and Commerce reported H.R. 1503 to the House (H. Rept. 116–47) and the bill was placed on the Union Calendar (Calendar No. 25).

On May 8, 2019, the House considered H.R. 1503, under a motion to suspend the Rules and passed H.R. 1503 by a recorded vote of 422 yeas and 0 nays (Roll Call No. 187).

On May 9, 2019, H.R. 1503 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

On December 7, 2020, the Senate passed H.R. 1503 with an amendment by unanimous consent.

On December 10, 2020, the House agreed to the Senate amendment to H.R. 1503 by unanimous consent.

On December 24, 2020, H.R. 1503 was presented to the President.

H.R. 1503, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

FAIR GENERICS ACT

H.R. 1506

To amend the Federal Food, Drug, and Cosmetics Act to ensure that valid generic drugs may enter the market.

Summary

This legislation allows any generic filer who wins a patent challenge in court or is not sued for patent infringement by the brand manufacturer to share in the 180-day exclusivity period of first applicants that enter into patent settlements that delay entry. It also

holds such first applicants to the launch date that was agreed to in any patent settlement agreement.

Legislative History

On March 5, 2019, H.R. 1506 was introduced by Representative Barragán (CA–44), and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. It was subsequently referred to the Subcommittee on Health on March 6, 2019.

On March 13, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 1506. The witnesses included Lou Kennedy, CEO and Owner, Nephron Pharmaceuticals; Anthony Barrueta, Senior Vice President, Government Relations, Kaiser Permanente; Michael Carrier, Distinguished Professor, Rutgers Law School; Kurt Karst, Director, Hyman, Phelps & McNamara, P.C.; Jeff Kushan, Partner, Sidley Austin LLP; Marc M. Boutin, J.D., Chief Executive Officer, National Health Council; and Chester "Chip" Davis, Jr., President and CEO, Association for Accessible Medicines (AAM).

No further action was taken on H.R. 1506 in the 116th Congress.

PURPLE BOOK CONTINUITY ACT OF 2019

H.R. 1520

To amend the Public Health Service Act to provide for the publication of a list of licensed biological products, and for other purposes.

Summary

The legislation amends the PHSA to codify publication of approved biological product patents in the Purple Book in a similar format and with similar requirements to the Orange Book, specifies that the Purple Book should be published electronically on FDA's website and updated routinely, and directs FDA to consider the types of patents that should be listed in the Purple Book.

Legislative History

On March 5, 2019, H.R. 1520 was introduced by Representative Eshoo, and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on March 6, 2019.

On March 13, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 1520. The witnesses included Lou Kennedy, CEO and Owner, Nephron Pharmaceuticals; Anthony Barrueta, Senior Vice President, Government Relations, Kaiser Permanente; Michael Carrier, Distinguished Professor, Rutgers Law School; Kurt Karst, Director, Hyman, Phelps & McNamara, P.C.; Jeff Kushan, Partner, Sidley Austin LLP; Marc M. Boutin, J.D., Chief Executive Officer, National Health Council; and Chester "Chip" Davis, Jr., President and CEO, Association for Accessible Medicines (AAM).

On March 27, 2019, the Subcommittee on Health met in open markup session to consider H.R. 1520 and forwarded H.R. 1520,

amended, to the Committee on Energy and Commerce by a voice vote.

On April 3, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 1520 and ordered H.R. 1520, amended, reported favorably to the House by a voice vote.

On May 3, 2019, the Committee on Energy and Commerce reported H.R. 1520 to the House (H. Rept. 116–48) and the bill was placed on the Union Calendar (Calendar No. 26).

On May 8, 2019, the House passed H.R. 1520, under a motion to suspend the Rules and passed H.R. 1520 by a recorded vote of 421 yeas and 0 nays (Roll Call No. 188).

On May 9, 2019, H.R. 1520 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

On December 10, 2020, the Senate passed H.R. 1520, amended, by unanimous consent.

Subsequently, H.R. 1520 was used as the vehicle to move unrelated legislation. The provisions of H.R. 1520 were incorporated into H.R. 133.

QUALITY CARE FOR MOMS AND BABIES ACT

H.R. 1551

To amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

Summary

The legislation would direct the Department of Health and Human Services to work with providers, specialty organizations, and other stakeholders to identify and publish a core set of maternity care quality measures for childbearing women and newborns, and authorizes the expansion of maternal and perinatal quality collaboratives to improve care. Additionally, H.R. 1551 would direct the Agency for Healthcare Research and Quality (AHRQ) to develop and use surveys to measure the care experiences of childbearing women and newborns where appropriate.

Legislative History

On March 6, 2019, H.R. 1551 was introduced by Representative Engel, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. It was subsequently referred to the Subcommittee on Health on March 7, 2019.

On September 10, 2019, the Subcommittee on Health held a legislative hearing on four bills, including H.R. 1551. The witnesses included Wanda Irving, Mother of Dr. Shalon Irving; Patrice Harris, M.D., President, Board of Trustees, American Medical Association; Elizabeth Howell, M.D., M.P.P., Director, Blavatnik Family, Women's Health Research Institute, Icahn School of Medicine at Mount Sinai; David Nelson, M.D., Chief of Obstetrics, Parkland Health and Hospital System, Assistant Professor of Obstetrics and Gynecology, Division of Maternal-Fetal Medicine, University of

Texas Southwestern Medical Center; and Usha Ranji, Associate Director, Women's Health Policy, Kaiser Family Foundation.

No further action was taken on H.R. 1551 in the 116th Congress.

REMOVING BARRIERS TO COLORECTAL CANCER SCREENING ACT OF 2020

H.R. 1570

To amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening, and for other purposes.

Summary

This bill eliminates cost-sharing for Medicare beneficiaries with respect to colorectal cancer screening tests, even in cases where a polyp is detected and removed. In addition, H.R. 1570 incorporates a policy that requires all part B drug manufacturers to report average sale price data to the Medicare program and provides the Secretary with new authority to verify this data.

Legislative History

On March 6, 2019, H.R. 1570 was introduced by Representative Payne (NJ–10), and was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on March 7, 2019.

On December 9, 2020, the House considered H.R. 1570 under a motion to suspend the Rules and passed H.R. 1570 by a voice vote.

On December 10, H.R. 1570 was received by the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1570 in the 116th Congress.

HERO ACT

H.R. 1646

To require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers, and for other purposes.

Summary

This legislation creates a data system at the CDC to capture public safety officer suicide incidences and study successful interventions, authorizes grants for peer support behavioral health and wellness programs within fire departments and emergency medical service agencies, and requires the development of best practices for addressing PTSD in public safety officers and educational materials. This bill defines public safety officers as an individual serving as a law enforcement officer, firefighter, chaplain, or a Federal Emergency Management Agency employee performing duties related to a major disaster or emergency.

Legislative History

On March 8, 2019, H.R. 1646 was introduced by Representative Bera (CA–07) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. It was subsequently referred to the Subcommittee on Health on March 9, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 1646. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session and forwarded H.R. 1646, amended, to the House by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce filed a House report on H.R. 1646 (H. Rept. 116–519, Part I) and the bill was placed on the Union Calendar (Calendar No. 419).

On September 21, 2020, the House considered a motion to pass H.R. 1646, under a motion to suspend the Rules. Following debate, the House agreed to suspend the rules and passed H.R. 1646 by a voice vote.

On September 22, 2020, H.R. 1646 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1646 in the 116th Congress.

EXCELLENCE IN MENTAL HEALTH AND ADDICTION TREATMENT EXPANSION ACT

H.R. 1767

To increase the number of States that may conduct Medicaid demonstration programs to improve access to community mental health services, and for other purposes.

Summary

This legislation would expand the Certified Community Behavioral Health Clinics (CCBHCs) demonstration in the existing eight states for two years and direct the Secretary of HHS to select an additional 11 states to participate in the demonstration for two years.

Legislative History

On March 14, 2019, H.R. 1767 was introduced by Representative Matsui, and referred to the Committee on Energy and Commerce.

It was subsequently referred to the Subcommittee on Health on March 15, 2019.

On June 4, 2019, the Subcommittee on Health held a legislative hearing on 12 bills, including H.R. 1767. The witnesses included Dean Germano, Chief Executive Officer, Shasta Community Health Center; Diana Autin, Executive Co-Director, SPAN Parent Advocacy Network; Aaron Kowalski, President and Chief Executive Officer, JDRF; Lisa Cooper, Professor of Medicine, Johns Hopkins University School of Medicine; Thomas Barker, Partner, Co-Chair, Healthcare Practice, Foley Hoag; Mary-Catherine Bohan, Vice President of Outpatient Services, Rutgers University Behavioral Health Care; Michael Waldrum, Chief Executive Officer, Vidant Health; and Fred Riccardi, President, Medicare Rights Center.

No further action was taken on H.R. 1767 in the 116th Congress.

DAIRY PRIDE ACT

H.R. 1769

To require enforcement against misbranded milk alternatives.

Summary

This legislation defines in statute that a food is only a dairy product if the food contains as a primary ingredient or is derived from the lacteal secretion (practically free from colostrum) obtained by the complete milking of one or more hooved mammals. The bill also prohibits a food from being marketed as a dairy product if the food does not meet this definition. FDA would be required to issue final guidance on enforcement of these provisions not later than 180 days after enactment and would be required to report on enforcement of these provisions no later than two years after enactment.

Legislative History

On March 14, 2019, H.R. 1769 was introduced by Representative Welch, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on March 15, 2019.

On January 29, 2020, the Subcommittee on Health held a legislative hearing on H.R. 1769 and nine other bills. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association; Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American So-

ciety for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

No further action was taken on H.R. 1769 in the 116th Congress.

MOMMA'S ACT

H.R. 1897

To improve Federal efforts with respect to the prevention of maternal mortality, and for other purposes.

Summary

This legislation addresses the maternal mortality and morbidity crisis through a number of public health programs as well as the extension of health coverage. The legislation requires CDC to coordinate with HRSA in providing technical assistance to states and the issuance of best practices to state Maternal Mortality Review Committees (MMRCs) on how to best identify, review, and prevent maternal mortality. The bill also authorizes the Alliance for Innovation on Maternal Health (AIM) program as well as funding for state-based Perinatal Quality Collaboratives (PQCs). To address disparities in care, the legislation authorizes funding to establish or support Regional Centers of Excellence for implicit bias and cultural competency education.

In addition to these public health initiatives, the bill provides access to maternal health care postpartum through the extension of insurance coverage. Under current law, certain women are eligible for Medicaid and CHIP coverage during pregnancy and through 60 days postpartum. This legislation extends this coverage beyond 60 days to one year postpartum and would include Medicaid support of oral health services for pregnant and postpartum women.

Legislative History

On March 27, 2019, H.R. 1897 was introduced by Representative Kelly and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. The bill was subsequently referred to the Subcommittee on Health on March 28, 2019.

On September 10, 2019, the Subcommittee on Health held a legislative hearing on H.R. 1897 and three other bills. The witnesses included Wanda Irving, Mother of Dr. Shalon Irving; Patrice Harris, M.D., President, Board of Trustees, American Medical Association; Elizabeth Howell, M.D., M.P.P., Director, Blavatnik Family Women's Health Research Institute, Icahn School of Medicine at Mount Sinai; David Nelson, M.D., Chief of Obstetrics, Parkland Health and Hospital System, Assistant Professor of Obstetrics and Gynecology, Division of Maternal-Fetal Medicine, University of Texas Southwestern Medical Center; and Usha Ranji, Associate Director, Women's Health Policy, Kaiser Family Foundation.

No further action was taken on H.R. 1897 in the 116th Congress.

HENRIETTA LACKS ENHANCING CANCER RESEARCH ACT OF 2019

H.R. 1966

To direct the Comptroller General of the United States to complete a study on barriers to participation in federally funded cancer clinical trials by populations that have been traditionally underrepresented in such trials.

Summary

This bill requires the Government Accountability Office to complete a study reviewing how Federal agencies address barriers to participation in federally funded cancer clinical trials by individuals from underrepresented populations and provide recommendations for addressing such barriers.

Legislative History

On March 28, 2019, H.R. 1966 was introduced by Representative Cummings (MD–07), and referred to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, and Veterans' Affairs. The bill was subsequently referred to the Subcommittee on Health on March 29, 2019.

On December 9, 2020, the House considered H.R. 1966 under a motion to suspend the Rules and passed H.R. 1966 by a voice vote. On December 10, 2020, H.R. 1966 was received by the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

On December 18, 2020, the Senate passed H.R. 1966 by unanimous consent. On December 24, 2020, H.R. 1966 was presented to the President.

H.R. 1966, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

MEDICARE-X CHOICE ACT OF 2019

H.R. 2000

To establish a public health plan.

Summary

This legislation would establish a Federal public option plan on the ACA Marketplace. Under H.R. 2000, the public plan option would be subject to the same requirements that apply to other QHPs offered on the Marketplace and would be available to all individuals who are eligible for QHPs. The bill would require HHS to offer the plan at two different benefit levels and to set premiums to cover 100 percent of benefits and administrative costs of the public option.

H.R. 2000 would also expand the ACA's premium tax credit eligibility to individuals with income above 400 percent of Federal poverty level (FPL) by capping their required contribution to 13 percent of their income. Lastly, the legislation would establish a temporary reinsurance program and provide $10 billion annually over three years.

Legislative History

On April 1, 2019, H.R. 2000 was introduced by Representative Delgado, and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on April 2, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on H.R. 2000 and eight other bills. The witnesses included The Honorable Pramila Jayapal (D–WA), Member of Congress; The Honorable Rosa L. DeLauro (D–CT), Member of Congress; The Honorable Brian Higgins (D–NY), Member of Congress; The Honorable Antonio Delgado (D–NY), Member of Congress; The Honorable Tom Malinowski (D–NJ), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 2000 in the 116th Congress.

LIFESPAN RESPITE CARE REAUTHORIZATION ACT OF 2020

H.R. 8906 (H.R. 2035)

To amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care.

Summary

This legislation reauthorizes the Lifespan Respite Care program at $10 million in fiscal years 2020 through 2024. It also adds new reporting requirements for program grantees.

Legislative History

On April 2, 2019, H.R. 2035 was introduced by Representatives Langevin (RI–02), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 3, 2019.

On June 25, 2019, the Subcommittee on Health held a legislative hearing on H.R. 2035 and three other bills. The witnesses included Amy Hewitt, Ph.D., Director, Institute on Community Integration, University of Minnesota; Joseph Bocchini, M.D., Professor, Department of Pediatrics, Louisiana State University Health, Shreveport; Patricia Kunz Howard, Ph.D., RN, President, Emergency Nurses Association, Director, Emergency Services, University of Kentucky Healthcare; and Jill Kagan, Director, ARCH National Respite Network and Resource Center.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 2035 and forwarded H.R. 2035 to the Committee on Energy and Commerce on Energy and Commerce, amended, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2035, as amended by the

Subcommittee, and ordered H.R. 2035, amended, reported favorably to the House, as amended, by a voice vote.

On July 23, 2019, the Committee on Energy and Commerce reported H.R. 2035 to the House (H. Rept. 116–175) and the bill was placed on the Union Calendar (Calendar No. 135).

On July 24, 2019, the House considered H.R. 2035 under a motion to suspend the Rules and passed H.R. 2035, as amended, by a voice vote.

On July 25, 2019, the Senate received H.R. 2035.

No further action was taken on H.R. 2035 in the 116th Congress.

On December 9, 2020, H.R. 8906, an updated version of H.R. 2035, was introduced by Representative Langevin and referred to the Committee on Energy and Commerce.

On December 10, 2020, the House considered H.R. 8906 and passed the H.R. 8906 without amendment by unanimous consent.

On December 11, 2020, H.R. 8906 was received by the Senate and read twice. On December 18, 2020, the Senate passed H.R. 8906 without amendment by a voice vote.

On December 24, 2020, H.R. 8906 was presented to the President.

H.R. 8906, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

STOPPING THE PHARMACEUTICAL INDUSTRY FROM KEEPING DRUGS EXPENSIVE ACT

H.R. 2069

To amend title XI of the Social Security Act to provide for drug manufacturer price transparency.

Summary

This legislation would require certain drug manufacturers to submit to the Secretary of HHS documentation justifying: (1) a 10 percent or $10,000 dollar increase with respect to WAC of any applicable drug over any 12-month period; (2) a 25 percent or $25,000 dollar increase with respect to WAC over any 36-month period; or (3) a drug that is estimated to cost at least $26,000 a year or per course of treatment. If the Secretary of HHS determines that a manufacturer's drug product would meet one of these criteria, the manufacturer would be required to submit certain information, including total expenditures on research and development, as well as revenue and profit for the applicable drug. A summary of the manufacturer's justification would then be published onto the website of the Centers for Medicare and Medicaid Services (CMS).

Legislative History

On April 3, 2019, H.R. 2069 was introduced by Representatives Horsford (NV–04), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on April 4, 2019.

On May 21, 2019, the Subcommittee on Health held a legislative hearing on H.R. 2069 and six other bills. The witnesses included Lisa Joldersma, Senior Vice President, Insurance and State Issues,

Pharmaceutical Research and Manufacturers of America; Kristin Bass, Chief Policy and External Affairs Officer, Pharmaceutical Care Management Association, Madelaine Feldman, President, Coalition of State Rheumatology Organizations, Alliance of Specialty Medicine; Frederick Isasi, Executive Director, Families USA; Mark Miller, Executive Vice President of Health Care, Arnold Ventures; and Douglas Holtz-Eakin, President, American Action Forum.

No further action was taken on H.R. 2069 in the 116th Congress.

SCHOOL-BASED HEALTH CENTERS REAUTHORIZATION ACT OF 2020

H.R. 2075

To amend the Public Health Service Act to reauthorize school-based health centers, and for other purposes.

Summary

This legislation reauthorizes funding for the school-based health centers program each year for fiscal years 2021 through 2025, and makes technical changes, including allowing more health centers serving medically underserved children and adolescents to qualify for funding.

Legislative History

On April 3, 2019, H.R. 2075 was introduced by Representative Sarbanes, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 4, 2019.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session on September 9, 2020, to consider H.R. 2075 and order H.R. 2075 reported favorably to the House, without amendment, by a voice vote.

On September 24, 2020, the Committee on Energy and Commerce reported on H.R. 2075 (H. Rept. 116–175) and the bill was placed on the Union Calendar (Calendar No. 432). On September 29, 2020, H.R. 2075 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 2075, read the bill twice, and referred H.R. 2075 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2075 in the 116th Congress.

CHOICE ACT

H.R. 2085

To amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

Summary

This legislation would create a Federal public option plan on the ACA Marketplace. Under H.R. 2085, the public plan option would be subject to the same requirements that apply to other QHPs offered on the Marketplace and would be available to all individuals who are eligible for QHPs.

Legislative History

On April 4, 2019, H.R. 2085 was introduced by Representative Schakowsky and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 5, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on nine bills, including H.R. 2085. The witnesses included Representative Jayapal (WA–07), Member of Congress; Representative DeLauro (CT–03), Member of Congress; Representative Higgins (NY–26), Member of Congress; Representative Delgado (NY–19), Member of Congress; Representative Malinowski (NJ–07), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 2085 in the 116th Congress.

PUBLIC DISCLOSURES OF DRUG DISCOUNTS AND REAL-TIME BENEFICIARY DRUG COST ACT

H.R. 2115

To amend titles XI and XVIII of the Social Security Act to provide greater transparency for discounts provided by manufacturers, to include real-time benefit information as part of a prescription drug plan's electronic prescription program under the Medicare program, and for other purposes.

Summary

This bill requires the Centers for Medicare & Medicaid Services (CMS) to publish certain payment information regarding pharmacy benefit managers (PBMs) and prescription drugs. Specifically, the CMS must publish certain information, as reported by PBMs, relating to generic dispensing rates, drug discounts and rebates, and payments between PBMs, health plans, and pharmacies, in accordance with specified confidentiality requirements.

The bill also provides statutory authority for certain provisions of the CMS rule titled "Modernizing Part D and Medicare Advantage to Lower Drug Prices and Reduce Out-of-Pocket Expenses," published on May 23, 2019. The rule requires, in part, Medicare prescription drug plan sponsors to implement an electronic, real-time benefit tool that is capable of integrating with at least one prescriber's electronic prescribing system or electronic health record. The tool must provide prescribers with patient-specific, real-time formulary and benefit information, including information regarding cost-sharing, formulary alternatives, and utilization management requirements. The rule takes effect January 1, 2021.

Legislative History

On April 8, 2019, H.R. 2115, the Public Disclosures of Drug Discounts Act, was introduced by Representative Spanberger and referred to the Committee on Energy and Commerce. The bill was

subsequently referred to the Subcommittee Health on April 9, 2019.

On May 21, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 2115. The witnesses included Lisa Joldersma, Senior Vice President, Insurance and State Issues, Pharmaceutical Research and Manufacturers of America; Kristin Bass, Chief Policy and External Affairs Officer, Pharmaceutical Care Management Association; Madelaine Feldman, President, Coalition of State Rheumatology Organizations, Alliance of Specialty Medicine; Frederick Isasi, Executive Director, Families USA; Mark Miller, Executive Vice President of Health Care, Arnold Ventures; and Douglas Holtz-Eakin, President, American Action Forum.

On October 28, 2019, the House considered H.R. 2115 under a motion to suspend the rules and passed H.R. 2115 by a recorded vote of 403 yeas to 0 nays (Roll Call No. 586).

On October 29, 2019, H.R. 2115 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on H.R. 2115 in the 116th Congress.

FOOD ALLERGY SAFETY, TREATMENT, EDUCATION, AND RESEARCH ACT OF 2020

H.R. 2117

To improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and for other purposes.

Summary

This legislation requires CDC to expand the collection of information as to the prevalence of food allergies for specific allergens and to include that information in reports to Congress. The bill also amends the FFDCA to include sesame as a major allergen and allow FDA, through regulation, to add other food ingredients as major allergens based on the prevalence and severity of allergic reactions to the food ingredient. Additionally, the bill requires FDA to include patient experience data on treatments for patients with food allergies in its reports on patient experience data.

Legislative History

On April 8, 2019, H.R. 2117 was introduced by Representative Matsui, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 9, 2019.

On January 29, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2117 and nine other bills. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Pro-

ducers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association; Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

On March 11, 2020, the Subcommittee met in open markup session to consider thirteen bills including H.R. 2117 and forwarded H.R. 2117 to the Committee on Energy and Commerce, amended, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 2117, as amended, and ordered H.R. 2117 reported favorably to the House, as amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 2117 to the House (H. Rept. 116–581) and the bill was placed on the Union Calendar (Calendar No. 479). On November 17, 2020, the House considered H.R. 2117 under a motion to suspend the Rules and passed, as amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 2117, read the bill twice, and referred H.R. 2117 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2117 in the 116th Congress.

INFANT FORMULA PROTECTION ACT OF 2019

H.R. 2267

To amend the Federal Food, Drug, and Cosmetics Act to treat infant formula as adulterated if its "use by" date has passed.

Summary

This legislation amends the FFDCA to additionally define infant formula as adulterated if its "use by" date has passed. Under the FFDCA it is illegal to distribute directly or indirectly in interstate commerce a product that is adulterated.

Legislative History

On April 10, 2019, H.R. 2267 was introduced by Representative Meng, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 11, 2019.

On January 29, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2267 and nine other bills. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working

Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association; Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

No further action was taken on H.R. 2267 in the 116th Congress.

SCARLETT'S SUNSHINE ON SUDDEN UNEXPECTED DEATH ACT

H.R. 2271

To amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

Summary

This legislation supports the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry of the CDC and other fatality case reporting systems that include data pertaining to sudden unexpected infant death (SUID) and sudden unexpected death in childhood (SUIC).

The bill authorizes CDC to make grants to improve the completion of comprehensive death scene investigations for SUID and SUDC, to increase the rate of comprehensive, standardized autopsies in cases of SUID and SUDC, and to train medical examiners, coroners, death scene investigators, law enforcement, and health professionals on standard death scene investigation protocols. In addition, the bill would authorize grants through the Administration for Children and Families to assist states in investing in core capacity to review 100 percent of all infant and child deaths, and to develop review programs and prevention strategies.

H.R. 2271 would authorize new grants through HRSA to develop and implement educational programs and outreach related to sleep-related SUID, and programs to develop and deploy support services for families who have had a child die of SUID or SUDC.

Legislative History

On April 10, 2019, H.R. 2271 was introduced by Representative Moore (WI–04), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 11, 2019.

On January 8, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2271 and seven other bills. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky, Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI,

Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, On behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 2271 and forwarded H.R. 2271, amended, to the Committee on Energy and Commerce on Energy and Commerce.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 2271 and ordered H.R. 2271 reported favorably to the House, as amended, by a voice vote.

On September 21, 2020, the Committee on Energy and Commerce reported H.R. 2271 to the House (H. Rept. 116–524) and the bill was placed on the Union Calendar (Calendar No. 424). That same day, H.R. 2272 was considered in the House under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 22, 2020, the Senate received H.R. 2271, read the bill twice, and referred H.R. 2271 to the Committee on Health, Education, Labor, and Pensions.

The Senate companion bill, S. 1130, passed the Senate, amended, by a voice vote on May 20, 2020. On May 22, 2020, S. 1130 was received in the House and held at the desk.

On December 10, 2020, the House considered S. 1130 and passed S. 1130, amended, by unanimous consent. On December 16, 2020, the Senate passed the House amendment to S. 1130 by a voice vote.

On December 21, 2020, S. 1130 was presented to the President.

S. 1130, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

EASY MAT FOR OPIOID ADDICTION ACT

H.R. 2281

To direct the Attorney General to amend certain regulations so that practitioners may dispense not more than three days' medication to a person at one time when administering narcotic drugs for the purpose of relieving acute withdrawal symptoms.

Summary

This legislation requires DEA to revise regulations within 180 days of enactment to allow a practitioner to dispense up to a three-day supply of narcotic drugs to an individual for the purpose of maintenance or detoxification treatment at one time. This practice is intended to relieve potential acute withdrawal symptoms while the individual awaits arrangements for narcotic treatment. Currently, non-Drug Addiction Treatment Act of 2000 (DATA 2000) waivered practitioners are only authorized to provide a one-day supply of such drugs.

Legislative History

On April 10, 2019, H.R. 2281 was introduced by Representative Ruiz, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be

subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. The bill was subsequently referred to the Subcommittee on Health on April 11, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2281 and 14 other bills. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 to consider H.R. 2281 and ordered H.R. 2281 reported favorably to the House, amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 2281 to the House (H. Rept. 116–587) and the bill was placed on the Union Calendar (Calendar No. 485). On November 17, 2020, the House considered H.R. 2281 under a motion to suspend the Rules and passed H.R. 2281, as amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 2281, read the bill twice, and referred H.R. 2271 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2281 in the 116th Congress.

MORE EFFICIENT TOOLS TO REALIZE INFORMATION FOR CONSUMERS ACT

H.R. 2296

(H.R. 2115, H.R. 2376, H.R. 2064, AND H.R. 2087)

To require reporting regarding certain drug price increases, and for other purposes.

Summary

H.R. 2296 increases consumer transparency of the prescription drug supply chain by requiring qualifying pharmaceutical manufacturers to report specific information to HHS prior to certain drug price increases. The legislation also makes public more information concerning rebates, discounts, and other price concessions that are negotiated by pharmacy benefit managers. Additionally, H.R. 2296

requires all pharmaceutical manufacturers to report average sales price (ASP) data to HHS and requires prescription drug plan sponsors to include real-time benefit information for electronic prescribing. The legislation also ensures greater transparency of pharmaceutical supply chain intermediaries and merger activity, as well as information on drug samples that are distributed by pharmaceutical manufacturers to providers or healthcare facilities.

Legislative History

On April 12, 2019, H.R. 2296 was introduced by Representative Schakowsky, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 15, 2019.

On May 21, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 2296. The witnesses included Lisa Joldersma, Senior Vice President, Insurance and State Issues, Pharmaceutical Research and Manufacturers of America; Kristin Bass, Chief Policy and External Affairs Officer, Pharmaceutical Care Management Association; Madelaine Feldman, President, Coalition of State Rheumatology Organizations, Alliance of Specialty Medicine; Frederick Isasi, Executive Director, Families USA; Mark Miller, Executive Vice President of Health Care, Arnold Ventures; and Douglas Holtz-Eakin, President, American Action Forum.

On July 11, 2019, the Subcommittee met in open markup session to consider H.R. 2296 and forwarded H.R. 2296 to the Committee on Energy and Commerce, amended, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider the bill H.R. 2296, as amended, and ordered H.R. 2296 reported favorably to the House, amended, by a voice vote.

On September 24, 2019, the Committee on Energy and Commerce reported H.R. 2296 to the House (H. Rept. 116–215) and the bill was placed on the Union Calendar (Calendar No. 170).

No further action was taken on H.R. 2296 in the 116th Congress.

On April 29, 2019, H.R. 2376, the "Prescription Pricing for the People Act", was introduced by Representative Collins (GA–9), and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health and Subcommittee on Consumer Protection and Commerce on April 20, 2019.

On April 3, 2019, H.R. 2064, a bill to amend title XI of the Social Security Act to require manufacturers of certain drugs, devices, biologicals, and medical supplies to report on product samples provided to certain health care providers, and for other purposes, was introduced by Representative Chu (CA–27), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on April 3, 2019.

On April 4, 2019, H.R. 2087, the "Drug Price Transparency Act", was introduced by Representative Doggett, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on April 5, 2019.

No further action was taken on H.R. 2376, H.R. 2064, and H.R. 2087 in the 116th Congress.

On May 21, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 2376, H.R. 2064, and H.R. 2087. Provisions of H.R. 2115, H.R. 2376, H.R. 2064, and H.R. 2087 were incorporated into H.R. 2296.

COMMUNITY HEALTH INVESTMENT, MODERNIZATION, AND EXCELLENCE ACT OF 2019

H.R. 2328

(H.R. 1943, H.R. 2668, H.R. 2680, H.R. 2815, H.R. 2822, H.R. 3022, H.R. 3029, H.R. 3030, H.R. 3031, H.R. 3039, H.R. 3429, H.R. 3630, H.R. 3631, AND H.R. 3644)

To reauthorize and extend funding for community health centers and the National Health Service Corps.

Summary

H.R. 2328 extends funding through fiscal year 2024 for vital public health programs, including the Community Health Center Fund (CHCF), the NHSC, the Teaching Health Center Graduate Medical Education (THCGME) Program, special diabetes programs, the Personal Responsibility Education Program, and the sexual risk avoidance education program. The legislation also enhances Medicaid funding for the U.S. territories, while strengthening program integrity and oversight of these programs. H.R. 2328 also adjusts the Medicaid disproportionate share hospital (DSH) allotment reductions and require greater transparency and disclosure of hospital upper payment limit (UPL) data. The bill would lower healthcare costs for Americans by establishing comprehensive consumer protections against surprise medical bills. The bill also would fund critical programs to improve quality and access for Medicare beneficiaries.

Legislative History

On April 15, 2019, H.R. 2328 was introduced by Representative O'Halleran (AZ–1), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 16, 2019.

On June 4, 2019, the Subcommittee on Health held a legislative hearing on 13 bills, including H.R. 2328. The witnesses included Dean Germano, Chief Executive Officer, Shasta Community Health Center; Diana Autin, Executive Co-Director, SPAN Parent Advocacy Network; Aaron Kowalski, President and Chief Executive Officer, JDRF; Lisa Cooper, Professor of Medicine, Johns Hopkins University School of Medicine; Thomas Barker, Partner, Co-Chair, Healthcare Practice, Foley Hoag; Mary-Catherine Bohan, Vice President of Outpatient Services, Rutgers University Behavioral Health Care; Michael Waldrum, Chief Executive Officer, Vidant Health; and Fred Riccardi, President, Medicare Rights Center.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 2328 forwarded H.R. 2328 to the Committee on Energy and Commerce, amended, by a voice vote.

On July 11, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2328 and ordered H.R. 2328 reported favorably to the House, amended, by a voice vote.

On December 9, 2019, the Committee on Energy and Commerce reported on H.R. 2328 to the House (H. Rept. 116–332). That same day, H.R. 2328 was referred sequentially to the House Committee on Transportation and Infrastructure.

No further action was taken on H.R. 2328 in the 116th Congress.

H.R. 2328 incorporated provisions from the following bills: H.R. 1943, the "Community Health Center and Primary Care Workforce Expansion Act of 2019", introduced by Representative Clyburn (SC–06); H.R. 2668, the "Special Diabetes Program Reauthorization Act of 2019", introduced by Representative DeGette (CO–01); H.R. 2680, the "Special Diabetes Programs for Indians Reauthorization Act of 2019", introduced by Representative O'Halleran (AZ–01); H.R. 2815, the "Training the Next Generation of Primary Care Doctors Act of 2019", introduced by Representative Ruiz (CA–36); H.R. 2822, the "Family-to-Family Reauthorization Act of 2019", introduced by Representative Sherrill (NJ–11); H.R. 3022, the "Patient Access Protection Act", introduced by Representative Engel (NYU–16); H.R. 3029, the "Improving Low-Income Access to Prescription Drugs Act of 2019", introduced by Representative Olson (TX–22); H.R. 3030, the "Patient-Centered Outcomes Research Extension Act of 2019", introduced by Representative DeGette; H.R. 3031, a bill to amend title XVIII of the Social Security Act to extend funding for quality measure endorsement, input, and selection under the Medicare program, introduced by Representative Chu; H.R. 3039, a bill to provide for a 5-year extension of funding outreach and assistance for low-income programs, introduced by Representative Gomez (CA–34); H.R. 3429, the "HEARTS and Rural Relief Act", introduced by Representative Sewell (AL–07); H.R. 3630, the "No Surprises Act", introduced by Representative Pallone; H.R. 3631, the "Territories Health Care Improvement Act", introduced by Representative Soto (FL–09); and H.R. 3644, the "Independence at Home Demonstration Act of 2019", introduced by Representative Burgess.

PROTECTING AMERICAN LUNGS AND REVERSING THE YOUTH TOBACCO EPIDEMIC ACT OF 2020

H.R. 2339 (H.R. 1570)

To amend the Federal Food, Drug, and Cosmetics Act with respect to the sale and marketing of tobacco products, and for other purposes.

Summary

H.R. 2339 amends the FFDCA to strengthen the authority of the FDA over tobacco products and provide a comprehensive approach to address the youth tobacco epidemic, which has surged in recent years with the introduction of electronic nicotine delivery system (ENDS) products, such as electronic cigarettes (e-cigarettes). The legislation prohibits the manufacture and sale of all flavored tobacco products, including menthol, and requires the removal of all flavored ENDS products from the market within 30 days, makes it

unlawful to market, advertise, or promote ENDS products to individuals under the age of 21, and directs FDA to prohibit non-face-to-face sales of certain tobacco products. Additionally, H.R. 2339 provides FDA with the authority to collect user fees from all classes of tobacco products, including ENDS products, and increases the annual user fees collected for tobacco products. The bill also requires the FTC to issue an annual report to Congress on the domestic sales, advertising, and promotional activities of cigarette, cigar, smokeless tobacco, and ENDS manufacturers, in addition to other provisions.

Legislative History

On April 18, 2019, H.R. 2339 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 19, 2019.

On October 11, 2019, the Subcommittee on Health held a legislative hearing H.R. 2339. The witnesses included Dorian Fuhrman, Co-founder and Parent, Parents Against Vaping e-cigarettes (PAVe); Phillip Gardiner, Dr.P.H., Senior Program, Officer, Tobacco Related Disease Research Program, University of California Office of the President; Matthew L. Myers, President, Campaign for Tobacco-Free Kids; Michael Siegel, M.D., M.P.H., Professor, Department of Community Health Sciences, Boston University School of Public Health; and Susanne E. Tanski, M.D., M.P.H., Associate Professor of Pediatrics, American Academy of Pediatrics.

On November 13, 2019, the Subcommittee on Health met in open markup session to consider H.R. 2339 and forwarded H.R. 2339 to the Committee on Energy and Commerce, amended, by a voice vote.

On November 19, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2339 and ordered H.R. 2339 reported favorably to the House, amended, by a record vote of 28 yeas and 24 nays.

On February 21, 2020, the Committee on Energy and Commerce reported H.R. 2339 to the House (H. Rept. 116–402) and the bill was placed on the Union Calendar (Calendar No. 324). On February 28, 2020, the House considered H.R. 2339 under the provisions of H. Res. 866 and passed H.R. 2339 by a recorded vote of 213 yeas and 195 nays (Roll Call No. 78).

On March 2, 2020, the Senate received H.R. 2339, read the bill twice, and referred H.R. 2339 to the Committee on Finance.

No further action was taken on H.R. 2339 in the 116th Congress.

Provisions of H.R. 1570 were incorporated into H.R. 2296. Information on H.R. 1570 can be found in the applicable section of this report.

STOP GAMES ACT OF 2019

H.R. 2387

To amend subsection (q) of section 505 of the Federal Food, Drug, and Cosmetics Act to clarify the process for denying certain petitions whose primary purpose is to delay the approval of an applica-

tion submitted under subsection (b)(2) or (j) of such section 505, and for other purposes.

Summary

This legislation would allow FDA to deny a citizen petition submitted to the agency if the petition were submitted with the primary purpose to delay approval of a generic drug or if the petition does not on its face raise valid scientific or regulatory issues. The bill directs the Secretary of HHS to report such citizen petitions to the FTC. It would also require drug manufacturers to file a petition within 60 days of receiving actionable information. The bill directs FDA to report additional information to Congress, including time and resources spent on each petition; timing of petitions relative to patent expiration, and; any delay in approval of a competing generic drug caused by such petition.

Legislative History

On April 29, 2019, H.R. 2387 was introduced by Representative Levin (MI–9), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 30, 2019.

On November 13, 2019, the Subcommittee on Health met in open markup session to consider H.R. 2387and forwarded H.R. 2387 to the Committee on Energy and Commerce, without amendment, by a voice vote.

No further action was taken on H.R. 2387 in the 116th Congress.

STATE OPIOID RESPONSE GRANT AUTHORIZATION ACT

H.R. 2466

To extend the State Opioid Response Grants program, and for other purposes.

Summary

This bill authorizes the Substance Abuse and Mental Health Services Administration (SAMHSA) State Opioid Response Grants program by placing the program under the substance use disorder grant statutory authorities in the 21st Century Cures Act. This grant program would support efforts in the states, Tribes, populations served by Tribal Organizations, territories and Washington, D.C. to address substance use disorders, including opioid and stimulant use disorders. Funding from this authorization may support public health-related activities such as substance use disorder prevention efforts, establishing or improving prescription drug monitoring programs, health care practitioner training, and substance use disorder treatment, among other items. The bill requires the Secretary of HHS to submit a biennial report to Congress on the program. H.R. 2466 authorizes $1.5 billion for each fiscal year from 2020 through 2026.

Legislative History

On May 1, 2019, H.R. 2466 was introduced by Representative Trone (MD–01), and referred to the Committee on Energy and

Commerce. The bill was subsequently referred to the Subcommittee on Health on May 2, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 15 bills, including H.R. 2466. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 to consider H.R. 2466 and ordered H.R. 2466 reported favorably to the House, amended, by a voice vote.

On November 12, 2020, the Committee on Energy and Commerce reported H.R. 2466 to the House (H. Rept. 116–568) and the bill was placed on the Union Calendar (Calendar No. 466). On November 17, 2020, the House considered H.R. 2466 under a motion to suspend the Rules and passed H.R. 2466, as amended, by a voice vote.

On November 18, 2020, the Senate received H.R. 2466, read the bill twice, and referred H.R. 2466 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2466 in the 116th Congress.

MEDICARE FOR AMERICA ACT OF 2019

H.R. 2452

To amend the Social Security Act to establish a Medicare for America health program to provide for comprehensive health coverage for all Americans.

Summary

The legislation would create a national health insurance program for all U.S. residents with an option to opt out if an individual has qualifying coverage. Individuals currently enrolled in Medicare, Medicaid, or CHIP would over time be enrolled in the Medicare for America plan while individuals enrolled in qualifying employer-sponsored plans, coverage provided by the Indian Health Service or Veterans Administration, TRICARE, or the Federal Employees Health Benefits Program would be able to keep their current coverage if they choose to opt out. A qualifying employer-sponsored plan is defined as a governmental plan or any other employer plan

that includes vision, dental, and hearing benefits, with an actuarial value equivalent to at least 80 percent of Medicare for America coverage, and that the employer contributes at least 70 percent toward the premium of such plan. Individuals below 200 percent of the FPL would not pay premiums or cost sharing. The Secretary of HHS would establish premiums that would be no greater than 8 percent of an individual's or household's monthly income. The bill would also permit the Secretary of HHS to negotiate drug prices and ban the use of prior authorization or step therapy in any form of health insurance.

Legislative History

On May 1, 2019, H.R. 2452 was introduced by Representative DeLauro (CT–3), and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, the Judiciary, Natural Resources, and House Administration. The bill was subsequently referred to the Subcommittee on Health on May 2, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on nine bills, including H.R. 2452. The witnesses included Representative Jayapal (WA–07), Member of Congress; Representative DeLauro (CT–03), Member of Congress; Representative Higgins (NY–26), Member of Congress; Representative Delgado (NY–19), Member of Congress; Representative Malinowski (NJ–07), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 2452 in the 116th Congress.

CHOOSE MEDICARE ACT

H.R. 2463

To provide for the establishment of Medicare part E public health plans, and for other purposes.

Summary

This legislation would establish a public option ('Medicare part E') to be available on the ACA Marketplace. The bill would also require HHS to establish a process to allow individuals to enroll in the public option on a voluntary basis for the small and large group markets. H.R. 2463 would subject the public option to the same requirements that apply to other QHPs offered on the Marketplace.

H.R. 2463 would enhance the ACA's tax credits and increase the eligibility threshold from 400 percent of FPL to 600 percent of FPL. Lastly, the legislation would enhance the ACA's cost-sharing subsidies and establish a three-year reinsurance program at $10 billion annually.

Legislative History

On May 1, 2019, H.R. 2463 was introduced by Representative Richmond (LA–2), and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor. The bill was subsequently referred to the Subcommittee on Health on May 2, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on H.R. 2463 and eight other bills. The witnesses included Representative Jayapal (WA–07), Member of Congress; Representative DeLauro (CT–03), Member of Congress; Representative Higgins (NY–26), Member of Congress; Representative Delgado (NY–19), Member of Congress; Representative Malinowski (NJ–07), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 2463 in the 116th Congress.

SCHOOL BASED ALLERGIES AND ASTHMA MANAGEMENT PROGRAM ACT

H.R. 2468

To amend the Public Health Service Act to amend the preference given, in awarding certain allergies and asthma-related grants, to include States that require certain public schools to have allergies and asthma management programs, and for other purposes.

Summary

This legislation adds a preference for grants to those states that have additional access to certain healthcare professionals and programs. To be eligible for this preference, states would have to require: (1) the presence of a school nurse or other trained personnel on school premises during school operating hours; (2) that there be a school-based allergies and asthma program, including a method to identify all students in the school with a diagnosis of allergies and asthma; (3) an individual student allergies and asthma action plan for each student with a diagnosis of allergies and asthma; (4) education for staff about allergies and asthma; (5) efforts to reduce environmental triggers of allergies and asthma; and (6) a coordinated support system for students.

Legislative History

On May 2, 2019, H.R. 2468 was introduced by Representative Hoyer (MD–05), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 3, 2019.

On January 8, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2468 and seven other bills. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky,

Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI, Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, On behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 2468 and forwarded H.R. 2468, amended, to the Committee on Energy and Commerce on Energy and Commerce by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider a committee print of the bill H.R. 2468, as amended, and ordered H.R. 2468 reported favorably to the House, as amended, by a voice vote.

On September 22, 2020, the Committee on Energy and Commerce reported H.R. 2468 (H. Rept. 116–530) and the bill was placed on the Union Calendar (Calendar No. 430). On September 29, 2020, the House considered H.R. 2468 under a motion to suspend the Rules and passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 2468, read the bill twice, and referred H.R. 2468 to the Committee on Health, Education, Labor, and Pensions. On December 17, 2020, the Senate passed H.R. 2468, without amendment, by a voice vote.

On December 24, 2020, H.R. 2468 was presented to the President.

H.R. 2468, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

BENES ACT OF 2020

H.R. 2477 (H.R. 1375 AND H.R. 5534)

To amend title XVIII of the Social Security Act to establish a system to notify individuals approaching Medicare eligibility, to simplify and modernize the eligibility enrollment process, and for other purposes.

Summary

This legislation would improve beneficiary outreach and education, reduce gaps in coverage and simplify the Medicare part B enrollment process. Specifically, the BENES Act would require the Federal Government to send advance notices about the enrollment process to individuals approaching Medicare eligibility (aged 63–65). It would require that part B coverage begin during the first month after the month an individual enrolls, through either the initial enrollment period or general enrollment period. The bill would require the Secretary of HHS to submit a report to Congress on how to align most effectively the part B general enrollment period with the coordinated election period for Medicare Advantage and part D. It would also allow for the Secretary to establish a special enrollment period for part B coverage for individuals experiencing exceptional circumstances such as residing in an emergency or disaster area. The bill also includes H.R. 1375, which would improve coordination of benefits in Medicare, and H.R. 5534, which

would remove the 36-month limit for Medicare coverage of immunosuppressive drugs following a kidney transplant that currently exists for those individuals that are only Medicare eligible due to their end stage renal disease.

Legislative History

On May 2, 2019, H.R. 2477 was introduced by Representative Ruiz and referred the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 3, 2019.

On January 8, 2020, the Subcommittee on Health held a legislative hearing on eight bills, including H.R. 2477. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky, Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI, Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, On behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 2477 and forwarded the bill favorably to the Committee on Energy and Commerce, amended, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 2477 and ordered H.R. 2477 reported favorably to the House, amended, by a voice vote.

On December 8, 2020, the Committee on Energy and Commerce reported H.R. 2477 to the House (H. Rept. 116–621). That same day, the House considered H.R. 2477 under a motion to suspend the Rules and passed, as amended, by a voice vote.

On December 9, 2020, the Senate received H.R. 2477, read the bill twice, and referred H.R. 2477 to the Committee on Finance.

No further action was taken on H.R. 2477 in the 116th Congress.

On February 26, 2019, H.R. 1375, the "PAID Act", was introduced in the House by Representative Kind (WI–3), and was referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on February 27, 2019.

On December 8, 2020, the House considered H.R. 1375 under a motion to suspend the Rules and passed H.R. 1375 by a voice vote. On December 9, 2020, H.R. 1375 was received by the Senate, read twice, and referred to the Committee on Finance.

On December 23, 2019, H.R. 5534, the "Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2019", was introduced in the House by Representative Kind, and was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on December 24, 2019.

On January 8, 2020, the Subcommittee on Health held a hearing on seven bills, including H.R. 5534. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky, Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI, Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, on behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On March 11, 2020, the Subcommittee on Health met in open markup session, to consider H.R. 5534, and forwarded H.R. 5534, amended, to the Committee on Energy and Commerce by a voice vote.

The Committee on Energy and Commerce met in virtual open markup session on July 15, 2020, to consider H.R. 5534 and ordered H.R. 5534 reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 1375 and H.R. 5534 in the 116th Congress. Provisions of H.R. 1375 and H.R. 5534 were incorporated into H.R. 2477.

MAINSTREAMING ADDICTION TREATMENT ACT OF 2019

H.R. 2482

To amend section 303(g) of the Controlled Substances Act to eliminate the separate registration requirement for dispensing narcotic drugs in schedule III, IV, or V (such as buprenorphine) for maintenance or detoxification treatment, and for other purposes.

Summary

This bill would eliminate the separate DEA registration requirement for practitioners who seek to prescribe buprenorphine for opioid use disorder treatment. Under current law, or "DATA 2000", a practitioner must meet certain criteria in order to treat opioid addiction with buprenorphine outside of an opioid treatment program.

Legislative History

On May 2, 2019, H.R. 2482 was introduced by Representative Tonko, and referred the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means. The bill was subsequently referred to the Subcommittee on Health on May 3, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on fifteen bills, including H.R. 2482. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken

Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 2482 in the 116th Congress.

NEWBORN SCREENING SAVES LIVES REAUTHORIZATION ACT OF 2019

H.R. 2507

To amend the Public Health Service Act to reauthorize certain programs under part A of title XI of such Act relating to genetic diseases, and for other purposes.

Summary

This legislation reauthorizes newborn screening programs for five years. The bill includes reforms to ensure that the activities of the Advisory Committee on Heritable Disorders in Newborns and Children (ACHDNC) are transparent, including requiring the creation of a publicly accessible website which details the uniform screening panel nomination process. The bill also requires CDC to standardize data collection and reporting to track and monitor newborn screening in real time. Additionally, the bill orders a study on the modernization of newborn screening and recognizes in statute the "common rule" related to dried blood spots being considered secondary research with nonidentified biospecimens for purposes of federally funded research. The bill authorizes appropriations of $60.65 million per year through fiscal year 2024.

Legislative History

On May 2, 2019, H.R. 2507 was introduced by Representative Roybal-Allard and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 3, 2019.

On June 25, 2019, the Subcommittee on Health held a legislative hearing on four bills, including H.R. 2507. The witnesses included Amy Hewitt, Ph.D., Director, Institute on Community Integration, University of Minnesota; Joseph Bocchini, M.D., Professor, Department of Pediatrics, Louisiana State University Health, Shreveport; Patricia Kunz Howard, Ph.D., RN, President, Emergency Nurses Association, Director, Emergency Services, University of Kentucky Healthcare; and Jill Kagan, Director, ARCH National Respite Network and Resource Center.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 2507, and forwarded H.R. 2507 to the Committee on Energy and Commerce, amended, by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider the bill H.R. 2507, and ordered

H.R. 2507 reported favorably to the House, as amended, by a voice vote.

On July 23, 2019, the Committee on Energy and Commerce reported H.R. 2507 to the House (H. Rept. 116–174) and the bill was placed on the Union Calendar (Calendar No. 134). On July 24, 2019, H.R. 2507 was considered in the House and passed, as amended, by a voice vote.

On July 25, 2019, the Senate received H.R. 2507, read the bill twice, and referred H.R. 2507 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2507 in the 116th Congress.

IMPROVING MENTAL HEALTH ACCESS FROM THE EMERGENCY DEPARTMENT ACT OF 2020

H.R. 2519

To authorize the Secretary of Health and Human Services, acting through the Director of the Center for Mental Health Services of the Substance Abuse and Mental Health Services Administration, to award grants to implement innovative approaches to securing prompt access to appropriate follow-on care for individuals who experience an acute mental health episode and present for care in an emergency department, and for other purposes.

Summary

This legislation would authorize SAMHSA to award grants to qualifying emergency departments for the purpose of supporting mental health services for individuals with acute mental health episode. Grant recipients must use funds to support the provision of follow up services for individuals who present for care of acute mental health episodes, such as placement in appropriate facilities. The bill authorizes $15 million for each of fiscal years 2021 through 2025.

Legislative History

On May 3, 2019, H.R. 2519 was introduced by Representative Ruiz and referred the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 6, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including on H.R. 2519. The witnesses included Former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 2519, and ordered H.R. 2519 reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 2519 to the House (H. Rept. 116–544) and the bill was placed on the Union Calendar (Calendar No. 444). That same day, the House considered H.R. 2519 under a motion to suspend the Rules and passed H.R. 2519, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 2519, read the bill twice, and referred H.R. 2519 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2519 in the 116th Congress.

MEDICARE ENROLLMENT PROTECTION ACT

H.R. 2564

To amend title XVIII of the Social Security Act to provide for a special enrollment period under Medicare for individuals enrolled in COBRA continuation coverage, and for other purposes.

Summary

This legislation would create a Medicare part B special enrollment period (SEP) for individuals enrolled in coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) and would exempt individuals enrolling through such SEP from the part B late enrollment penalty. COBRA coverage allows individuals to maintain their employer sponsored health plan for a temporary period after the individual experiences a qualifying event that would otherwise cause their coverage to end, such as termination of employment or a reduction in the number of hours of employment. H.R. 2564 would also require the Secretary of Labor to update COBRA continuation coverage election notices to include an explanation of Medicare secondary payer rules with respect to COBRA. This bill would also prohibit health plans from reducing COBRA benefits on the basis that an individual is eligible for part B when the individual is not enrolled in part B and make other technical and conforming changes.

Legislative History

On May 7, 2019, H.R. 2564 was introduced by Representative Tonko, and referred the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. The bill was subsequently referred to the Subcommittee on Health on May 8, 2019.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 2564 and ordered H.R. 2564 reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 2564 in the 116th Congress.

HEALTHY MOMMIES ACT

H.R. 2602

To amend titles XIX and XXI of the Social Security Act to improve Medicaid and the Children's Health Insurance Program for low-income mothers.

Summary

This legislation would extend Medicaid coverage for postpartum women beyond the 60 days already in law to one year postpartum and would include oral health services for pregnant and postpartum women. The bill would also require Medicaid programs to pay primary care providers, including obstetrics and gynecology providers, no less than the Medicare rate for certain services. Additionally, the bill would establish a maternity care home demonstration project for coordination of care and to improve maternity and infant care outcomes.

H.R. 2602 would also require the Medicaid and CHIP Payment and Access Commission (MACPAC) to issue a report on the coverage of doula care under state Medicaid programs, and would require the Centers for Medicare and Medicaid Services (CMS) to issue guidance to states on increasing access to doula care under Medicaid. Finally, the bill requires the GAO to issue a report on the use of telemedicine by state Medicaid programs to increase access to maternity care.

Legislative History

On May 8, 2019, H.R. 2602 was introduced by Representative Pressley (MA–07), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 9, 2019.

On September 10, 2019, the Subcommittee on Health held a legislative hearing on H.R. 2602 and three other bills. The witnesses included Wanda Irving, Mother of Dr. Shalon Irving; Patrice Harris, M.D., President, Board of Trustees, American Medical Association; Elizabeth Howell, M.D., M.P.P., Director, Blavatnik Family Women's Health Research Institute, Icahn School of Medicine at Mount Sinai; David Nelson, M.D., Chief of Obstetrics, Parkland Health and Hospital System, Assistant Professor of Obstetrics and Gynecology, Division of Maternal-Fetal Medicine, University of Texas Southwestern Medical Center; and Usha Ranji, Associate Director, Women's Health Policy, Kaiser Family Foundation.

No further action was taken on H.R. 2602 in the 116th Congress.

CREATING LOWER COST ALTERNATIVE FOR YOUR PRESCRIPTION DRUGS ACT

H.R. 2757

To amend title XVIII of the Social Security Act to provide for adjustments to the Medicare part D cost-sharing reductions for low-income individuals.

Summary

This legislation would eliminate copayment requirements for generic drugs for part D beneficiaries who receive low-income subsidies (LIS). This bill would also reduce cost-sharing for generic drugs to $0 for beneficiaries with income below 150 percent of the poverty line and seeks to incentivize the use of available, higher value products among these beneficiaries.

Legislative History

On May 15, 2019, H.R. 2757 was introduced by Representative Cunningham (SC–1), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on May 16, 2019.

On May 21, 2019, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 2755. The witnesses included Lisa Joldersma, Senior Vice President, Insurance and State Issues, Pharmaceutical Research and Manufacturers of America; Kristin Bass, Chief Policy and External Affairs Officer, Pharmaceutical Care Management Association, Madelaine Feldman, President, Coalition of State Rheumatology Organizations, Alliance of Specialty Medicine; Frederick Isasi, Executive Director, Families USA; Mark Miller, Executive Vice President of Health Care, Arnold Ventures; and Douglas Holtz-Eakin, President, American Action Forum.

No further action was taken on H.R. 2757 in the 116th Congress.

EDUCATING MEDICAL PROFESSIONALS AND OPTIMIZING WORKFORCE EFFICIENCY AND READINESS FOR HEALTH ACT OF 2019

H.R. 2781

To amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce, and for other purposes.

Summary

This legislation provides a five-year reauthorization for the PHSA title VII health care workforce development grant programs, including Area Health Education Centers and Health Professions Training for Diversity. The bill also updates language authorizing the Geriatrics Workforce Enhancement program and the Geriatric Academic Career Awards program in order to align that language with how the HRSA currently administers the programs. Finally, the legislation reauthorizes and updates the Investment in Tomorrow's Pediatric Health Care Workforce program, which provides loan repayment for certain qualifying pediatric specialists and subspecialists. This legislation also creates a new workforce diversity program for physical therapists, occupational therapists, audiologists, and speech language pathologists, modeled after the longstanding Nursing Workforce Diversity Program under title VIII of the Public Health Service Act. The program would be authorized at $5 million per year.

Legislative History

On May 16, 2019, H.R. 2781 was introduced by Representative Schakowsky and referred the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 17, 2019.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 2781, and forwarded H.R. 2781, amended, to the Committee on Energy and Commerce by a voice vote.

On July 17, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 2781, as amended, and ordered the bill H.R. 2781 reported favorably to the House, amended, by a voice vote.

On September 24, 2019, the Committee on Energy and Commerce reported H.R. 2781 to the House (H. Rept. 116–214) and the bill was placed on the Union Calendar (Calendar No. 169). On October 28, 2019, H.R. 2781 was considered in the House and passed, as amended, by a voice vote.

On October 29, 2019, the Senate received H.R. 2781, read the bill twice, and referred H.R. 2781 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2781 in the 116th Congress.

KEEP FOOD CONTAINERS SAFE FROM PFAS ACT OF 2019

H.R. 2827

To amend the Federal Food, Drug, and Cosmetics Act to deem any perfluoroalkyl or polyfluoroalkyl substance used as a food contact substance to be unsafe and therefore treated as adulterated under such Act, and for other purposes.

Summary

This legislation amends the FFDCA to deem the use of PFAS in food contact substances unsafe, beginning January 1, 2022, meaning PFAS would no longer be able to be used in food contact substances.

Legislative History

On May 17, 2019, H.R. 2827 was introduced by Representative Dingell (MI–12), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 20, 2019.

On January 29, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2827 and nine other bills. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Asso-

ciation; Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

No further action was taken on H.R. 2827 in the 116th Congress.

MARIJUANA FREEDOM AND OPPORTUNITY ACT

H.R. 2843

To decriminalize marijuana, and for other purposes.

Summary

This legislation decriminalizes marijuana by removing marijuana and tetrahydrocannabinol (THC) from the list of Schedule I substances under the CSA. The bill includes directives to conduct research on the impact of marijuana on the brain, the efficacy of medicinal marijuana, identification of additional medical benefits and uses of cannabis, and support highway safety research. The bill requires Alcohol and Tobacco Tax and Trade Bureau to promulgate regulations that require restrictions on advertising and promotion of marijuana products. The bill also includes a grant program for States and local governments for marijuana conviction expungement programs.

Legislative History

On May 20, 2019, H.R. 2843 was introduced by Representative Jeffries (NY–08), and referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Natural Resources, Agriculture, Transportation and Infrastructure, and Small Business. The bill was subsequently referred to the Subcommittee on Health on May 21, 2019.

On January 15, 2020, the Subcommittee on Health held a legislative hearing on six bills, including H.R. 2843. The witnesses included Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health.

No further action was taken on H.R. 2843 in the 116th Congress.

BEHAVIORAL HEALTH COVERAGE TRANSPARENCY ACT

H.R. 2874

To strengthen parity in mental health and substance use disorder benefits.

Summary

This legislation would help improve and strengthen enforcement of existing mental health parity laws, which prohibit health insur-

ance plans from imposing less favorable benefit limitations on mental and substance use disorder treatments than on medical/surgical benefits. The bill would require health insurance plans to disclose the analysis they utilize in making parity determinations, as well as the rate of and reasons for denials of mental health claims. It would also require Federal regulators to conduct audits of health insurance plans and establish a Consumer Parity Unit that gives consumers a centralized online hub to get information about their rights and to submit complaints.

Legislative History

On May 21, 2019, H.R. 2874 was introduced by Representative Kennedy (MA–04), and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor. The bill was subsequently referred to the Subcommittee on Health on May 22, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills including H.R. 2874. The witnesses included Former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 2874 in the 116th Congress.

RESPOND TO THE NEEDS IN THE OPIOID WAR ACT

H.R. 2922

To address the opioid epidemic, and for other purposes.

Summary

This bill authorizes $5 billion annually for five years to support the Federal public health response to the opioid epidemic through an Opioid Epidemic Response Fund that allocates money to: SAMHSA, CDC, FDA, NIH, HRSA, and the Administration on Children and Families (ACF). The bill increases funding for regional partnership grants and extends state and tribal support. Additionally, the bill allows certain qualifying practitioners to continue to dispense and prescribe opioid addiction treatment beyond the October 1, 2023 time limitation in current law. Qualifying practitioners with authority expiring in 2023 include clinical nurse specialists, certified registered nurse anesthetists, and certified nurse midwives.

Legislative History

On May 22, 2019, H.R. 2922 was introduced by Representative Kuster and referred to Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Ways and Means, the Budget, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration

of such provisions as fall within the jurisdiction of the committee concerned. The bill was subsequently referred to the Subcommittee on Health on May 23, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 15 bills, including H.R. 2922. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 2922 in the 116th Congress.

WOMEN'S HEALTH PROTECTION ACT OF 2019

H.R. 2975

To protect a woman's ability to determine whether and when to bear a child or end a pregnancy, and to protect a health care provider's ability to provide reproductive health care services, including abortion services.

Summary

This legislation establishes the Federal statutory right to access abortion and the Federal right of health care providers to perform abortions without medically unnecessary restrictions on the provision of abortion services. The bill states that access to safe, legal abortion services is central to women's ability to participate equally in economic and social life, and that restrictions on abortion do not confer any societal, health, or safety benefits on a patient. It also acknowledges that the U.S. Supreme Court has a history of upholding the right to access safe, legal abortion services, and that this right has been obstructed by states laws throughout the United States for reasons that are not based on medical evidence. In addition, it finds that these restrictions harm women's health by also reducing access to essential health care services such as contraceptive services and screenings for cervical cancer and sexually transmitted diseases.

H.R. 2975 allows health care providers to provide abortion services without limitations or requirements unless these requirements are similarly applied to medically comparable procedures. This ensures that the provision of abortion care is not treated differently or singled out from other types of health care procedures for reasons other than medical necessity. The bill further prohibits var-

ious restrictions on the statutory right to provide and receive abortion services and imposes limits on states' authorities in instances, which include, but are not limited to: a requirement that a health care provider perform tests or medical procedures in connection to the abortion services; a prohibition on abortion prior to the age of viability for both elective and nonelective abortions; a requirement that patients make medically unnecessary in-person visits to any medical entity; and a requirement that a health care provider offer or provide the patient seeking abortion services medically inaccurate information in advance of or during abortion services.

Legislative History

On May 23, 2019, H.R. 2975 was introduced by Representative Chu and referred to Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 24, 2019.

On February 12, 2020, the Subcommittee on Health held a legislative hearing on H.R. 2975. The witnesses included Holly Alvarado, Advocate; Teresa Stanton Collett, J.D., Professor of Law, University of St. Thomas School of Law; Georgette Forney, President of Anglicans for Life, Co-founder of the Silent No More Awareness Campaign; Nancy Northup, President and CEO, Center for Reproductive Rights; and Dr. Yashica Robinson, Medical Director, Alabama Women's Center for Reproductive Alternatives.

No further action was taken on H.R. 2975 in the 116th Congress.

SOUTH ASIAN HEART HEALTH AWARENESS AND RESEARCH ACT OF 2020

H.R. 3131

To amend the Public Health Service Act to provide for research and improvement of cardiovascular health among the South Asian population of the United States, and for other purposes.

Summary

This legislation authorizes the Secretary of HHS to award heart health promotion grants to states for awareness initiatives, educational materials, and training workshops. The legislation also authorizes the Secretary of HHS to conduct or support research regarding cardiovascular disease, type 2 diabetes, and other heart health-related ailments among at risk populations, including the South Asian populations. The Secretary may also establish a research catalogs for existing heart health research and treatment options.

Legislative History

On June 5, 2019, H.R. 3131 was introduced by Representative Jayapal (WA–07), and referred the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 6, 2019.

Prior to the introduction of the bill, the Subcommittee on Health held a hearing entitled "Health Care Inequality: Confronting Racial and Ethnic Disparities in COVID–19 and the Health Care System" on June 17, 2020. The invited witnesses included Rhea Boyd, M.D.,

M.P.H., Pediatrician and Child Health Advocate, Palo Alto Medical Foundation; Oliver T. Brooks, M.D., President, National Medical Association; and Avik S. A. Roy, President, The Foundation for Research on Equal Opportunity.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 3131, and ordered H.R. 3131 reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 3131 (H. Rept. 116–550) to the House and the bill was placed on the Union Calendar (Calendar No. 450). That same day, the House considered H.R. 3131 under a motion to suspend the Rules and passed H.R. 3131, as amended, by a voice vote.

On September 30, 2019, the Senate received H.R. 3131, read the bill twice, and referred H.R. 3131 to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 3131 in the 116th Congress.

MENTAL HEALTH PARITY COMPLIANCE ACT

H.R. 3165

To strengthen parity in mental health and substance use disorder benefits.

Summary

This legislation would increase transparency with respect to how health insurance plans are applying mental health parity laws, by requiring plans to make available certain analyses of how the plan is applying non quantitative treatment limits to mental health and substance use disorder benefits, in comparison to medical/surgical benefits. The bill would further require Federal regulators to request this information if there have been complaints against a particular health insurance plan involving behavioral health benefits, and would require Federal regulators to conduct random audits of health insurance plans.

Legislative History

On June 10, 2019, H.R. 3165 was introduced by Representative Porter (CA–45), and referred to Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor. The bill was subsequently referred to the Subcommittee on Health on June 11, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 3165. The witnesses included Former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 3165 in the 116th Congress.

OPIOID WORKFORCE ACT OF 2019

H.R. 3414

To amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions to help combat the opioid crisis.

Summary

This bill increases the number of residency positions eligible for graduate medical education payments under Medicare by 1,000 slots over a five-year period for hospitals that expand or establish approved residency programs in addiction medicine, addiction psychiatry, pain medicine, or a program that is a prerequisite of such programs.

Legislative History

On June 21, 2019, H.R. 3414 was introduced by Representative Schneider (IL–10), and referred to Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on June 24, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on fifteen bills, including H.R. 3414. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 3414 in the 116th Congress.

BEHAVIORAL INTERVENTION GUIDELINES ACT OF 2020

H.R. 3539

To amend the Public Health Service Act to direct the Secretary of the Department of Health and Human Services to develop best practices for the establishment and use of behavioral intervention teams at schools, and for other purposes.

Summary

This legislation requires SAMHSA to develop best practices for schools to establish behavioral intervention teams and properly train them on how to intervene and avoid inappropriate use of

mental health assessments and law enforcement. No later than one year after enactment, best practices shall be made publicly available on a website of HHS. The Secretary is also instructed to provide technical assistance to educational entities to assist in implementing such best practices.

Legislative History

On June 27, 2019, H.R. 3539 was introduced by Representative Ferguson (GA–3), and referred the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 28, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 3539. The witnesses included Former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session on September 9, 2020 to consider H.R. 3539, and ordered H.R. 3539 reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 3539 to the House (H. Rept. 116–540) and the bill was placed on the Union Calendar (Calendar No. 440). That same day, H.R. 3539 was considered in the House and passed, as amended, by a voice vote.

On September 30, 2020, the Senate received H.R. 3539, read the bill twice, and referred H.R. 3539 to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 3539 in the 116th Congress.

TERRITORIES HEALTH CARE IMPROVEMENT ACT

H.R. 3631

To amend titles XI and XIX of the Social Security Act to provide for a temporary increase to the limit on Medicaid payments for territories of the United States and the Federal medical assistance percentage for such territories under the Medicaid program, and for other purposes.

Summary

This legislation would increase Puerto Rico's Medicaid funding to approximately $3 billion annually for four years, increase the Federal medical assistance percentage (FMAP) for four years, and make important program integrity improvements to Puerto Rico's Medicaid program. It would require Puerto Rico to have an asset verification program in place by the end of the third year, and a payment error rate measurement program in place by the end of the fourth year. It would also provide six years of increased Federal

funding and increased FMAP for the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. By the end of year four, the legislation would require all of the territories to have established a Transformed Medicaid Statistical Information System (T–MSIS) and a Medicaid Fraud Control Unit (MFCU).

Legislative History

H.R. 3631 was developed following a hearing held by the Subcommittee on Health entitled "Strengthening Health Care in the U.S. Territories for Today and Into the Future" on June 20, 2019. The witnesses included Anne Schwartz, Ph.D., Executive Director, Medicaid and CHIP Payment and Access Commission, Angela Avila, Executive Director, Administraión de Seguros de Salud de Puerto Rico, Puerto Rico Health Insurance Administration; Sandra King Young, Medicaid Director, American Samoa State Agency; Maria Theresa Arcangel, Chief Administrator, Guam Division of Public Welfare; Michal Rhymer-Browne, Assistant Commissioner, Department of Human Services, U.S. Virgin Islands; and Helen C. Sablan, Medicaid Director, Commonwealth of the Northern Mariana Islands State Medicaid Agency.

On July 9, 2019, H.R. 3631 was introduced by Representative Soto, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on July 10, 2019.

On July 11, 2019, the Subcommittee on Health met in open markup session to consider H.R. 3631 and forwarded H.R. 3631, without amendment, to the Committee on Energy and Commerce by a voice vote.

No further action was taken on H.R. 3631 in the 116th Congress.

MEDICAL MARIJUANA RESEARCH ACT OF 2019

H.R. 3797

To amend the Controlled Substances Act to make marijuana accessible for use by qualified marijuana researchers for medical purposes, and for other purposes.

Summary

This legislation facilitates research with marijuana by streamlining the registration process under the CSA for researchers and directing the Secretary of HHS to ensure a supply of marijuana for research purposes through the National Institute on Drug Abuse (NIDA) Drug Supply Program and from state authorized marijuana programs.

The bill authorizes the Attorney General to register practitioners to conduct research if the applicant is already authorized to conduct research with controlled substances for Schedules I through V, has had their research protocol reviewed and approved by the Secretary, and the Secretary has determined the applicant is qualified to conduct bona fide research. The bill also directs NIDA and HHS to act on marijuana research registration applications within 60 days prior to supplying marijuana through the NIDA Drug Supply Program or a State authorized marijuana program, and directs the

DEA to also approve or deny CSA registration applications within 60 days of receipt. Researchers conducting research on marijuana would be subject to the same security requirements for research on other controlled substances in Schedules II through V. The bill prevents HHS from reinstating an additional review processes related to marijuana research. The bill also directs the HHS Secretary to conduct a review of existing marijuana research and submit a report to Congress on such review.

Legislative History

On July 17, 2019, H.R. 3797 was introduced by Representative Blumenauer (OR–3) and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. It was subsequently referred to the Subcommittee on Health on July 18, 2019.

On January 15, 2020, the Subcommittee on Health held a legislative hearing on six bills, including H.R. 3797. The witnesses included Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session and ordered H.R. 3797, amended, reported favorably to the House by a voice vote.

On December 7, 2020, the Committee on Energy and Commerce filed a House report on H.R. 3797 (H. Rept. 116–619) and the bill was placed on the Union Calendar (Calendar No. 508).

On December 9, 2020, the House considered H.R. 3797, under a motion to suspend the Rules and passed H.R. 3797 by a voice vote.

On December 10, 2020, H.R. 3797 was received by the Senate.

No further action was taken on H.R. 3797 in the 116th Congress.

BLOCK, REPORT, AND SUSPEND SUSPICIOUS SHIPMENTS ACT OF 2019

H.R. 3878

To amend the Controlled Substances Act to clarify the process for registrants to exercise due diligence upon discovering a suspicious order, and for other purposes.

Summary

This bill would create additional requirements for drug manufacturers and distributors who discover a suspicious order for controlled substances. In addition to reporting the suspicious order to the DEA, a manufacturer or distributor must also exercise due diligence, decline to fill the order or series of orders, and notify the DEA of each suspicious order or series of orders and the indicators that led to the belief that filling such orders would be a violation. These requirements would become effective six months following enactment.

Legislative History

On July 23, 2019, H.R. 3878 was introduced by Representative McKinley, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. It was subsequently referred to the Subcommittee on Health on July 24, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 3878. The witnesses included ADM Brett P. Giroir, M.D.,Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session and ordered H.R. 3878, amended, reported favorably to the House by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 3878 to the House (H. Rept. 116–583) and the bill was placed on the Union Calendar (Calendar No. 481).

On November 17, 2020, the House considered a motion to pass H.R. 3878, under a motion to suspend the Rules, and passed H.R. 3878 by a voice vote.

On November 18, 2020, H.R. 3878 was received by the Senate, read twice, and referred to the Senate Committee on the Judiciary.

No further action was taken on H.R. 3878 in the 116th Congress.

MARIJUANA OPPORTUNITY REINVESTMENT AND EXPUNGEMENT ACT OF 2019

H.R. 3884

To decriminalize and deschedule cannabis, to provide for reinvestment in certain persons adversely impacted by the War on Drugs, to provide for expungement of certain cannabis offenses, and for other purposes.

Summary

This legislation removes marijuana and THC from the list of Schedule I drugs under the CSA. The bill directs the Attorney General to finalize rulemaking to remove marijuana and THC from the schedules of controlled substances and deem the drug or substance that does not meet the requirements for inclusion in any schedule.

The bill directs the Bureau of Labor Statistics to compile public data on the demographics of the cannabis industry.

The bill also creates an Opportunity Trust Fund at the Treasury to support new programs, including: the establishment of a Cannabis Justice Office within the Department of Justice Office of Justice Programs; and a Community Reinvestment Program that offers job training, reentry services, legal aid for civil and criminal cases, including expungement of cannabis convictions, literacy and health education programs, and youth recreation or mentoring programs. The bill includes authorities for the Small Business Administration to support services for cannabis-related businesses. The bill further includes a provision related to the expungement of arrests, convictions, or adjudication related to Federal cannabis offenses.

Legislative History

On July 23, 2019, H.R. 3884 was introduced by Representative Nadler (NY–10), and referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Agriculture, Education and Labor, Ways and Means, Small Business, Natural Resources, and Oversight and Reform. It was subsequently referred to the Subcommittee on Health on July 24, 2019.

On January 15, 2020, the Subcommittee on Health held a legislative hearing on six bills, including H.R. 3884. The witnesses included Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and Drug Administration; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health.

On December 4, 2020, the House considered H.R. 3884 under the provisions of H. Res. 1244 and passed H.R. 3884, amended, by a recorded vote of 228 yeas and 164 nays (Roll Call No. 235).

On December 7, 2020, H.R. 3884 was received by the Senate, read twice, and referred to the Senate Committee on Finance.

No further action was taken on H.R. 3884 in the 116th Congress.

PROTECTING PATIENTS TRANSPORTATION TO CARE ACT

H.R. 3935

To amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary services.

Summary

This legislation would amend the Medicaid statute to include non-emergency medical transportation (NEMT) in the list of mandatory Medicaid benefits by codifying current Medicaid NEMT regulations. The bill would also require state Medicaid programs to have in place a utilization management process for the benefit.

Legislative History

On July 24, 2019, H.R. 3935 was introduced by Representative Carter (GA–01), and referred to the Committee on Energy and

Commerce. H.R. 3935 was subsequently referred to the Subcommittee on Health on July 25, 2019.

On January 8, 2020, the Subcommittee on Health held a legislative hearing on seven bills, including H.R. 3935. The witnesses included Lee Beers, M.D., President-Elect, American Academy of Pediatrics; Kenneth Mendez, President and Chief Executive Officer, Asthma and Allergy Foundation of America; Stephanie Zarecky, Mother of Scarlett Pauley, Ambassador Program and Public Relations Manager, SUDC Foundation; Matthew Cooper, M.D., Director, Kidney and Pancreas Transplantation, Medical Director, QAPI, Medstar Georgetown Transplant Institute, Professor of Surgery, Georgetown University School of Medicine; Kevin Koser, Patient Advocate, On behalf of the National Foundation for Ectodermal Dysplasias; and Fred Riccardi, President, Medicare Rights Center.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 3935 and forwarded H.R. 3935, amended, to the Committee on Energy and Commerce by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 3935 and ordered H.R. 3935, amended, reported favorably to the House by a voice vote.

On September 17, 2020, the Committee on Energy and Commerce reported H.R. 3935 to the House (H. Rept. 116–511) and the bill was placed on the Union Calendar (Calendar No. 411).

On September 21, 2020, the House considered H.R. 3935 under a motion to suspend the Rules and passed H.R. 3935 by a voice vote.

On September 22, 2020, H.R. 3935 was received by the Senate, read twice, and referred to the Senate Committee on Finance.

No further action was taken on H.R. 3935 in the 116th Congress.

EARLY ACT REAUTHORIZATION OF 2020

H.R. 4078

To reauthorize the Young Women's Breast Health Education and Awareness Requires Learning Young Act of 2009.

Summary

This legislation reauthorizes the "Young Women's Breast Health Education and Awareness Requires Learning Young Act of 2009". This program was authorized and funded at $4.9 million each year from fiscal years 2015 through 2019. The bill would increase the authorization to $9 million each year from fiscal years 2021 through 2025.

Legislative History

On July 25, 2019, H.R. 4078 was introduced by Representative Wasserman Schultz, and referred to the Committee on Energy and Commerce. H.R. 4078 was subsequently referred to the Subcommittee on Health on July 26, 2019.

On July 29, 2020, the Subcommittee on Health held a legislative hearing on five bills, including H.R. 4078. The witnesses included Robert Boyd, M.C.R.P., M.Div., President, School-Based Health Al-

liance; Linda Goler Blount, M.P.H., President and CEO, Black Women's Health Imperative; Nancy Goodman, M.P.P., J.D., Founder and Executive Director, Kids v. Cancer; Aaron Seth Kesselheim, M.D., J.D., M.P.H., Professor of Medicine, Harvard Medical School; Brian Lindberg, Chief Legal Officer and General Counsel, National Bone Marrow Donor Program; and Travis T. Tygart, Chief Executive Officer, U.S. Anti-Doping Agency.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4078 and ordered H.R. 4078, without amendment, reported favorably to the House by a voice vote.

On September 25, 2020, the Committee on Energy and Commerce reported H.R. 4078 to the House (H. Rept. 116–538) and the bill was placed on the Union Calendar (Calendar No. 438).

On September 29, 2020, the House considered H.R. 4078 under a motion to suspend the Rules and passed H.R. 4078 by a voice vote.

On September 30, 2020, H.R. 4078 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4078 in the 116th Congress.

HUMANE CORRECTIONAL HEALTH CARE ACT

H.R. 4141

To amend title XIX of the Social Security Act to provide a consistent standard of health care to the incarcerated, and for other purposes.

Summary

This bill would repeal the Medicaid inmate exclusion, which prohibits Medicaid from paying for health care for Justice-involved individuals and would require a report by the GAO on issues related to inmate health care.

Legislative History

On August 2, 2019, H.R. 4141 was introduced by Representative Kuster, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. It was subsequently referred to the Subcommittee on Health on August 5, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 4141. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Di-

rector of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 4141 in the 116th Congress.

SAFE COSMETICS AND PERSONAL CARE PRODUCTS ACT OF 2019

H.R. 4296

To amend title VI of the Federal Food, Drug, and Cosmetics Act to ensure the safe use of cosmetics, and for other purposes.

Summary

This legislation would require manufacturers of personal care products sold in the United States to register with FDA. The bill would also require manufacturers to disclose the ingredients in their products on the label, including the ingredients in any fragrances. It would provide FDA with mandatory recall authority for cosmetics and personal care products and require public notice of such recalls. Further, the bill would ban toxic ingredients.

Legislative History

On September 12, 2019, H.R. 4296 was introduced by Representative Schakowsky, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor. It was subsequently referred to the Subcommittee on Health on September 13, 2019.

On December 4, 2019, the Subcommittee on Health held a legislative hearing on two bills, including H.R. 4296. The witnesses included Susan Mayne, Ph.D., Director, Center for Food Safety and Applied Nutrition, U.S. Food and Drug Administration; M. Isabelle Chaudry, J.D., Senior Policy Manager, National Women's Health Network; Scott Faber, Senior Vice President, Government Affairs, Environmental Working Group; Leigh O'Donnell, Executive Director, The Handcrafted Soap and Cosmetic Guild; and Gregg Renfrew, Founder and Chief Executive Officer, Beautycounter, LLC.

No further action was taken on H.R. 4296 in the 116th Congress.

GREATER MENTAL HEALTH ACCESS ACT

H.R. 4428

To establish a special enrollment period for family members of an individual who has died by suicide, to establish a competitive grant program to provide services and support to friends and family members impacted by an individual's suicide, and for other purposes.

Summary

This legislation would establish a special enrollment period in both the individual insurance and group insurance market for family members of an individual who has died by suicide. The bill would treat the death of a family member by suicide as a "quali-

fying life event" through which surviving family may enroll in or change their health insurance to cover mental health services. The bill would also provide $6 million in grants from the Prevention and Public Health Fund for outpatient mental health services.

Legislative History

On September 19, 2019, H.R. 4428 was introduced by Representative Wild (PA–7), and referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Oversight and Reform. It was subsequently referred to the Subcommittee on Health on September 20, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 4428. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 4428 in the 116th Congress.

CREATING HOPE REAUTHORIZATION ACT

H.R. 4439

To amend the Federal Food, Drug, and Cosmetics Act to make permanent the authority of the Secretary of Health and Human Services to issue priority review vouchers to encourage treatments for rare pediatric diseases.

Summary

This legislation would extend the pediatric rare disease priority review voucher program at FDA for four years through fiscal year 2024.

Legislative History

On September 20, 2019, H.R. 4439 was introduced by Representative Butterfield and referred to the Committee on Energy and Commerce. H.R. 4439 was subsequently referred to the Subcommittee on Health on September 23, 2019.

On July 29, 2020, the Subcommittee on Health held a legislative hearing on five bills, including H.R. 4439. The witnesses included Robert Boyd, M.C.R.P., M. Div., President, School-Based Health Alliance; Linda Goler Blount, M.P.H., President and CEO, Black Women's Health Imperative; Nancy Goodman, M.P.P., J.D., Founder and Executive Director, Kids v. Cancer; Aaron Seth Kesselheim, M.D., J.D., M.P.H., Professor of Medicine, Harvard Medical School; Brian Lindberg, Chief Legal Officer and General Counsel, National Bone Marrow Donor Program; and Travis T. Tygart, Chief Executive Officer, U.S. Anti-Doping Agency.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4439 and or-

dered H.R. 4439, amended, reported favorably to the House by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 4439 to the House (H. Rept. 116–551) and the bill was placed on the Union Calendar (Calendar No. 451).

On September 29, 2020, the House considered H.R. 4439 under a motion to suspend the Rules and passed H.R. 4439, as amended, by a voice vote.

On September 30, 2020, H.R. 4439 was received by the Senate.

No further action was taken on H.R. 4439 in the 116th Congress.

CODIFYING USEFUL REGULATORY DEFINITIONS ACT

H.R. 4487

To amend the Federal Food, Drug, and Cosmetics Act to define the term natural cheese.

Summary

The legislation amends the FFDCA to define the term "natural cheese" as cheese produced by coagulating the protein of milk, skimmed milk, partly skimmed milk, cream, whey cream, or buttermilk, or any combination of such ingredients. The bill further specifies that this must be done through the action of rennet or other suitable coagulating agents, and by partially draining the whey resulting from the coagulation. The bill distinguishes "natural cheese" from pasteurized process cheese and restricts the use of the term "natural cheese" on product labeling to foods defined as such.

Legislative History

On September 25, 2019, H.R. 4487 was introduced by Representative Kind, and referred to the Committee on Energy and Commerce. It was subsequently referred to the Subcommittee on Health on September 26, 2019.

On January 29, 2020, the Subcommittee on Health held a legislative hearing on ten bills, including H.R. 4487. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D.,Distinguished Professor, Chemical and Biochemical Engineering, Rutgers, the State University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association; Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

No further action was taken on H.R. 4487 in the 116th Congress.

NIMHD Research Endowment Revitalization Act of 2019

H.R. 4499

To amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities (NIMHD) to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

Summary

This legislation authorizes the NIMHD to facilitate research on minority health disparities through research endowments at current or former centers of excellence.

Legislative History

On September 26, 2019, H.R. 4499 was introduced by Representative Barragán, and referred to the Committee on Energy and Commerce. H.R. 4499 was subsequently referred to the Subcommittee on Health on September 27, 2019.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4499 and ordered H.R. 4499, without amendment, reported favorably to the House by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 4499 to the House (H. Rept. 116–571) and the bill was placed on the Union Calendar (Calendar No. 469).

On November 17, 2020, the House considered H.R. 4499 under a motion to suspend the Rules and passed H.R. 4499, as amended, by a voice vote.

On November 18, 2020, H.R. 4499 was received by the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders.

No further action was taken on H.R. 4499 in the 116th Congress.

Expanding Health Care Options for Early Retirees Act

H.R. 4527

To amend title XVIII of the Social Security Act to provide an option for first responders age 50 to 64 who are separated from service due to retirement or disability to buy into Medicare.

Summary

This legislation would allow qualified first responders age 50 to 64 to buy-in to Medicare. A qualified first responder is defined as a first responder, such as a law enforcement officer or firefighter, who is separated from service due to retirement or disability. The Secretary of HHS would determine a monthly premium for individual first responders who enroll under this buy-in program. The coverage would be treated as coverage provided by a Qualified Health Plan offered on the Marketplace and individuals would be eligible for the ACA's tax credits and cost-sharing subsidies. The bill would also allow for first responders to utilize defined contribu-

tions from retiree plans to help purchase coverage. First responders would not be eligible, however, for any cost sharing assistance provided by the Medicare program. States would be prohibited from purchasing Medicare buy-in coverage on behalf of Medicaid eligible individuals age 50 to 64.

Legislative History

On September 26, 2019, H.R. 4527 was introduced by Representative Malinowski (NJ–7), and was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on September 27, 2019.

On December 10, 2019, the Subcommittee on Health held a legislative hearing on nine bills, including H.R. 4527. The witnesses included the Honorable Pramila Jayapal (D–WA), Member of Congress; the Honorable Rosa L. DeLauro (D–CT), Member of Congress; the Honorable Brian Higgins (D–NY), Member of Congress; the Honorable Antonio Delgado (D–NY), Member of Congress; the Honorable Tom Malinowski (D–NJ), Member of Congress; Sarah Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University Milken Institute School of Public Health; Peter Morley, Patient Advocate; Jean Ross, RN, President, National Nurses United; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; and Scott W. Atlas, M.D., David and Joan Traitel Senior Fellow, Hoover Institution, Stanford University.

No further action was taken on H.R. 4527 in the 116th Congress.

SUICIDE PREVENTION LIFELINE IMPROVEMENT ACT OF 2020

H.R. 4564

To amend the Public Health Service Act to ensure the provision of high-quality service through the Suicide Prevention Lifeline, and for other purposes.

Summary

This legislation increases the authorization of the National Suicide Prevention Lifeline program. The bill directs HHS to establish a plan for maintaining the program, including sharing certain data with CDC. In addition, the bill includes a pilot to research, analyze, and employ innovative technologies and platforms for suicide prevention and reports on the use and progress of the pilot. H.R. 4564 requires the Comptroller General to complete a study on the Suicide Prevention Lifeline program reviewing the characteristics of the calls made to the program, implementation of the plan to improve service, and any legislative or administrative recommendations.

Legislative History

On September 27, 2019, H.R. 4564 was introduced by Representative Katko (NY–24), and the bill was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on September 30, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 4564. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On July 15, 2020, the Committee on Energy and Commerce met in a virtual open markup session on July 15, 2020, to consider H.R. 4564 and ordered H.R. 4564 reported favorably to the House, without amendment, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 4564 (H. Rept. 116–517) and the bill was placed on the Union Calendar (Calendar No. 417).

On September 21, 2020, House considered H.R. 4564 under a motion to suspend the Rules and passed H.R. 4564, as amended, by a voice vote.

H.R. 4564 was received by the Senate on September 21, 2020, and was referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4564 in the 116th Congress.

CAMPAIGN TO PREVENT SUICIDE ACT

H.R. 4585

A bill to require the Secretary of Health and Human Services to conduct a national suicide prevention media campaign, and for other purposes.

Summary

This legislation would direct HHS, in coordination with CDC and the SAMHSA, to carry out a national suicide prevention media campaign to advertise the new 9–8–8 suicide hotline number, when it becomes effective, raise awareness for suicide prevention resources, and cultivate a more effective discourse on how to prevent suicide. The bill would also provide guidance to television and social media platform companies on how to talk about suicide by creating a best practices toolkit.

Legislative History

On October 2, 2019, H.R. 4585 was introduced by Representative Beyer (VA–8), and referred to the Committee on Energy and Commerce.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 4585. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of

Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On July 15, 2020, the Committee on Energy and Commerce met in a virtual open markup session to consider H.R. 4585 and ordered H.R. 4585 reported favorably to the House, amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 4585 to the House (H. Rept. 116–516) and the bill was placed on the Union Calendar (Calendar No. 416).

On September 21, 2020, House considered H.R. 4585 under a motion to suspend the Rules and passed H.R. 4585l, as amended, by a voice vote. By unanimous consent, the House approved that the title of the measure be amended as follows: "A bill to require the Secretary of Health and Human Services to conduct a national suicide prevention media campaign, and for other purposes".

H.R. 4585 was received by the Senate on September 21, 2020, and was referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4585 in the 116th Congress.

TIMELY REAUTHORIZATION OF NECESSARY STEM-CELL PROGRAMS LEND ACCESS TO NEEDED THERAPIES ACT OF 2019

H.R. 4764

To reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

Summary

This legislation reauthorizes the C.W. Bill Young Transplantation Program at level funding of $30 million each year from fiscal years 2021 through 2025. The bill also requires HRSA Advisory Council on Blood Stem Cell Transplantation to meet at least twice a year and requires HHS to review the state of the science no less than every two years related to adult stem cells and birthing tissues for the purpose of potentially including these innovative therapies in the Program. In addition, the bill reauthorizes the cord blood inventory program under the Stem Cell Therapeutic and Research Act of 2005 at level funding of $23 million for each year from fiscal years 2021 through 2025. Finally, the bill would instruct the Comptroller General to conduct a report on the regenerative medicine workforce.

Legislative History

On October 18, 2019, H.R. 4764 was introduced by Representative Matsui, and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on October 21, 2019.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4764 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 4764 to the House (H. Rept. 116–549) and the bill was placed on the Union Calendar (Calendar No. 449).

On September 30, 2020, the House considered H.R. 4764 under a motion to suspend the Rules and passed H.R. 4765, as amended, by a recorded vote of 414 yeas and 0 nays (Roll Call No. 211).

On October 1, 2020, the bill was received in the Senate.

No further action was taken on H.R. 4765 in the 116th Congress.

DEBARMENT ENFORCEMENT OF BAD ACTOR REGISTRANTS ACT OF 2019

H.R. 4806

To amend the Controlled Substances Act to authorize the debarment of certain registrants, and for other purposes.

Summary

This legislation would amend the Controlled Substances Act to allow the Attorney General to prohibit any registrant from manufacturing, distributing, or dispensing a controlled substance or a list I chemical if that registrant meets or has met any of the conditions for suspension or revocation of registration under subsection (a) of the Act, or is a person with a history of prior suspension or revocations.

Legislative History

On October 23, 2019, H.R. 4806 was introduced by Representative Latta (OH–05), and was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health on October 26, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 4806. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4806 and ordered the bill reported favorably to the House, amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 4806 to the House, amended, (H. Rept. 116–585), and the bill was placed on the Union Calendar (Calendar No. 483).

On November 17, 2020, the House considered H.R. 4806 under a motion to suspend the Rules and passed H.R. 4806, as amended, by a voice vote.

On November 18, 2020, the bill was received by the Senate and referred to the Senate Committee on the Judiciary.

No further action was taken on H.R. 4806 in the 116th Congress.

FAIRNESS IN ORPHAN DRUG EXCLUSIVITY ACT

H.R. 4712

To amend the Federal Food, Drug, and Cosmetic Act with respect to limitations on exclusive approval or licensure of orphan drugs, and for other purposes.

Summary

This legislation updates the Orphan Drug Act to require drug manufacturers seeking orphan drug designations to demonstrate the absence of any reasonable expectation that the costs they incur in developing and making those drugs available in the United States for such disease or condition. The bill directs the FDA and the drug manufacturer to take into consideration the sales of all drugs for the rare disease or condition developed by the same manufacturer as well as all drugs containing the same active moiety. H.R. 4712 would direct the FDA to take into consideration the sales of all drugs made by the manufacturer under the same orphan drug designation.

Legislative History

On September 26, 2019, H.R. 4712 was introduced by Representative Dean (PA–04), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on September 27, 2019.

On January 29, 2020, the Subcommittee on Health held a hearing on 10 bills, including H.R. 4712. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers, the State University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association, Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah

Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 4712 and forwarded the bill, amended, to the Committee on Energy and Commerce by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4712 and ordered the bill reported favorably to the House, amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 4712 to the House, as amended, (H. Rept. 116–572) and the bill was placed on the Union Calendar (Calendar No. 470).

On November 17, 2020, House considered H.R. 4712 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On November 18, 2020, H.R. 4712 was received by the Senate and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on the H.R. 4712 in the 116th Congress.

BUDGETING FOR OPIOID ADDICTION TREATMENT ACT

H.R. 4793

To amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes.

Summary

This bill imposes a one cent per milligram fee on the sale of active opioids by the manufacturer, producer, or importer. Opioids used for purposes of treatment of opioid addiction would be excluded. The bill also establishes a rebate or discount program for hospice or cancer patients who pay any amount related to the stewardship fee. Federal revenues as a result of this fee would be distributed to States under the SAMHSA Substance Abuse Prevention and Treatment Block Grant program for certain purposes, including but not limited to new addiction treatment facilities, sober living facilities, recruiting certified mental health providers who provide substance abuse treatment in medically underserved communities, and expanding access to long-term, residential treatment programs for SUD patients. HHS is required to report to Congress no later than two years after enactment on the effect of the program to the cost of active opioids, patient access, and improvements, if any, to substance abuse treatment efforts.

Legislative History

On October 22, 2019, H.R. 4793 was introduced by Representative Norcross (NJ–01), and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means. The bill was subsequently referred to the Subcommittee on Health on October 23, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 4793. The witnesses included

ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 4793 in the 116th Congress.

ENSURING COMPLIANCE AGAINST DRUG DIVERSION ACT OF 2019

H.R. 4812

To amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

Summary

This bill terminates the controlled substance registration of any registrant if the registrant dies, ceases legal existence, discontinues business or professional practice, or surrenders registration. A registrant who ceases legal existence or discontinues business is required to notify DEA. Registrants must receive written consent from DEA in order to assign or transfer a registration. Registrants are also required to return certain documentation if a registrant's work is discontinued.

Legislative History

On October 23, 2019, H.R. 4812 was introduced by Representative Griffith, on and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health on October 26, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 4812. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant

Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4812 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 4812, without amendment, to the House (H. Rept. 116–584) and the bill was placed on the Union Calendar (Calendar No. 482).

On November 17, 2020, the House considered H.R. 4812 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On November 18, 2020, H.R. 4812 was received by the Senate and referred to the Senate Committee on the Judiciary.

No further action was taken on H.R. 4812 in the 116th Congress.

SUSPICIOUS ORDER IDENTIFICATION ACT OF 2019

H.R. 4814

To improve reporting of the distribution of controlled substances, and for other purposes.

Summary

This bill requires reporting to the DEA on every sale, delivery, or other disposal of any controlled substance not later than 30 days after the sale, delivery, or other disposal of any controlled substance, until a real-time reporting system is established. The bill also establishes a Suspicious Order Task Force to implement a real-time suspicious order program at DEA not later than one year after enactment.

Legislative History

On October 23, 2019, H.R. 4814 was introduced by Representative Matsui, and referred to the Committee on Energy and Commerce, and also to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health on October 26, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 4814. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H.,

Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 4814 during the 116th Congress.

EFFECTIVE SUICIDE SCREENING AND ASSESSMENT IN THE EMERGENCY DEPARTMENT ACT OF 2020

H.R. 4861

To amend the Public Health Service Act to establish a program to improve the identification, assessment, and treatment of patients in the emergency department who are at risk of suicide, and for other purposes.

Summary

This legislation creates a grant program to improve the identification, assessment, and treatment of patients in emergency departments who are at risk for suicide by: developing policies and procedures for identifying and assessing individuals who are at risk of suicide; and enhancing the coordination of care for such individuals after discharge.

Legislative History

On October 28, 2019, H.R. 4861 was introduced by Representative Bilirakis (FL–12), and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on October 29, 2019.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 4861. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School,Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4861 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 4861, without amendment, to the House (H. Rept. 116–543), and the bill was placed on the Union Calendar (Calendar No. 443).

On September 29, 2020, the House considered H.R. 4861 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 4861 was received by the Senate and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4861 in the 116th Congress.

NATIONAL CENTERS OF EXCELLENCE IN CONTINUOUS MANUFACTURING ACT OF 2020

H.R. 4866

To amend the 21st Century Cures Act to provide for designation of institutions of higher education that provide research, data, and leadership on continuous manufacturing as National Centers of Excellence in Continuous Pharmaceutical Manufacturing, and for other purposes.

Summary

This legislation amends the 21st Century Cures Act to direct the FDA to designate certain institutions of higher education as National Centers of Excellence in Continuous Pharmaceutical Manufacturing (NCEs). NCEs would work with FDA and industry to craft a national framework for continuous manufacturing implementation, including supporting additional research and development of this technology, workforce development, standardization, and collaborating with manufacturers to support adoption of continuous manufacturing. The bill authorizes $80 million to be appropriated for NCEs each year from fiscal years 2021 through 2025.

Legislative History

On September 28, 2019, H.R. 4866 was introduced by Representative Pallone, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on September 29, 2019.

On January 29, 2020, the Subcommittee on Health held a hearing on 10 bills, including H.R. 4866. The witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers, the State University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association, Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah

Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 4866 and ordered the bill reported to the Committee on Energy and Commerce, amended, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 4866 and ordered the bill reported favorably to the House, as amended, by a voice vote.

On September 17, 2020, the Committee on Energy and Commerce reported H.R. 4866, as amended, to the House (H. Rept. 116–513), and the bill was placed on the Union Calendar (Calendar No. 413).

On September 21, 2020, the House considered H.R. 4866 under motion to suspend the Rules and passed H.R. 4866, as amended, by a voice vote.

On September 22, 2020, H.R. 4866 was received by the Senate and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4866 in the 116th Congress.

MEDICATION ACCESS AND TRAINING EXPANSION ACT OF 2019

H.R. 4974

To amend the Controlled Substances Act to require physicians and other prescribers of controlled substances to complete training on treating and managing patients with opioid and other substance use disorders (which shall also satisfy certain training required to receive a waiver for dispensing narcotic drugs for maintenance or detoxification treatment), and for other purposes.

Summary

This bill requires all DEA registrants who prescribe controlled substances to fulfill a one-time training requirement on treating and managing patients with opioid and substance use disorders. Practitioners can also fulfill training requirements through certain health professions schools and programs if curriculum meets standards in the bill.

Legislative History

On November 1, 2019, H.R. 4974 was introduced by Representative Trahan (MA–03) and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary. The bill was subsequently referred to the Subcommittee on Health on November 4, 2019.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 4974. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administra-

tion; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 4974 in the 116th Congress.

MATERNAL HEALTH QUALITY IMPROVEMENT ACT OF 2020

H.R. 4995 (H.R. 2902)

To amend the Public Health Service Act to improve obstetric care and maternal health outcomes, and for other purposes.

Summary

This legislation creates and improves upon public health programs to address maternal health. Specifically, title I of H.R. 4995 focuses on rural maternal health care, including improvements to data collection and coordination at the CDC, the Office of Women's Health, the Office of Research on Women's Health at NIH, and in other public health programs. Title I also creates Rural Obstetric Networks to help women in eligible rural areas access maternity care, identify successful delivery models, develop a model for collaboration between health facilities that have obstetric care units and those that do not, collaborate with academic institutions, and measure and address inequities in health outcomes, with an emphasis on racial and ethnic minorities and underserved populations. Title I ensures obstetric care is an eligible service for telehealth grants and creates a demonstration program to train physicians, nurse practitioners, certified nurse midwives, and other clinical and non-clinical providers who provide maternity care in rural areas.

Title II of H.R. 4995 authorizes programs to improve maternity care across all settings. The bill authorizes grants for innovation in maternal health, a program currently known as the Alliance for Innovation on Maternal Health (AIM), including developing and disseminating best practices in providing maternal care. Title II also establishes a grant program for health professional schools to train health care professionals to reduce and prevent discrimination in providing maternal health care. The bill also directs the HHS to conduct a study and make recommendations for health professional training program best practices related to training to reduce and prevent discrimination. Additionally, the bill authorizes funding for a grant program for Perinatal Quality Collaboratives, state or multi-state networks of health care providers, hospitals, and public health officials working to improve perinatal care and health outcomes for pregnant and postpartum women and newborns. The bill also creates a grant program to integrate services for pregnant and postpartum women to reduce adverse maternal health outcomes.

Legislative History

On November 8, 2019, H.R. 4995 was introduced by Representative Engel, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on November 12, 2019.

Prior to the introduction of the bill, a hearing was held by the Subcommittee on Health on September 10, 2019, entitled "Improving Maternal Health: Legislation to Advance Prevention Efforts and Access to Care."

On November 13, 2019, the Subcommittee on Health met in open markup session to consider H.R. 4995 and ordered the bill reported to the Committee on Energy and Commerce, without amendment, by a voice vote.

On November 19, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 4995 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 17, 2020, the Committee on Energy and Commerce reported H.R. 4995, as amended, to the House (H. Rept. 116–514), and the bill was placed on the Union Calendar (Calendar no. 414).

On September 21, 2020, the House considered H.R. 4995, as amended, under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 22, 2020, H.R. 4995 was received by the Senate and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4995 in the 116th Congress.

On May 22, 2019, H.R. 2902, the "Maternal CARE Act", was introduced by Representative Adams (NC–12), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on May 23, 2019.

No further action was taken on H.R. 2902 in the 116th Congress. Provisions of H.R. 2902 were incorporated into H.R. 4995.

HELPING MEDICAID OFFER MATERNITY SERVICES ACT OF 2020 OR HELPING MOMS ACT OF 2020

H.R. 4996

To amend title XIX of the Social Security Act to provide for a State option under the Medicaid program to provide for and extend continuous coverage for certain individuals, and for other purposes.

Summary

This legislation gives States the option to extend the length of continuous postpartum eligibility for Medicaid to 12 months. The bill requires the Medicaid and CHIP Payment and Access Commission (MACPAC) to conduct a study on barriers to accessing doula services in Medicaid and requires the GAO to report on ongoing coverage gaps in postpartum women's health care.

Legislative History

On November 8, 2019, H.R. 4996 was introduced by Representative Kelly, and referred to the Committee on Energy and Com-

merce. The bill was subsequently referred to the Subcommittee on Health on November 12, 2019.

Prior to the introduction of the bill, a hearing was held by the Subcommittee on Health on September 10, 2019, entitled "Improving Maternal Health: Legislation to Advance Prevention Efforts and Access to Care."

On November 13, 2019, the Subcommittee on Health met in open markup session to consider H.R. 4996 and forwarded H.R. 4996, amended, by a voice vote.

On November 19, 2019, the Committee on Energy and Commerce met in open markup session to consider H.R. 4996 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 21, 2020, the Committee on Energy and Commerce reported H.R. 4996, as amended, to the House (H. Rept. 116–527), and the bill was placed on the Union Calendar (Calendar No. 428).

On September 29, 2020, the House considered H.R. 4996 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 4996 was received by the Senate, read twice, and referred to the Senate Committee on Finance.

No further action was taken on H.R. 4996 in the 116th Congress.

TELEMENTAL HEALTH EXPANSION OF 2019

H.R. 5201

To amend title XVIII of the Social Security Act to provide coverage under the Medicare program of certain mental health telehealth services, and for other purposes.

Summary

This legislation would permanently include the patient's home as an eligible originating site for mental health services delivered via telehealth and remove Medicare's geographic restrictions for such services, enabling providers to be reimbursed by Medicare for mental health services delivered via telehealth in urban and rural areas and in the patient's home.

Legislative History

On November 20, 2019, H.R. 5201 was introduced by Representative Matsui, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on November 21, 2019.

On June 30, 2020, the Subcommittee on Health held a hearing on 22 bills, including H.R. 5201. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

The Committee on Energy and Commerce met in a virtual open markup session on July 15, 2020, to consider H.R. 5201 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 5201 in the 116th Congress.

COSMETIC SAFETY ENHANCEMENT ACT OF 2019

H.R. 5279

To amend the Federal Food, Drug, and Cosmetics Act to improve cosmetic safety, and for other purposes.

Summary

This legislation requires cosmetics manufacturers to register their facilities and comprehensive cosmetic ingredient statements with the FDA. In addition, the legislation requires manufacturers to notify FDA of adverse events associated with their cosmetic products within 15 days of learning of such events. Manufacturers would be required to substantiate the safety of their cosmetic products and provide more transparency about their products on their labels. Further, the bill grants authority to FDA to conduct safety reviews of cosmetic ingredients and mandate recalls of products associated with serious adverse health events. The agency is also required to develop and implement GMPs for cosmetic products within three years of enactment, and FDA would be authorized to collect registration fees annually to carry out the new regulatory authorities and responsibilities.

Legislative History

On December 3, 2019, H.R. 5279 was introduced by Representative Pallone, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on December 4, 2019.

On December 4, 2019, the Subcommittee on Health held a legislative hearing on two bills, including H.R. 5279. The witnesses included Susan Mayne, Ph.D., Director, Center for Food Safety and Applied Nutrition, U.S. Food and Drug Administration; M. Isabelle Chaudry, J.D., Senior Policy Manager, National Women's Health Network; Scott Faber, Senior Vice President, Government Affairs, Environmental Working Group; Leigh O'Donnell, Executive Director, The Handcrafted Soap and Cosmetic Guild; and Gregg Renfrew, Founder and Chief Executive Officer, Beautycounter, LLC.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 5279 and forwarded the bill to the Committee on Energy and Commerce, amended, by a voice vote.

No further action was taken on H.R. 5279 in the 116th Congress.

UNITED STATES ANTI-DOPING AGENCY REAUTHORIZATION ACT OF 2020

H.R. 5373

To reauthorize the United States Anti-Doping Agency, and for other purposes.

Summary

This bill authorizes the U.S. Anti-Doping Agency (USADA) through the end of fiscal year 2029. In anticipation of hosting the 2028 Olympics in Los Angeles, this bill steadily increases the authorization past the Olympic year through fiscal year 2029. The bill directs USADA to promote positive youth sports experiences by using a portion of its funding to provide educational materials on sportsmanship, character building, and healthy performance for those participating in youth sports. It also directs the Department of Justice, the Department of Homeland Security, and the FDA to coordinate with USADA efforts to prevent the use of performance-enhancing drugs or prohibit performance-enhancing methods by sharing all information in their possession that may be relevant to preventing the use of such drugs or prohibiting such methods.

Legislative History

On December 9, 2019, H.R. 5373 was introduced by Representative Thompson (CA–05), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on December 10, 2019.

On July 29, 2020, the Subcommittee on Health held a legislative hearing on H.R. 5373. The witnesses included Robert Boyd, M.C.R.P., M.Div., President, School-Based Health Alliance; Linda Goler Blount, M.P.H., President and CEO, Black Women's Health Imperative; Nancy Goodman, M.P.P., J.D., Founder and Executive Director, Kids v. Cancer; Aaron Seth Kesselheim, M.D., J.D., M.P.H., Professor of Medicine, Harvard Medical School; Brian Lindberg, Chief Legal Officer and General Counsel, National Bone Marrow Donor Program; and Travis T. Tygart, Chief Executive Officer, U.S. Anti-Doping Agency.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5373 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 5373, as amended, to the House (H. Rept. 116–548), and the bill was placed on the Union Calendar (Calendar No. 448).

On September 29, 2020, the House considered H.R. 5373 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 5373 was received by the Senate, read twice, and referred to the Senate Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 5373 in the 116th Congress.

PURSUING EQUITY IN MENTAL HEALTH ACT

H.R. 5469

To address mental health issues for youth, particularly youth of color, and for other purposes.

Summary

This legislation includes provisions that would: authorize grants targeted at high poverty communities for culturally and linguistically appropriate mental health services; support research into disparities in mental health; and reauthorize the Minority Fellowship Program to support more students of color entering the mental health workforce; and study the impact of smartphones and social media on adolescents.

Legislative History

On December 17, 2019, H.R. 5469 was introduced by Representative Watson Coleman (NJ–12), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on December 18, 2019.

On June 30, 2020, the Subcommittee on Health held a hearing on 22 bills, including H.R. 5469. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5469 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 5469 to the House, as amended (H. Rept. 116–552), and the bill was placed on the Union Calendar (Calendar No. 452).

On September 29, 2020, the House considered H.R. 5469 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 5469 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 5469 in the 116th Congress.

FAMILY SUPPORT SERVICES FOR ADDICTION ACT OF 2020

H.R. 5572

To establish a grant program for family community organizations that provide support for individuals struggling with substance use disorder and their families.

Summary

This bill authorizes grants at SAMHSA to support family community organizations that develop, expand, and enhance evidence-informed family support services and family members living with substance use disorders or addiction. The grants may be used to build connections between family support networks, with behav-

ioral health and primary care providers, and foster care services, among others. The grant may also be used to reduce stigma around addiction and addiction treatment, family support outreach activities, and connect families to peer support programs. Grantees are required to submit data that tracks the program's activities, health outcomes, and any other information required by the Secretary of HHS.

Legislative History

On January 9, 2020, H.R. 5572 was introduced by Representative Trone, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on January 10, 2020

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 5572. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

The Committee on Energy and Commerce met in virtual open markup session on September 9, 2020, to consider H.R. 5572 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 5572 to the House, as amended (H. Rept. 116–547), and the bill was placed on the Union Calendar (Calendar No. 447).

On September 29, 2020, the House considered H.R. 5572 under a motion to suspend the Rules and passed the bill, as amended, by voice vote on October 1, 2020.

On October 19, 2020, H.R. 5572 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on this legislation in the 116th Congress.

SUICIDE PREVENTION ACT

H.R. 5619

To authorize a pilot program to expand and intensify surveillance of self-harm in partnership with State and local public health de-

partments, to establish a grant program to provide self-harm and suicide prevention services in hospital emergency departments, and for other purposes.

Summary

This legislation establishes two grant programs to prevent self-harm and suicide. HHS must award grants to state, local, and Tribal health departments to expand syndromic surveillance of self-harm behaviors. HHS must also award grants to hospital emergency departments for self-harm and suicide prevention services among patients recently discharged from a hospital emergency department.

Legislative History

On January 15, 2020, H.R. 5619 was introduced by Representative Stewart (UT–02), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on January 16, 2020.

On June 30, 2020, the Subcommittee on Health held a hearing on 22 bills, including H.R. 5619. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5619 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 5619 to the House, as amended (H. Rept. 116–520), and the bill was placed on the Union Calendar (Calendar No. 420).

On September 21, 2020, the House considered H.R. 5619 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 22, 2020, H.R. 5619 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 5619 in the 116th Congress.

SOLUTIONS NOT STIGMAS ACT OF 2019

H.R. 5631

To authorize the Secretary of Health and Human Services to provide grants to medical and other health profession schools to expand or develop education and training programs for substance use prevention and treatment, and for other purposes.

Summary

This bill directs HRSA to award grants to medical schools, nursing schools, and other health profession schools aimed at improving curricula on stigma and bias with respect to SUDs and chronic pain treatment.

Legislative History

On January 16, 2020, H.R. 5631 was introduced by Representative Kim, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on January 17, 2020.

On March 3, 2020, the Subcommittee on Health held a legislative hearing on 14 bills, including H.R. 5631. The witnesses included ADM Brett P. Giroir, M.D., Assistant Secretary for Health and Senior Adviser to the Secretary on Opioid Policy, U.S. Department of Health and Human Services; Kimberly Brandt, Principal Deputy Administrator for Policy & Operations, Centers for Medicare & Medicaid Services; Thomas W. Prevoznik, Deputy Assistant Administrator, Diversion Control Division, Drug Enforcement Administration; Michael P. Botticelli, Executive Director, Grayken Center for Addiction, Boston Medical Center; Smita Das, M.D., Ph.D., M.P.H., Addiction Psychiatrist, Dual Diagnosis Clinic, Clinical Assistant Professor, Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Patty McCarthy, Chief Executive Officer, Faces & Voices of Recovery; Robert I.L. Morrison, Executive Director/Director of Legislative Affairs, National Association of State Alcohol and Drug Abuse Directors; Margaret B. Rizzo, Executive Director, JSAS HealthCare, Inc.; and Shawn A. Ryan, M.D., M.B.A., Chair, Legislative Advocacy Committee, American Society of Addiction Medicine.

No further action was taken on H.R. 5631 in the 116th Congress.

SAFEGUARDING THERAPEUTICS ACT

H.R. 5663

To amend the Federal Food, Drug, and Cosmetics Act to give authority to the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, to destroy counterfeit devices.

Summary

This legislation extends FDA's administrative destruction authority to medical devices. This new authority would allow FDA to destroy certain imported medical devices, such as diagnostic tests or surgical masks, in instances where FDA believes such medical devices are adulterated, misbranded, or unapproved, and may pose a threat to the public health, as the agency currently does with regard to drugs.

Legislative History

On January 21, 2020, H.R. 5663 was introduced by Representative Guthrie (KY–02), and was referred to the Committee on Energy and Commerce. Subsequently, H.R. 5663 was referred to the Subcommittee on Health on January 22, 2020.

On January 29, 2020, the Subcommittee on Health held a hearing on 10 bills, including H.R. 5663. The invited witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers, the State University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association, Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 5663 and forwarded the bill, without amendment, to the Committee on Energy and Commerce by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5663 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 17, 2020, the Committee on Energy and Commerce reported H.R. 5663 to the House, as amended (H. Rept. 116–512), and the bill was placed on the Union Calendar (Calendar No. 412).

On September 21, 2020, the House considered H.R. 5663 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 22, 2020, H.R. 5663 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

On December 8, 2020, the Senate agreed by unanimous consent to an amendment in the nature of a substitute to H.R. 5663.

On December 10, 2020, the House passed the Senate amendment to H.R. 5663 by unanimous consent.

On December 24, 2020, H.R. 5663 was presented to the President.

H.R. 5663, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

MODERN LABELING ACT OF 2020

H.R. 5668

To amend the Federal Food, Drug, and Cosmetics Act to modernize the labeling of certain generic drugs, and for other purposes.

Summary

This legislation gives additional authority to the FDA to require modifications of outdated labeling for generic drugs. Specifically, the bill would create a pathway to update labels on generic drugs when a brand drug is no longer marketed, and would provide FDA with the authority to require updated labeling to reflect current legal and regulatory requirements, such as the content and format requirements outlined in the 2006 Physician Labeling Rule. The bill requires FDA to report any actions taken under this new authority to update labeling for covered drugs, including the number of drugs, description of the changes and the rationale, as well as any FDA recommendation(s) to modify the program, among other things.

Legislative History

On January 24, 2020, H.R. 5668 was introduced by Representative Matsui, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on January 25, 2020.

On January 29, 2020, the Subcommittee on Health held a hearing on 10 bills, including H.R. 5668. The invited witnesses included Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Richard Kaeser, Vice President, Global Brand Protection, Johnson & Johnson; Fernando Muzzio, Ph.D., Distinguished Professor, Chemical and Biochemical Engineering, Rutgers, the State University of New Jersey; Kao-Ping Chua, M.D., Ph.D., Assistant Professor, Department of Pediatrics, University of Michigan Medical School; Melanie Benesh, Legislative Attorney, Environmental Working Group; Tom Balmer, Executive Vice President, National Milk Producers Federation; J. David Carlin, Senior Vice President of Legislative Affairs and Economic Policy, International Dairy Foods Association, Douglas Corey, D.V.M., Past President, American Association of Equine Practitioners; Talia Day, Patient Advocate; Paul C. DeLeo, Ph.D., Principal, Integral Consulting, Inc.; Mardi Mountford, President, Infant Nutrition Council of America; Nancy Perry, Senior Vice President, Government Relations, American Society for the Prevention of Cruelty to Animals; and Sarah Sorscher, Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

On March 11, 2020, the Subcommittee on Health met in open markup session to consider H.R. 5668 and forwarded the bill, amended, to the Committee on Energy, by a voice vote.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5668 and ordered the bill reported favorably to the House, amended, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 5668 to the House, as amended (H. Rept. 116–573), and the bill was placed on the Union Calendar (Calendar No. 471).

On November 17, 2020, the House considered H.R. 5668 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On November 18, 2020, H.R. 5668 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 5668 in the 116th Congress.

BIPARTISAN SOLUTION TO CYCLICAL VIOLENCE ACT OF 2020

H.R. 5855

To amend the Public Health Service Act to establish a grant program supporting trauma center violence intervention and violence prevention programs, and for other purposes.

Summary

This legislation would create a grant program at HHS to support trauma centers with violence intervention and violence prevention programs. The funds would also research to reduce the incidence of re-injury and re-incarceration caused by intentional violent trauma.

Legislative History

On February 11, 2020, H.R. 5855 was introduced by Representative Dutch Ruppersberger (MD–02), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on February 12, 2020.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 5855. The witnesses included Former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 5855 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

On November 16, 2020, the Committee on Energy and Commerce reported H.R. 5855 to the House, without amendment (H. Rept. 116–586), and the bill was placed on the Union Calendar (Calendar No. 484).

On November 17, 2020, the House considered H.R. 5855 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On November 18, 2020, H.R. 5855 was received by the Senate, read twice, and was referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 5855 during the 116th Congress.

TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES, ACTING THROUGH THE DIRECTOR OF THE NATIONAL INSTITUTE OF MENTAL HEALTH, TO CONDUCT OR SUPPORT RESEARCH ON THE MENTAL HEALTH CONSEQUENCES OF SARS–COV–2 OR COVID–19, AND FOR OTHER PURPOSES

H.R. 6645

To direct the Secretary of Health and Human Services, acting through the Director of the National Institute of Mental Health, to conduct or support research on the mental health consequences of SARS CoV–2 or COVID–19, and for other purposes.

Summary

This legislation creates a grant program at HHS to support trauma centers with violence intervention and violence prevention programs. The funds would also research to reduce the incidence of reinjury and re incarceration caused by intentional violent trauma, including intimate partner violence.

Legislative History

On April 28, 2020, H.R. 6645 was introduced by Representative Tonko, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on April 29, 2020.

On June 30, 2020, the Subcommittee on Health held a hearing on 22 bills, including H.R. 945. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 6645 in the 116th Congress.

THE HEROES ACT

H.R. 6800

(H.R. 7574, H.R. 6352, H.R. 5321, H.R. 6237, H.R. 4153, H.R. 6572, H.R. 895, H.R. 6568, H.R. 6670, AND H.R. 2862)

Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Summary

The legislation would provide for a two-month open enrollment period to allow individuals who are uninsured, for whatever reason, to enroll in coverage in the ACA Marketplace. The legislation would require coverage of items and services related to the treatment of COVID–19 in group and individual market health plans and waives cost sharing requirements for consumers during the COVID–19 public health emergency. The legislation makes the re-

quirement for free coverage of COVID–19 testing retroactive to the beginning of the COVID–19 public health emergency. The legislation would also require group and individual market health plans to notify consumers if their plan permits advance prescription drug refills during an emergency period.

The legislation would improve the information provided to workers who lose their employer-sponsored coverage so that they are aware of all affordable coverage options, including coverage available under the ACA, and provides full premium subsidies, through January 2021, to allow workers to maintain their employer-sponsored coverage if they are eligible for COBRA due to a layoff or reduction in hours, and for workers who have been furloughed but are still active in their employer-sponsored plan.

The legislation would require the President to appoint a Medical Supplies Response Coordinator.

The legislation includes several proposals to improve the supply and safety of medical devices. Specifically, the legislation includes a requirement to list the unique product code when manufacturers are required to inform FDA of changes in medical device supply. The legislation gives FDA the authority to require manufacturers to submit data adequate to assess the shelf life of a device to determine the longest expiration date. The legislation also provides FDA with administrative destruction authority over certain counterfeit devices.

To further assess and improve the security of the drug supply chain, the legislation requires manufacturers to include information related to supply facilities engaged in the manufacture, preparation, propagation, compounding, or processing of any drug in foreign countries, in certain reports. The legislation also requires manufacturers to report quarterly on the amount of drugs manufactured in foreign facilities. The legislation also requires NASEM to convene a panel of experts knowledgeable about drug and device supply issues and convene a public symposium to analyze the impact of U.S. dependence on foreign sources of medical supplies, and to recommend strategies to end the United States dependence on foreign manufacturing. The legislation also provides FDA enforcement tools for manufacturers who fail to report required information to FDA. The legislation also authorizes the creation of National Continuous Manufacturing Centers of Excellence to improve continuous manufacturing technology.

The legislation includes a number of proposals to improve transparency and communication with the Strategic National Stockpile (SNS). The legislation would also require products in the SNS to be kept in good working order, provides authority to the SNS to enter into supply chain flexibility pilot agreements, allows the SNS to sell products six months prior to expiration to other Federal departments, and requires the GAO to conduct a study to investigation certain single source SNS products.

The legislation includes a number of proposals to improve COVID–19 testing and testing reporting nationwide. The proposals include requiring the development of a COVID–19 testing strategy and a website for centralized testing information, requiring manufacturers make reports related to the distribution of tests, states to report relevant testing information weekly, and the establishment

of a webpage identifying COVID–19 testing sites within the state, and the requirement for every lab that performs or analyzes COVID–19 tests to submit daily reports to the Secretary of HHS. Finally, the legislation would require a GAO report on diagnostic tests.

The legislation would require HHS to expand, enhance, and improve public health data systems used by the CDC. This includes: grants to state, local, Tribal, or territorial public health departments for the modernization of public health data systems in order to assist public health departments in assessing current data infrastructure capabilities and gaps, improving secure public health data collection, transmission, exchange, maintenance, and analysis, enhancing the interoperability of public health data systems, supporting and train related personnel, supporting earlier disease and health condition detection, and developing and disseminating related information and improved electronic case reporting. The legislation would include a pilot program to improve laboratory infrastructure, $6 billion in authorizations for core public health infrastructure for state, local, and Tribal, and territorial health departments, and $1 billion for CDC to expand and improve their core public health infrastructure.

The legislation would provide $75 billion for a national system for COVID–19 testing, contact tracing, surveillance, containment, and mitigation activities. The legislation would require CDC to award grants to state, local, Tribal and territorial health departments, and provide technical assistance, information and communication to awardees in order to conduct such activities. The legislation would also require CDC to conduct research and carry out awareness campaigns.

The legislation would require the Secretary of HHS to establish and maintain an online COVID–19 reporting portal, conduct regular reporting on demographic data, authorizes funding to certain Federal entities for modernization of data infrastructure to better collect health inequities data, authorizes grants to states, local, and territorial health departments to support improved health inequities data, as well as requires CDC to establish field studies to better understand health inequities that are not currently tracked by HHS, and finally, requires additional reporting to Congress regarding COVID–19 health inequities.

The legislation would improve implementation of the Health Care Provider Relief Fund, including providing an additional $100 billion in funding. The legislation would establish a public health workforce loan repayment program, provide additional funding for the Medical Reserve Corps, and provide grants to schools of medicine in diverse and underserved areas. The legislation also requires studies on the U.S. public health workforce, the impacts of COVID–19 on recovered patients, and the mental health impacts of COVID–19 on health care providers.

The legislation would direct NIH to carry out a study on the short- and long-term impact of COVID–19 on infected and recovered individuals. Additionally, NIH's National Institute of Mental Health would be directed to support research on the mental health consequences of COVID–19, including the impact on health care providers.

The legislation would establish a technical assistance center at the SAMHSA that will support public or nonprofit entities and public health professionals seeking to establish or expand access to mental health and substance use services associated with the COVID–19 public health emergency. The legislation would also update the blood donation public awareness campaign authorized by the CARES Act to include blood plasma.

The legislation would expand the services eligible for reimbursement from the Uninsured Fund established in the Families First Coronavirus Response Act to include treatment of COVID–19.

The legislation includes a number of proposals to improve health among American Indians and Alaska Native populations includes guarantee the Indian Health Service (IHS) and other tribal health organizations direct access to the SNS, expanding health care access for Urban Native Veterans, providing Tribal school Federal insurance parity, and improving purchased/referred care for Native veterans.

This legislation would establish a program to provide grant funding to purchase or procure personal protective equipment and other workplace safety measures for use in containing and mitigating COVID–19 transmission among essential workers.

It also provides for zero cost-sharing for COVID–19 treatment under Medicare and ensures skilled nursing facilities provide a means for residents to conduct "televisitation" with loved ones while in-person visits are not possible during the COVID–19 public health emergency.

The legislation lowers the interest rate for loans to Medicare providers made under the Accelerated and Advance Payment Program, reduces the per-claim recoupment percentage, and extends the period before repayment begins.

The legislation creates a new special enrollment period for Medicare parts A & B eligible individuals during the COVID–19 public health emergency.

The legislation would provide a temporary increase to the Medicaid FMAP of 14 percentage points. It would provide for an additional 10 percentage point increase to the FMAP for Medicaid expenditures on certain activities to promote the use of home- and community-based services (HCBS).

The legislation would prohibit cost sharing for treatment or vaccinations for COVID–19 in Medicaid. It would also provide states with the option to provide free treatment and vaccinations for COVID–19 for uninsured individuals.

It would also restore Medicaid eligibility for citizens of the freely associated states, increase the allotments to Medicaid disproportionate share hospitals, and extend Medicaid eligibility to incarcerated individuals 30 days prior to their release.

Legislative History

On May 20, 2020, H.R. 6800 was introduced by Representative Lowey (NY–17), and referred to Committee on Appropriations, in addition to the Committees on the Budget, and Ways and Means.

On May 15, 2020, the House considered H.R. 6800 pursuant to the provisions of H. Res. 967 and passed the bill by a recorded vote of 208 yeas and 199 nays (Roll Call No. 109).

On May 20, 2020, H.R. 6800 was received by the Senate. On May 21, 2020, H.R. 6800 was read the first time and placed on the Senate Legislative Calendar under Read the First Time. On June 1, 2020, H.R. 6800 was read a second time and placed on the Senate Calendar under General Orders (Calendar No. 455). On June 23, 2020, H.R. 6800 was referred to the Senate Committee on Small Business and Entrepreneurship.

No further action was taken on H.R. 6800 in the 116th Congress.

H.R. 6800 includes provisions from the following bills: H.R. 7574, the Strengthening America's Strategic National Stockpile Act of 2020 introduced by Representative Slotkin; H.R. 6352, the Tribal Medical Supplies Stockpile Access Act of 2020 introduced by Representative Horn; H.R. 5321, the Public Health Infrastructure Modernization Act of 2019 introduced by Representative McBath; H.R. 6237, the PRC for Native Veterans Act introduced by Representative Gallego; H.R. 4153, the Health Care Access for Urban Native Veterans Act introduced by Representative Khanna; H.R. 6572, To direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to carry out a national campaign to increase awareness and knowledge of COVID–19 introduced by Representative Bilirakis; H.R. 895, the Tribal School Federal Insurance Parity Act introduced by Representative Johnson; H.R. 6568, the Coverage for COVID–19 Treatment Act of 2020 introduced by Representative Blunt Rochester; H.R. 6670, the Prescription for American Drug Independence Act of 2020 introduced by Representative Eshoo; and H.R. 2862, the VACCINES Act of 2019 introduced by Representative Schrier.

STOPPING THE MENTAL HEALTH PANDEMIC ACT

H.R. 7080

To direct the Secretary of Health and Human Services to award grants to States, political subdivisions of States, Indian Tribes and Tribal organizations, community-based entities, and primary care and behavioral health organizations to address behavioral health needs caused by the public health emergency declared with respect to COVID–19.

Summary

This legislation directs SAMHSA to provide grant support to states, localities, Tribes, community-based entities, and primary care and behavioral health organization to enable such entities to increase capacity on the ground, such as through telehealth or workforce training. The grant would also enhance efforts such as outreach to underserved communities, mental health awareness trainings, emergency crisis intervention or mobile crisis units, and 24-hour call centers, among other things.

Legislative History

On June 1, 2020, H.R. 7080 was introduced by Representative Porter (CA–45), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 2, 2020.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 7080. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 7080 in the 116th Congress.

CREATING RESOURCES TO IMPROVE SITUATIONS OF INHERENT SEVERITY ACT

H.R. 7147

To amend the Community Mental Health Service Block Grant to authorize a set-aside for crisis care services, and for other purposes.

Summary

This legislation amends SAMHSA's Community and Mental Health Service Block Grant to increase the program's authorization for two years. This bill includes a five percent set aside for evidence-based crisis care service. The bill also directs States to include a description of how it supports evidenced-based crisis care needs.

Legislative History

On June 11, 2020, H.R. 7147 was introduced by Representative Latta, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 12, 2020.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 7147. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 7147 during the 116th Congress.

CRISIS CARE IMPROVEMENT AND SUICIDE PREVENTION ACT OF 2020

H.R. 7159

To amend the Community Mental Health Service Block Grant to authorize a set-aside for crisis care services, and for other purposes.

Summary

This legislation amends SAMHSA's Community and Mental Health Service Block Grant to include a five percent set aside for evidence-based crisis care service. The bill also directs States to include a description of how it supports evidenced based crisis care needs. This bill includes a funding contingency that makes null the five percent crisis care set aside if the block grant does not receive an increased appropriation of $35 million.

Legislative History

On June 11, 2020, H.R. 7159 was introduced by Representative Bustos (IL 17), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 12, 2020.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 7159. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

No further action was taken on H.R. 7159 in the 116th Congress.

SUICIDE TRAINING AND AWARENESS NATIONALLY DELIVERED FOR UNIVERSAL PREVENTION ACT OF 2020

H.R. 7293

To amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and Tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

Summary

This legislation requires state and Tribal educational agencies that receive SAMHSA Project AWARE grants to establish and implement a school-based student suicide awareness and prevention training policy and collect information on training activities. The training policy would be focused on grades six through twelve and would train students on self-harm and suicidal ideation. The bill also requires best practices to be published for school-based student suicide awareness and prevention training.

Legislative History

On June 22, 2020, H.R. 7293 was introduced by Representative Peters, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 23, 2020.

On June 30, 2020, the Subcommittee on Health held a legislative hearing on 22 bills, including H.R. 7293. The witnesses included former Representative Patrick J. Kennedy, Founder, The Kennedy Forum; Arthur C. Evans, Jr. Ph.D., Chief Executive Officer, American Psychological Association; Jeffrey L. Geller, M.D., M.P.H., President, American Psychiatric Association, Professor of Psychiatry and Director of Public Sector Psychiatry at the University of Massachusetts Medical School, Worcester Recovery Center and Hospital; and Arriana Gross, National Youth Advisory Board Member, Sandy Hook Promise Students Against Violence Everywhere (SAVE) Promise Club.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 7293 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 7293 to the House, as amended (H. Rept. 116–542), and the bill was placed on the Union Calendar (Calendar No. 442).

On September 29, 2020, House considered H.R. 7293 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, H.R. 7293 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 7293 in the 116th Congress.

STRENGTHENING BEHAVIORAL HEALTH PARITY ACT

H.R. 7539

To strengthen parity in mental health and substance use disorder benefits.

Summary

This legislation would help improve and strengthen enforcement of existing mental health parity laws. H.R. 7539 would prohibit health insurance plans from imposing less favorable benefit limitations on mental and substance use disorder treatments than on medical and surgical benefits. The bill would increase transparency with respect to how health insurance plans are applying mental health parity laws, by requiring plans to make available certain analyses of how plans are applying non-quantitative treatment limits (NQTLs) to mental health and substance use disorder benefits, in comparison to medical and surgical benefits.

H.R. 7539 would also require Federal regulators to request comparative analyses for plans that involve potential violations or complaints regarding noncompliance with mental health parity standards and to request no fewer than twenty comparative analyses per year. In addition, HHS, the Department of Labor and the Treasury would be required to submit an annual report to Congress, including a summary of the comparative analyses and findings of the Federal regulators.

Legislative History

On July 9, 2020, H.R. 7539 was introduced by Representative Kennedy, and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on July 10, 2020.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 7539 and ordered the bill reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 7539 in the 116th Congress.

STRENGTHENING AMERICA'S STRATEGIC NATIONAL STOCKPILE ACT OF 2020

H.R. 7574

(H.R. 6517, H.R. 6875, H.R. 6876, H.R. 6531, H.R. 6877, H.R. 6878, H.R. 7507)

To amend the Public Health Service Act with respect to the Strategic National Stockpile, and for other purposes.

Summary

This legislation improves the financial security of the Strategic National Stockpile (SNS) by authorizing the sale of products to other Federal departments or agencies from the SNS within six months of product expiration. The bill also directs the Comptroller General to conduct a study of the public sector procurement process for single source materials from the SNS and examine the feasibility and benefits of a user fee agreement. H.R. 7574 also requires the Secretary of HHS to ensure that contents of the SNS are in good working order and, as necessary, conduct maintenance on contents of the stockpile. It also improves domestic product availability for the SNS by enhancing medical supply chain elasticity through the domestic production of personal protective equipment and partnering with industry to refresh and replenish existing stocks of medical supplies.

H.R. 7574 also improves transparency around the SNS by directing the Assistant Secretary for Preparedness and Response (ASPR), in coordination with the Administrator of the Federal Emergency Management Agency (FEMA) to issue a report to Congress regarding all state, local, Tribal, and territorial requests for supplies from the SNS during the COVID–19 crisis. Reporting must continue every 30 days until the end of the pandemic. In addition, the bill requires the ASPR and CDC to develop and implement improved, transparent processes for the use and distribution of SNS supplies.

Further, the bill creates a new pilot program to support the expansion and maintenance of state stockpiles in order for states to use in the event of a public health emergency. These funds shall only be awarded if the Federal SNS is funded at amounts equal to or greater than the total funds for fiscal year 2020.

Finally, the legislation increases the annual authorization of appropriations for the SNS from $610 million to $705 million for fiscal years 2021 through 2023.

Legislative History

On July 13, 2020, H.R. 7574 was introduced by Representative Slotkin and referred to the Committee on Energy and Commerce.

On July 15, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 7574 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 18, 2020, the Committee on Energy and Commerce reported H.R. 7574 to the House, as amended (H. Rept. 116–518), and the bill was placed on the Union Calendar (Calendar No. 418). On the same day, the House considered H.R. 7574 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 22, 2020, H.R. 7574 was received by the Senate, read twice, and referred to the Senate Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 7574 in the 116th Congress.

H.R. 7574 included provisions from the following bills: H.R. 6517, the Stockpile Inventory Modernization Act of 2020 introduced by Representative Brooks (IN–05); H.R. 6875, To direct the Comptroller General of the United States to conduct a study to investigate the feasibility of establishing user fees to offset certain Federal costs attributable to the procurement of single-source materials for the Strategic National Stockpile, and for other purposes, introduced by Representative Slotkin; H.R. 6876, To amend the Public Health Service Act to ensure that the contents of the Strategic National Stockpile remain in good working order and, as appropriate, conduct maintenance services on contents of the stockpile, and for other purposes, introduced by Representative Slotkin; H.R. 6531, the Medical Supplies for Pandemics Act of 2020 introduced by Representative Dingell; H.R. 6877, To direct the Assistant Secretary for Preparedness and Response to issue a report to Congress regarding all State, local, Tribal, and territorial requests for supplies from the Strategic National Stockpile related to COVID–19, and for other purposes, introduced by Representative Slotkin; H.R. 6878, To direct the Secretary of Health and Human Services to develop and implement improved, transparent processes for the use and distribution of supplies in the Strategic National Stockpile, and for other purposes, introduced by Representative Slotkin; and H.R. 7507, the State Stockpile Readiness Act of 2020, introduced by Representative Carter (GA–01).

TRIBAL HEALTH DATA IMPROVEMENT ACT OF 2020

H.R. 7948

To amend the Public Health Service Act with respect to the collection and availability of health data with respect to Indian Tribes, and for other purposes.

Summary

This legislation encourages improved public health data sharing among the CDC, Indian Tribes, Tribal organizations, and Tribal Epidemiology Centers. H.R. 7948 ensures the safety of data being shared among entities, increases the authorization level for the National Center for Health Statistics to provide funding for the new

authorities in this legislation, and assists states and Tribes working relationships by requiring the CDC to issue a report on best practices and guidelines for data sharing agreements. The bill also reauthorizes CDC's National Center for Health Statistics.

Legislative History

Prior to the introduction of H.R. 7948, the Committee on Energy and Commerce held a related hearing on July 8, 2020, entitled "Addressing the Urgent Needs of Our Tribal Communities." The witnesses included Charles Grim, D.D.S., M.H.S.A., Secretary, Chickasaw Nation Department of Health; Jonathan Nez, President, Navajo Nation; The Honorable Christine Sage, Chairman, Southern Ute Indian Tribe; Fawn Sharp, President, National Congress of American Indian; and Pilar M. Thomas; Partner; Quarles & Brady LLP.

On August 7, 2020, H.R. 7948 was introduced by Representative Gianforte (MT–00), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on August 10, 2020.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 7948 and ordered the bill reported favorably to the House, amended, by a voice vote.

On September 29, 2020, the Committee on Energy and Commerce reported H.R. 7948 to the House, as amended (H. Rept. 116–546), and the bill was placed on the Union Calendar (Calendar No. 446). On the same day, the House considered H.R. 7948 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote.

On September 30, 2020, the bill was received by the Senate, read twice, and referred to the Senate Committee on Indian Affairs.

No further action was taken on H.R. 7948 in the 116th Congress.

To Amend the Health Information Technology for Economic and Clinical Health Act to Require the Secretary of Health and Human Services to Consider Certain Recognized Security Practices of Covered Entities and Business Associates When Making Certain Determinations, and for Other Purposes

H.R. 7898

To amend the Health Information Technology for Economic and Clinical Health Act to require the Secretary of Health and Human Services to consider certain recognized security practices of covered entities and business associates when making certain determinations, and for other purposes.

Summary

This bill makes a technical correction to provide the Inspector General of HHS certain authorities with respect to investigations of information blocking and incentivizes health care providers to adopt cybersecurity best practices.

Legislative History

On July 31, 2020, H.R. 7898 was introduced by Representative Burgess (TX–26), and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on August 3, 2020.

On December 9, 2020, the House considered H.R. 7898 under a motion to suspend the Rules and passed the bill, as amended, by a voice vote. On December 10, 2020, H.R. 7898 was received by the Senate and read twice. On December 19, 2020, the Senate passed H.R. 7898 by unanimous consent.

On December 24, 2020, H.R. 7898 was presented to the President.

H.R. 7898, as approved by the House and the Senate, was pending action by the President at the time this report was filed.

TO AMEND TITLE XVIII OF THE SOCIAL SECURITY ACT TO WAIVE BUDGET NEUTRALITY FOR OXYGEN UNDER THE MEDICARE PROGRAM, AND FOR OTHER PURPOSES

H.R. 8158

To amend title XVIII of the Social Security Act to waive budget neutrality for oxygen under the Medicare program, and for other purposes.

Summary

This legislation would amend title XVIII of the Social Security Act to waive budget neutrality for oxygen under the Medicare program, and would specify that the budget neutrality requirement for establishing new payment classes of oxygen and oxygen equipment no longer applies and would make a technical correction to the placement of this provision in the statute. The nonapplication of budget neutrality would increase reimbursement for certain oxygen equipment in rural areas.

Legislative History

On September 4, 2020, H.R. 8158 was introduced by Representative McMorris Rodgers, and referred to the Committee on Energy and Commerce. The bill was then referred to the Subcommittee on Health on September 8, 2020.

On September 9, 2020, the Committee on Energy and Commerce met in virtual open markup session to consider H.R. 8158 and ordered the bill reported favorably to the House, without amendment, by a voice vote.

No further action was taken on H.R. 8158 in the 116th Congress.

HONORING ROSALYNN SMITH CARTER'S 50 YEARS OF MENTAL HEALTH ADVOCACY

H. RES. 1181

Honoring Rosalynn Smith Carter's 50 years of mental health advocacy.

Summary

This resolution recognizes the work of former First Lady Rosalynn Smith Carter on behalf of those affected by mental health disorders and substance use disorders.

Legislative History

On October 6, 2020, H. Res. 1181 was introduced by Representative Dingell, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on October 7, 2020.

On December 10, 2020, H. Res. 1181 was discharged from the Committee on Energy and Commerce. That same day, the House considered H. Res. 1181 and passed the resolution, as amended, by unanimous consent.

OVERSIGHT ACTIVITIES

TEXAS V. U.S.: THE REPUBLICAN LAWSUIT AND ITS IMPACT ON AMERICANS WITH PRE-EXISTING CONDITIONS

On February 6, 2019, the Subcommittee on Health held a hearing entitled "Texas v. U.S.: The Republican Lawsuit and Its Impact on Americans with Pre-Existing Conditions." The purpose of this hearing was to examine the impact of a Federal district court's decision to strike down the entirety of the Affordable Care Act on health care affordability and coverage, and on the ACA Marketplaces, Medicaid, and Medicare, if the district court ruling stands on appeal. The Subcommittee received testimony from Christen Linke Young, Fellow, USC Brookings Schaeffer Initiative for Health Policy; Simon Lazarus, Constitutional lawyer and writer; Thomas P. Miller, Resident Fellow, American Enterprise Institute; Elena Hung, Co-Founder, Little Lobbyists; and Avik S. A. Roy, President, The Foundation for Research on Equal Opportunity.

THE FISCAL YEAR 2020 HHS BUDGET

On March 12, 2019, the Subcommittee on Health held a hearing entitled "The Fiscal Year 2020 HHS Budget." The purpose of this hearing was to examine the President's fiscal year 2020 budget for the U.S. Department of Health and Human Services. The Subcommittee received testimony from the Honorable Alex M. Azar II, HHS Secretary.

PRESCRIPTION DRUG COVERAGE IN THE MEDICARE PROGRAM

On April 30, 2019, the Subcommittee on Health held a hearing entitled "Prescription Drug Coverage in the Medicare Program." The purpose of this hearing was to examine how Medicare pays for prescription drugs under Medicare part B and part D, data on the rising drug spending by Medicare, and opportunities to lower the cost of prescription drugs for Medicare beneficiaries. The Subcommittee received testimony from James E. Mathews, Executive Director, Medicare Payment Advisory Commission.

LOWERING PRESCRIPTION DRUG PRICES: DECONSTRUCTING THE DRUG SUPPLY CHAIN

On May 9, 2019, the Subcommittee on Health held a hearing entitled "Lowering Prescription Drug Prices: Deconstructing the Drug Supply Chain." The purpose of this hearing was to examine stakeholder views in each step of the drug supply chain to get to the root causes of high prescription drug costs. The Subcommittee received testimony from Justin McCarthy, Senior Vice President, Patient & Health Impact Group, Pfizer; Kave Niksefat, Vice President, Value and Access, Amgen; Jeffrey Hessekiel, Executive Vice President & General Counsel, Exelixis; Amy Bricker, Senior Vice President, Supply Chain, Express Scripts; Brent Eberle, Chief Pharmacy Officer, Navitus Health Solutions; Estay Greene, Vice President of Pharmacy Services, Blue Cross Blue Shield of North Carolina; Lynn Eschenbacher, Chief Pharmacy Officer, Ascension; Jack Resneck, Chair, Board of Trustees, American Medical Association; Ricahrd Ashworth, President of Pharmacy, Walgreens; and Leigh Purvis, Director of Health Services Research, AARP.

STRENGTHENING HEALTH CARE IN THE U.S. TERRITORIES FOR TODAY AND INTO THE FUTURE

On June 20, 2019, the Subcommittee on Health held a hearing entitled "Strengthening Health Care in the U.S. Territories for Today and Into the Future." The purpose of the hearing was to hear from representatives of the Medicaid programs in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the U.S. Virgin Islands about the challenges confronting their programs. The Subcommittee received testimony from Anne Schwartz, Executive Director, Medicaid and CHIP Payment and Access Commission; Angela Avila, Executive Director, Administración de Seguros de Salud de Puerto Rico, Puerto Rico Health Insurance Administration; Sandra King Young, Medicaid Director, American Samoa State Agency; Maria Theresa Arcangel, Chief Administrator, Guam Division of Public Welfare; Michal Rhymer-Browne, Assistant Commissioner, Department of Human Services, U.S. Virgin Islands; and Helen C. Sablan, Medicaid Director, Commonwealth of Northern Mariana Islands State Medicaid Agency.

A PUBLIC HEALTH CRISIS: THE GUN VIOLENCE EPIDEMIC IN AMERICA

On October 3, 2019, the Subcommittee on Health held a field hearing entitled "A Public Health Crisis: The Gun Violence Epidemic in America." The purpose of this hearing was to discuss the public health impact of gun violence, the role of gun violence public health research, and prevention approaches. The Subcommittee received testimony from Spencer Leak, Sr., President and CEO, Leak and Sons Funeral Home; Niva Lubin-Johnson, M.D., Immediate Past President, National Medical Association; Norman Kerr, Director of Violence Prevention, City of Chicago; Pastor Brenda K. Mitchell, mother of Kenneth D. Mitchell, Jr.; Selwyn O. Rogers, Jr. M.D., M.P.H., Chief of the Section for Trauma and Acute Care Surgery, Founding Director of the Trauma Center, University of Chi-

cago Medicine; and Ronald Stewart, M.D., Chair of the Department of Surgery, University of Texas San Antonio Health Science Center.

SAFEGUARDING PHARMACEUTICAL SUPPLY CHAINS IN A GLOBAL ECONOMY

On October 30, 2019, the Subcommittee on Health held a hearing entitled "Safeguarding Pharmaceutical Supply Chains in a Global Economy." The purpose of this hearing was to discuss how the Federal Government and industry should work together to ensure the safety and security of active pharmaceutical ingredients and to better diversify the supply chain. The Subcommittee received testimony from Janet Woodcock, Director, Center for Drug Evaluation and Research, U.S. Food and Drug Administration; Michael Wessel, Commissioner, U.S.-China Economic Security Review Commission; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Rosemary Gibson, Senior Advisor, The Hastings Center; and Ed Price, President and CEO, Seqens CDMO.

THE FISCAL YEAR 2021 HHS BUDGET AND OVERSIGHT OF THE CORONAVIRUS OUTBREAK

On February 26, 2020, the Subcommittee on Health held a hearing entitled "The Fiscal Year 2021 HHS Budget and Oversight of the Coronavirus Outbreak." The purpose of this hearing was to examine the President's fiscal year 2021 budget for HHS, and to discuss the developing outbreak of the coronavirus and HHS's response. The Subcommittee received testimony from Alex Azar II, Secretary, U.S. Department of Health and Human Services; Anthony S. Fauci, M.D., Director, National Institute for Allergy and Infectious Diseases, National Institutes of Health; Stephen M. Hahn, M.D., Commissioner of Food and Drugs, U.S. Food and Drug Administration; Robert Kadlec, M.D., Assistant Secretary for Preparedness and Response, U.S. Department of Health and Human Services; and Robert R. Redfield, M.D., Director, Centers for Disease Control.

PROTECTING SCIENTIFIC INTEGRITY IN THE COVID–19 RESPONSE

On May 14, 2020, the Subcommittee on Health held a hearing entitled "Protecting Scientific Integrity in the COVID–19 Response." The purpose of this hearing was to review concerns raised by government and outside stakeholders about the politicization of public health agencies, the Administration's lack of preparation for a pandemic, and its slow response to the COVID–19 outbreak. The Subcommittee received testimony from Richard A. Bright, Ph.D., Senior Advisor, National Institutes of Health; and Mike Bowen, Executive Vice President, Prestige Ameritech.

HEALTH CARE INEQUALITY: CONFRONTING RACIAL AND ETHNIC DISPARITIES IN COVID–19 AND THE HEALTH CARE SYSTEM

On June 17, 2020, the Subcommittee on Health held a hearing entitled "Health Care Inequality: Confronting Racial and Ethnic Disparities in COVID–19 and the Health Care System." The pur-

pose of this hearing was to examine the racial and ethnic disparities found in current COVID–19 data and the existing structural and racial inequalities in the U.S. health care system that have contributed to such disparities. The Subcommittee received testimony from Rhea Boyd, M.D., M.P.H., Pediatrician and Child Health Advocate, Palo Alto Medical Foundation; Oliver T. Brooks, M.D., President, National Medical Association; and Avik S. Roy, President, The Foundation for Research on Equal Opportunity.

HEALTH CARE LIFELINE: THE AFFORDABLE CARE ACT AND THE COVID–19 PANDEMIC

On September 23, 2020, the Subcommittee on Health held a hearing entitled "Health Care Lifeline: The Affordable Care Act and the COVID–19 Pandemic." The purpose of this hearing was to examine the Affordable Care Act's impact on health care coverage and affordability for Americans during the COVID–19 pandemic and the accompanying economic crisis. The Subcommittee received testimony from Aviva Aron-Dine, Ph.D., Vice President for Health Policy, Center on Budget and Policy Priorities; Dean Cameron, Director, Idaho Department of Insurance; Douglas Holtz-Eakin, Ph.D., President, American Action Forum; Peter Lee, Executive Director, Covered California; and Benjamin D. Sommers, M.D., Ph.D., Huntley Quelch Professor of Health Care Economics, Professor of Health Policy & Economics, Harvard T.H. Chan School of Public Health, Professor of Medicine, Brigham & Women's Hospital.

APPENDIX I

OVERSIGHT PLAN FOR THE COMMITTEE ON ENERGY AND COMMERCE U.S. HOUSE OF REPRESENTATIVES, 116TH CONGRESS

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to develop an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Reform and to the Committee on House Administration not later than March 1 of the first session of the Congress.

This is the oversight plan of the Committee on Energy and Commerce for the 116th Congress. It includes areas where the Committee expects to conduct oversight during the 116th Congress, subject to staff and resource limitations, but does not preclude oversight or investigation of additional matters. The Committee will continue to consult with other committees that have jurisdiction over the same or related laws, programs, or agencies with the objective of ensuring maximum coordination and cooperation. Specifically, the Committee will continue to work with other committees to facilitate expiring programs, coordinate with the Congressional Budget Office regarding lapsed authorizations and upcoming expirations, and hold member and staff-level meetings with relevant committees and House and Senate conferences.

ENERGY AND ENVIRONMENTAL ISSUES

CLIMATE CHANGE

Climate change affects every region across the country and inflicts large costs on the U.S. economy each year. States, cities, Tribes, and communities across America are taking steps to mitigate and prepare for the impacts of climate change. The Committee intends to examine the economic, environmental, and health effects of climate change, including disproportionate impacts on low income communities and other vulnerable populations. The Committee will also identify opportunities for Federal action to reduce negative impacts, create new businesses and jobs, and make all communities safer and more resilient to changes already underway. The Committee will also review actions needed to meet our obligations under the Paris Climate Agreement and examine the climate impacts of regulatory efforts and programs by the Department of Energy, the Environmental Protection Agency, the Department of Health and Human Services and other agencies within the Committee's jurisdiction. The Committee expects to examine governmental and nongovernmental activities and policies to reduce greenhouse gas emissions. The Committee also anticipates assessing State funding programs and other efforts by agencies within the Committee's jurisdiction to ensure States and local communities have the resources needed to prepare for and respond to severe weather events and natural disasters.

CLEAN AIR ACT

The Committee expects to review significant rulemakings and program implementation under the Clean Air Act and associated public health and environmental benefits. Review will also include

oversight of EPA decisions, management strategies, and other actions affecting efforts to meet Clean Air Act standards, including EPA actions that affect State efforts to meet public health goals. In addition, the Committee will examine the current role of and proposed changes to the accounting of cost, benefits, and feasibility in Clean Air Act rulemakings. The Committee will also continue to conduct oversight of EPA's implementation of the Renewable Fuel Standard.

ENVIRONMENTAL CONTAMINATION AND CLEANUP

The Committee will conduct oversight of EPA's implementation of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), including the development and implementation of the recommendations from the Superfund Task Force. The Committee will also oversee implementation of recent updates to the Brownfields program. The Committee anticipates investigating the impacts of climate change and extreme weather on exposure from contaminated sites and cleanup costs. The Committee will also examine EPA's decision not to finalize financial responsibility requirements under CERCLA section 108(b) and the impacts of that decision on cleanups and taxpayers.

HAZARDOUS AND SOLID WASTE

The Committee will examine State and Federal implementation of legislation governing disposal of coal ash, including the EPA's response to recent court decisions finding Federal regulations insufficient and State response to recent extreme weather events that led to coal ash releases.

REGULATION OF DANGEROUS CHEMICAL SUBSTANCES

The Committee will conduct oversight of EPA's implementation of the reformed Toxic Substances Control Act as the Agency moves forward with the first risk evaluations and risk management rules under the new law. This oversight will look at decisions being made by EPA to exclude certain uses, exposures, vulnerable populations, and scientific studies from their review. The Committee will examine the impacts these decisions are having on the most vulnerable and disproportionately impacted, including workers, infants and children, and hot spot communities. The Committee will also examine risk management activities and decisions related to pesticides and other non-TSCA regulated chemicals and actions of other agencies in the Committee's jurisdiction charged with addressing these issues, including DOE and the Agency for Toxic Substances and Disease Registry.

DRINKING WATER RISKS AND SAFETY

The Committee will examine drinking water risks, including risks from lead service lines and emerging contaminants. The Committee will conduct oversight of State and Federal implementation of drinking water standards, and EPA's process for adopting new drinking water standards. In addition, the Committee will continue to review the impact on communities of regulatory ambiguity under

the Safe Drinking Water Act regarding hydraulic fracturing, as well as government activities in hydraulic fracturing research and regulation.

EPA Management and Operations

The Committee will conduct general oversight of EPA. This will include review of agency funding decisions, resource allocations, office and program reorganization, grants, research activities, contracts awarded to outside parties, enforcement activities. The Committee will also conduct general oversight of EPA relations with State and local governments, public transparency, and adherence to economic, procedural, public health, and environmental standards in regulatory actions. The Committee intends to examine how staff reductions and cuts to the EPA budget would impact the agency's programs and effectiveness in protecting human health and the environment.

National Energy Policy

The Committee will examine policies that relate to energy efficiency and conservation, and the exploration, production, distribution, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will inquire into the impact of government policies and programs on the exploration, production, storage, supply, marketing, pricing, and regulation of domestic energy resources, including issues relating to the Nation's energy infrastructure. The Committee will also continue to examine safety, security, public health and climate issues relating to energy exploration, production, and distribution.

Electricity and Natural Gas Markets and Regulation

The Committee will review the Federal electricity and natural gas policies of the Federal Energy Regulatory Commission and DOE related to competitive markets for compliance with relevant statutes. The Committee will also examine the activities of the FERC and DOE relating to protection of consumers and the environment with regard to electricity, natural gas and hydroelectric power, including the development of efficient and vigorous wholesale markets for electricity. Additionally, the Committee will closely examine actions regarding pipeline safety by the Department of Transportation's Pipeline and Hazardous Materials Safety Administration as well as actions regarding pipeline security by the Department of Homeland Security's Transportation Security Administration.

Energy and Fuel Efficiency Mandates

The Committee will continue to oversee Federal programs setting energy efficiency standards for home appliances crafted by DOE, to ensure that the programs maximize the benefit to consumers. The Committee will also examine greenhouse gas and fuel economy standards for motor vehicles developed by EPA and the National Highway Traffic Safety Administration (NHTSA), respectively.

MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES

The Committee will continue to oversee governance, management, and operations issues at DOE, including the National Nuclear Security Administration (NNSA) and the National Laboratories. This will include a continued focus on DOE's management of the contractors that operate the national laboratories. The Committee's oversight work will also include review of the implementation of security and safety reforms at NNSA and DOE facilities, ongoing safety and security matters, and the Office of Environmental Management's cleanup program, as well as the work of the Defense Nuclear Facilities Safety Board. This work will also include the Committee's oversight functions over DOE grant and loan guarantee programs as well as programs and activities relating to nonmilitary energy research and development.

NUCLEAR WASTE

The Committee will continue to review the actions of DOE and the Nuclear Regulatory Commission (NRC) regarding obligations of these agencies under the Nuclear Waste Policy Act. The Committee will also examine other nuclear waste cleanup and disposal programs under its jurisdiction.

THE NUCLEAR REGULATORY COMMISSION

The Committee will continue to examine the programs and activities of the NRC. The Committee will review NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including the Commission's regulatory actions, licensing activity, the safety and security of nuclear power facilities, and nuclear materials licensees.

HEALTH AND HEALTH CARE ISSUES

THE AFFORDABLE CARE ACT

The Committee will continue to examine issues related to the implementation by the Department of Health and Human Services of the Affordable Care Act, including attempts to administratively and illegally undermine the ACA and the Administration's refusal to defend the constitutionality of the law. This oversight will also examine the effect that Administration decisions have had on access to comprehensive, affordable health care.

HHS MANAGEMENT AND OPERATIONS

The Committee will conduct general oversight of HHS and its agencies to ensure it is fulfilling its mission to enhance and protect the health of all Americans.

CENTERS FOR MEDICARE & MEDICAID SERVICES

The Committee will review the management, operations, and activities of the Centers for Medicare & Medicaid Services (CMS) and the programs it administers. The Committee will study the positive economic effect of Medicaid expansion and impact of Medicaid ex-

pansion on access to care, and review insurance coverage rates for children and State outreach efforts to enroll uninsured children. The Committee will examine attempts administratively and illegally to undermine the Medicaid program, which provides critical services to more than 70 million individuals. The Committee will also examine the increasing out-of-pocket drug costs for seniors under the Medicare program and the positive effects of giving the Secretary of HHS the authority to negotiate drug prices.

FOOD AND DRUG ADMINISTRATION AND PRODUCT SAFETY

The Committee will review the management, operations, and activities of the Food and Drug Administration, including the ability of the agency to ensure the safety of the Nation's food, drugs, devices, and cosmetics. The Committee will examine FDA's statutory authorities for protecting the Nation's food supply with a view towards identifying any gaps and whether FDA's financial and personnel resources are adequate to protect the public from unsafe food. The Committee will also investigate FDA's enforcement of current drug supply chain and safety laws and its foreign drug inspection program. The Committee will also review the FDA's efforts to combat youth access to tobacco and electronic nicotine delivery systems products, as well as the agency's enforcement and implementation of the Tobacco Control Act. The Committee will also review FDA's efforts to improve and modernize the regulatory framework for medical devices and the impact for medical device safety. Further, the Committee will review the safety of cosmetics and personal care products in light of the substantial increase in cosmetic imports, one of FDA's larger categories of imports.

PUBLIC HEALTH AND PANDEMIC PREPAREDNESS

The Committee will examine the roles of various Federal agencies responsible for protecting the public health, including program management and implementation. Specifically, the Committee will continue to conduct oversight of Federal efforts on pandemic preparedness, including influenza preparedness, as well as the United States' response to emerging foreign infectious disease threats. The Committee will also continue its review of efforts to combat the opioid epidemic, including State and Federal responses, and the roles of participants in the health care delivery chain. Additionally, the Committee will also study the role our Federal public health agencies play and the actions such agencies can take to reduce health disparities among racial and ethnic minorities, and to address the health impacts caused by gun violence in our communities. Further, the Committee will also continue to monitor implementation of mental health reforms and the work done by the Assistant Secretary for Mental Health and Substance Use, as well as issues related to the health and safety of athletes, including youth athletes.

HEALTH CARE AFFORDABILITY

The Committee will examine the Administration's actions and policies related to the rising costs of health care and prescriptions drugs. This will include examining the role FDA and the NIH play

in the discovery, development, and delivery of innovative medications. The Committee will also investigate the impacts higher health care costs, including rising out-of-pocket costs and surprising billing, are having on American families, including seniors, and what actions may be taken to improve affordability within our health care system. The Committee will also continue to review policies proposed by the Administration to lower the costs of prescription drug prices and will investigate how actions taken by brand name and generic drug manufacturers have impacted such costs, including abuses and gaming of current regulatory requirements. Further, the Committee will study the role rebates play in the costs of prescription drugs and to our Federal health care system and study how changes to rebates may impact such costs.

REUNIFICATION OF UNACCOMPANIED CHILDREN

The Committee will conduct oversight of HHS efforts to reunify and provide appropriate care to unaccompanied children. The Committee will also review HHS's role in significant policies that affect the placement and coordination of unaccompanied children. Review will also include HHS-contracted facilities' compliance with Federal laws and regulations, and HHS's oversight thereof.

INDIAN HEALTH SERVICE

The Committee expects to investigate the quality and adequacy of health care prevention and treatment services provided by the Indian Health Service. The Committee will also review current implementation of the Indian Health Care Improvement Act and how this law and the care provided by the Indian Health Service is working for American Indians and Alaska Natives in order to inform the Committee on ways to improve care for those who rely on these services.

COMMUNICATIONS AND TECHNOLOGY ISSUES

FEDERAL COMMUNICATIONS COMMISSION MANAGEMENT AND OPERATIONS

The Committee will continue to conduct oversight of the operations, management, and activities of the Federal Communications Commission, including the effect of its decisions on protecting consumers, promoting privacy and data security, increasing the availability of broadband, technologies and services, increasing competition, and ensuring adequate emergency communications capability. Additionally, the Committee will evaluate the effect of FCC actions on network resiliency and public safety, as well as data, video, voice, and audio services.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION MANAGEMENT AND OPERATIONS

The Committee will continue to conduct oversight of the operations, management, and activities of the National Telecommunications and Information Administration (NTIA) within the Department of Commerce, including its efforts to promote cybersecurity, supply chain security, consumer privacy, and the responsible use of

emergency consumer communications technologies. Additionally, the Committee will evaluate the work of the NTIA in representing the interests of the United States in international meetings and negotiations relating to telecommunications and internet governance.

BROADBAND INTERNET DEPLOYMENT, AFFORDABILITY ADOPTION, AND OPENNESS

The Committee will conduct oversight of funding mechanisms for broadband deployment and adoption, including the Universal Service Fund and whether such programs adequately and efficiently promote broadband deployment and adoption for consumers. The Committee will also oversee the effect deregulation has had on the availability, affordability, and adoption of broadband. The Committee will exercise its jurisdiction to oversee the process—and the effects on consumers, small business, and free speech—associated with the repeal of net neutrality. The Committee will exercise its jurisdiction over broadband to ensure continued growth and investment in the internet. The Committee will also continue to exercise its jurisdiction over wireless and wired communications to ensure our Nation's policies governing voice, video, audio, and data services are promoting investment, innovation, access, affordability, and job creation.

PUBLIC SAFETY COMMUNICATIONS

The Committee will continue to examine the progress being made to ensure that first responders have interoperable communications capabilities with local, State, and Federal public safety officials, including through the efforts of the Emergency Communications Division within the Department of Homeland Security. The Committee will also examine the progress being made by the First Responder Network Authority in carrying out the mandates of the Middle Class Tax Relief and Job Creation Act of 2012. In addition, the Committee will conduct oversight regarding the implementation of legacy 911 and Next Generation 911 (NG911) services. The Committee will review efforts to promote deployment of these advanced systems and challenges to realizing ubiquitous NG911.

SPECTRUM MANAGEMENT

The Committee will continue to oversee the Federal Communications Commission's and the National Telecommunications and Information Administration's (NTIA) management and allocation of the Nation's spectrum for government and commercial use to ensure efficient use of public airwaves for consumers. The Committee will further examine whether plans for allocating spectrum encourage competition, benefit consumers, and are in the public interest. The Committee will oversee FCC and NTIA implementation of the Middle Class Tax Relief and Job Creation Act of 2012, the Bipartisan Budget Act of 2015, and the RAY BAUM's Act.

CONSUMER PROTECTION AND COMMERCE ISSUES

PRIVACY AND SECURITY

The Committee will examine issues relating to the privacy and security of methods, information, and data collected by businesses about consumers and the potential for improving protection and benefiting consumers. The Committee will also continue to investigate whether all companies that collect consumer data are implementing data security and privacy standards that ensure consumers' personal information is not stolen or misused.

CONSUMER PROTECTION SAFETY COMMISSION MANAGEMENT AND OPERATIONS AND CONSUMER PROTECTION

The Committee will continue to review the Consumer Product Safety Commission's (CPSC) overall operations, including the effectiveness of its rulemaking, its enforcement activities, engagement in standard-setting activities, and the modernization of its staff and infrastructure. The Committee will also exercise its jurisdiction to improve the safety of products purchased and used by consumers to prevent injuries and deaths.

NHTSA MANAGEMENT AND OPERATIONS AND MOTOR VEHICLE SAFETY

The Committee will continue oversight of the National Highway Traffic Safety Administration, including the effectiveness of the agency's regulations, investigations, structure, research activities, and enforcement actions pertaining to motor vehicle safety. The Committee will examine NHTSA's ability to effectively oversee advancing safety technologies including semi-autonomous and autonomous technologies. The Committee will also examine whether NHTSA effectively monitors and investigates safety issues, and whether it effectively manages recalls. The Committee will also work to improve motor vehicle safety to protect drivers, passengers, and all others who share the roadways.

FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS AND CONSUMER PROTECTION

The Committee will review the management, authorities, operations, rulemaking, and enforcement actions of the Federal Trade Commission. The Committee will review consumer protection activities related to privacy, data security, and false and deceptive advertising.

CONSUMER FINANCIAL PROTECTION BUREAU MANAGEMENT AND OPERATIONS

The Committee will review the management, operations, rulemaking, and enforcement actions of the Consumer Financial Protection Bureau, and whether the Bureau is achieving its consumer protection mission.

DEPARTMENT OF COMMERCE MANAGEMENT AND OPERATIONS AND MANUFACTURING AND TRADE

The Committee will conduct oversight of the Department of Commerce and its efforts to promote manufacturing and exports. The Committee will monitor and examine interstate commerce as well as bilateral agreements and multilateral trade agreements as those agreements relate to services, commodities, and industries within the Committee's jurisdiction, including energy, telecommunications, consumer products, electronic commerce, food, and drugs. The Committee will examine whether these agreements adequately protect the interests of domestic and foreign workers, the environment, and consumers. The Committee will also explore the state of manufacturing in the United States to identify factors that are hampering or furthering United States competitiveness and factors that benefit or hurt American workers.

MISCELLANEOUS

CYBERSECURITY

The Committee will continue to examine the protection of information and technology vital to our national and economic security by examining vulnerabilities and paths to defend against future attacks. The Committee will conduct oversight of actions and programs of the National Institute of Standards and Technology as well as efforts of relevant agencies to implement the Homeland Security Act of 2002. Additionally, the Committee will review the efforts of agencies within its jurisdiction to secure their networks. The Committee will also examine initiatives to improve cybersecurity both in the private and public sectors, and review efforts at agencies within the Committee's jurisdiction to regulate cybersecurity.

BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will continue to monitor the roles of HHS agencies in assisting the Nation's capability, detection, and response to possible biological attacks. The Committee will also evaluate the potential impact and preparedness of the Nation's public health system. The Committee will continue to review the extent of the coordination between HHS and the Department of Homeland Security (DHS), especially as it relates to Project Bioshield, and implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS.

FEDERAL OVERSIGHT OF HIGH-CONTAINMENT BIO LABORATORIES

The Committee will conduct oversight of issues related to high-containment bio laboratories, which handle some of the most dangerous and exotic diseases, including anthrax, smallpox, Ebola virus, and foot and mouth disease. Among the issues under review will be the adequacy of the security and practices of high-containment bio laboratories and Federal efforts to oversee the laboratories, and whether some of these efforts are overlapping and duplicative.

SAFETY AND SECURITY FOR CHEMICAL FACILITIES

The Committee will conduct oversight of mandates across agencies to ensure the safety and security of chemical facilities, including implementation of DHS's Chemical Facilities Anti-Terrorism Standards Program and EPA's Risk Management Planning program. The Committee will also examine threats to these facilities from climate change and extreme weather.

SCIENTIFIC AND RISK ASSESSMENT PROGRAMS

The Committee will review programs to assess the objectives, transparency, and integrity of scientific assessments that inform regulatory and public health policies. The Committee will examine issues relating to the numerous Federal science programs assessing public health risks, including the Integrated Risk Information System at EPA, the Report on Carcinogens produced by the National Toxicology Program at HHS, and assessments proposed or ongoing in other Federal departments and agencies.

WASTE, FRAUD, AND ABUSE

The Committee will conduct oversight of departments and agencies under its jurisdiction to ensure adequate and prompt implementation of recommendations from the Government Accountability Office, Offices of Inspectors General, and other sources to eliminate waste, fraud, and abuse.

CRITICAL INFRASTRUCTURE

The Committee will examine DHS's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction. The Committee will also examine the activities of DOE, FERC, and other Federal agencies related the physical and cybersecurity of the Nation's energy infrastructure, including DOE's authorities and responsibilities as the sector-specific agency for energy security. The Committee will also conduct oversight of HHS and EPA's responsibilities and authorities as sector-specific agencies for activities related to the Nation's critical infrastructure for communications, chemicals, emergency services, and others within the Committee's jurisdiction. Additionally, the Committee will examine the roles and responsibilities of other relevant agencies such as the FCC as well as the private sector.

NUCLEAR SMUGGLING

The Committee will continue to monitor private sector and Federal Government efforts at seaports, border crossings, and mail facilities. The Committee's review will examine and assess DOE and U.S. Customs and Border Protection efforts, including international efforts, aimed at detecting and preventing the smuggling of dangerous commerce, particularly radiological and nuclear weapons of mass destruction.

ONLINE PLATFORM AND CONSUMER PROTECTION

The Committee will examine the effect of online platform practices on the public good, free speech, and democratic principles. In particular, the Committee will review the effect on consumers of certain content moderation techniques and the potential for algorithmic bias and discrimination. The Committee will also review the extent to which competition exists among online platforms, and how consolidation affects consumers.

DIVERSITY AND INCLUSION IN FEDERALLY-FUNDED ENTITIES AND ACTIVITIES

The Committee will provide oversight over all agencies under its jurisdiction to promote policies of diversity and inclusion in order to ensure that these Federally-funded agencies are representative of the Nation as a whole and are working to support the interests of all communities and all segments of the overall population.

APPENDIX II

COMMITTEE ON ENERGY AND COMMERCE

PUBLIC LAWS

This list includes: (1) legislation on which the Committee on Energy and Commerce acted directly; (2) legislation developed through Committee participation in House-Senate conferences; and (3) legislation which included provisions within the Committee's jurisdiction, including legislation enacted by reference as part of other legislation.

Public Laws: 26 (as of 12/31/2020)

Public Law	Date Approved	Bill	Title
116–2	1/18/2019	H.R. 251	Chemical Facility Anti-Terrorism Standards Program Extension Act.
116–3	1/24/2019	H.R. 259	Medicaid Extenders Act of 2019.
116–16	4/18/2019	H.R. 1839	Medicaid Services Investment and Accountability Act of 2019.
116–39	8/6/2019	H.R. 3253	Sustaining Excellence in Medicaid Act of 2019.
116–49	8/22/2019	H.R. 776	Emergency Medical Services for Children Program Reauthorization Act of 2019.
116–60	9/30/2019	H.R. 1058	Autism Collaboration, Accountability, Research, Education, and Support Act of 2019 or the Autism CARES Act of 2019.
116–62	10/4/2019	S. 163	Alaska Remote Generator Reliability and Protection Act.
116–74	11/27/2019	H.R. 3889	ONDCP Technical Corrections Act of 2019.
116–92	12/20/2019	S. 1790	National Defense Authorization Act for Fiscal Year 2020.
116–94	12/20/2019	H.R. 1865	Further Consolidated Appropriations Act, 2020.
116–95	12/20/2019	H.R. 1138	To reauthorize the West Valley demonstration project, and for other purposes.
116–105	12/30/2019	S. 151	Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act of the Pallone-Thune TRACED Act.
116–109	1/24/2020	H.R. 583	Preventing Illegal Radio Abuse Through Enforcement Act or the PIRATE Act.
116–113	1/29/2020	H.R. 5430	United States-Mexico-Canada Agreement Implementation Act.
116–114	2/6/2020	S. 3201	Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act.
116–123	3/6/2020	H.R. 6074	Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020.
116–124	3/12/2020	H.R. 4998	Secure and Trusted Communications Networks Act of 2019.
116–127	3/18/2020	H.R. 6201	Families First Coronavirus Response Act.
116–129	3/23/2020	S. 893	Secure 5G and Beyond Act of 2020.
116–130	3/12/2020	S. 1822	Broadband Deployment Accuracy and Technological Availability Act.
116–150	7/22/2020	S. 4148	To extend the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.
116–172	10/17/2020	S. 2661	National Suicide Hotline Designation Act of 2020.
116–173	10/20/2020	H.R. 4779	To extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.
116–206	12/4/2020	H.R. 835	Rodchenkov Anti-Doping Act of 2019.
116–224	12/18/2020	S. 1982	Save Our Seas 2.0 Act.
116–____	12/27/2020	H.R. 133	Consolidated Appropriations Act, 2021.

Action	Cleared for the White House	Bill	Title
Presented to the President.	12/24/2020	H.R. 8906	Lifespan Respite Care Reauthorization Act of 2020.
Presented to the President.	12/24/2020	H.R. 7898	To amend the Health Information Technology for Economic and Clinical Health Act to require the Secretary of Health and Human Services to consider certain recognized security practices of covered entities and business associates when making certain determinations, and for other purposes.

Action	Cleared for the White House	Bill	Title
Presented to the President.	12/24/2020	H.R. 6535	To deem an urban Indian organization and employees thereof to be a part of the Public Health Service for the purposes of certain claims for personal injury, and for other purposes.
Presented to the President.	12/24/2020	H.R. 6435	Combating Pandemic Scams Act of 2020.
Presented to the President.	12/24/2020	H.R. 6237	Proper and Reimbursed Care for Native Veterans Act or the PRC for Native Veterans Act.
Presented to the President.	12/24/2020	H.R. 5663	Safeguarding Therapeutics Act.
Presented to the President.	12/24/2020	H.R. 2468	School-Based Allergies and Asthma Management Program Act.
Presented to the President.	12/24/2020	H.R. 1966	Henrietta Lacks Enhancing Cancer Research Act of 2019.
Presented to the President.	12/24/2020	H.R. 1503	Orange Book Transparency Act of 2020.

APPENDIX III

COMMITTEE ON ENERGY AND COMMERCE

PART A

HEARINGS

Printed Hearings of the Committee on Energy and Commerce

Serial No.	Hearing Title	Hearing Date
116–1	Time for Action: Addressing the Environmental and Economic Effects of Climate Change [Subcommittee on Environment and Climate Change].	February 6, 2019
116–2	Texas v. U.S.: The Republican Lawsuit and Its Impacts on Americans with Pre-Existing Conditions [Subcommittee on Health].	February 6, 2019
116–3	Examining the Failures of the Trump Administration's Inhumane Family Separation Policy [Subcommittee on Oversight and Investigations].	February 7, 2019
116–4	Preserving an Open Internet for Consumers, Small Businesses, and Free Speech [Subcommittee on Communications and Technology].	February 7, 2019
116–5	Protecting Consumers and Competition: An Examination of the T-Mobile and Sprint Merger [Subcommittee on Communications and Technology].	February 13, 2019
116–6	Strengthening Our Healthcare System: Legislation to Reverse ACA Sabotage and Ensure Pre-Existing Conditions Protections [Subcommittee on Health].	February 13, 2019
116–7	Protecting Consumer Privacy in the Era of Big Data [Subcommittee on Consumer Protection and Commerce].	February 26, 2019
116–8	EPA's Enforcement Program: Taking the Environmental Cop Off the Beat [Subcommittee on Oversight and Investigations].	February 26, 2019
116–9	Confronting a Growing Public Health Threat: Measles Outbreaks in the U.S. [Subcommittee on Oversight and Investigations].	February 27, 2019
116–10	Clean Energy Infrastructure and the Workforce to Build It [Subcommittee on Energy]	February 27, 2019
116–11	We'll Always Have Paris: Filling the Leadership Void Caused by Federal Inaction on Climate Change [Subcommittee on Environment and Climate Change].	February 28, 2019
116–12	Strengthening Our Healthcare System: Legislation to Lower Consumer Costs and Expand Access [Subcommittee on Health].	March 6, 2019
116–13	Inclusion in Tech: How Diversity Benefits All Americans [Subcommittee on Consumer Protection and Commerce].	March 6, 2019
116–14	Wasted Energy: DOE's Inaction on Efficiency Standards and Its Impact on Consumers and the Climate [Subcommittee on Energy].	March 7, 2019
116–15	Legislating to Safeguard the Free and Open Internet [Subcommittee on Communications and Technology].	March 12, 2019
116–16	The Fiscal Year 2020 HHS Budget [Subcommittee on Health]	March 12, 2019
116–17	Lowering the Cost of Prescription Drugs: Reducing Barriers to Market Competition [Subcommittee on Health].	March 13, 2019
116–18	Mismanaging Chemical Risks: EPA's Failure to Protect Workers [Subcommittee on Environment and Climate Change].	March 13, 2019
116–19	Enhancing Vehicle Technology to Prevent Drunk Driving [Subcommittee on Consumer Protection and Commerce].	March 14, 2019
116–20	Lessons from Across the Nation: State and Local Action to Combat Climate Change [Subcommittee on Environment and Climate Change].	April 2, 2019
116–21	Priced Out of a Lifesaving Drug: The Human Impact of Rising Insulin Costs [Subcommittee on Oversight and Investigations].	April 2, 2019
116–22	The Fiscal Year 2020 EPA Budget [Subcommittee on Environment and Climate Change].	April 9, 2019
116–23	Protecting Americans from Dangerous Products: Is the Consumer Product Safety Commission Fulfilling Its Mission? [Subcommittee on Consumer Protection and Commerce].	April 9, 2019
116–24	Investing in America's Energy Infrastructure: Improving Energy Efficiency and Creating a Diverse Workforce [Subcommittee on Energy].	April 10, 2019
116–25	Priced Out of a Lifesaving Drug: Getting Answers on the Rising Cost of Insulin [Subcommittee on Oversight and Investigations].	April 12, 2019
116–26	Legislating to Stop the Onslaught of Annoying Robocalls [Subcommittee on Communications and Technology].	April 30, 2019
116–27	Prescription Drug Coverage in the Medicare Program [Subcommittee on Health]	April 30, 2019
116–28	The State of Pipeline Safety and Security in America [Subcommittee on Energy]	May 1, 2019
116–29	DOE's Mounting Cleanup Costs: Billions in Environmental Liability and Growing [Subcommittee on Oversight and Investigations].	May 1, 2019

Printed Hearings of the Committee on Energy and Commerce—Continued

Serial No.	Hearing Title	Hearing Date
116–30	Ban Asbestos Now: Taking Action to Save Lives and Livelihoods [Subcommittee on Environment and Climate Change].	May 8, 2019
116–31	Oversight of the Federal Trade Commission: Strengthening Protections for Americans' Privacy and Data Security [Subcommittee on Consumer Protection and Commerce].	May 8, 2019
116–32	Lowering Prescription Drug Prices: Deconstructing the Drug Supply Chain [Subcommittee on Health].	May 9, 2019
116–33	The Fiscal Year 2020 DOE Budget [Subcommittee on Energy]	May 9, 2019
116–34	Accountability and Oversight of the Federal Communications Commission [Subcommittee on Communications and Technology].	May 15, 2019
116–35	Protecting Americans at Risk of PFAS Contamination and Exposure [Subcommittee on Environment and Climate Change].	May 15, 2019
116–36	Undermining Mercury Protections: EPA Endangers Human Health and the Environment [Subcommittee on Oversight and Investigations].	May 21, 2019
116–37	Improving Drug Pricing Transparency and Lowering Prices for American Consumers [Subcommittee on Health].	May 21, 2019
116–38	LIFT America: Modernizing Our Infrastructure for the Future [Full Committee]	May 22, 2019
116–39	Summer Driving Dangers: Exploring Ways to Protect Drivers and Their Families [Subcommittee on Consumer Protection and Commerce].	May 23, 2019
116–40	Investing in America's Healthcare [Subcommittee on Health]	June 4, 2019
116–41	STELAR Review: Protecting Consumers in an Evolving Media Marketplace [Subcommittee on Communications and Technology].	June 4, 2019
116–42	Critical Mission: Former Administrators Address the Direction of the EPA [Subcommittee on Oversight and Investigations].	June 11, 2019
116–43	No More Surprises: Protecting Patients from Surprise Medical Bills [Subcommittee on Health].	June 12, 2019
116–44	Oversight of FERC: Ensuring Its Actions Benefit Consumers and the Environment [Subcommittee on Energy].	June 12, 2019
116–45	Cleaning Up Communities: Ensuring Safe Storage and Disposal of Spent Nuclear Fuel [Subcommittee on Environment and Climate Change].	June 13, 2019
116–46	Keeping Kids and Consumers Safe from Dangerous Products [Subcommittee on Consumer Protection and Commerce].	June 13, 2019
116–47	Protecting Title X and Safeguarding Quality Family Planning Care [Subcommittee on Health].	June 19, 2019
116–48	Legislative Solutions to Make Our Nation's Pipelines Safer [Subcommittee on Energy].	June 19, 2019
116–49	Driving in Reverse: The Administration's Rollback of Fuel Economy and Clean Car Standards [Jointly held between the Subcommittee on Consumer Protection and Commerce and the Subcommittee on Environment and Climate Change].	June 20, 2019
116–50	Strengthening Healthcare in the U.S. Territories for Today and Into the Future [Subcommittee on Health].	June 20, 2019
116–51	Reauthorizing Vital Health Programs for American Families [Subcommittee on Health].	June 25, 2019
116–52	Keeping the Lights on: Addressing Cyber Threats to the Grid [Subcommittee on Energy].	July 12, 2019
116–53	Oversight of Federal Efforts to Combat the Spread of Illicit Fentanyl [Subcommittee on Oversight and Investigations].	July 16, 2019
116–54	Our Wireless Future: Building A Comprehensive Approach to Spectrum Policy [Subcommittee on Communications and Technology].	July 16, 2019
116–55	Building America's Clean Future: Pathways to Decarbonize the Economy [Subcommittee on Environment and Climate Change].	July 24, 2019
116–56	Legislation to Make Cars in America Safer [Subcommittee on Consumer Protection and Commerce].	July 24, 2019
116–57	Member Day [Full Committee]	July 25, 2019
116–58	Improving Maternal Health: Legislation to Advance Prevention Efforts and Access to Care [Subcommittee on Health].	September 10, 2019
116–59	Protecting and Securing Chemical Facilities from Terrorist Attacks [Subcommittee on Environment and Climate Change].	September 11, 2019
116–60	Legislating to Connect America: Improving the Nation's Broadband Maps [Subcommittee on Communications and Technology].	September 11, 2019
116–61	Building a 100 Percent Clean Economy: Pathways for Net Zero Industrial Emissions [Subcommittee on Energy and Environment].	September 18, 2019
116–62	Protecting Unaccompanied Children: The Ongoing Impacts of the Trump Administration's Cruel Policies [Subcommittee on Oversight and Investigations].	September 19, 2019

Printed Hearings of the Committee on Energy and Commerce—Continued

Serial No.	Hearing Title	Hearing Date
116–63	Profits Over Consumers: Exposing How Pharmaceutical Companies Game the System [Subcommittee on Consumer Protection and Commerce].	September 19, 2019
116–64	Building a 100 Percent Clean Economy: Solutions for the U.S. Building Sector [Subcommittee on Energy].	September 20, 2019
116–65	Sounding the Alarm: The Public Health Threats of E-Cigarettes [Subcommittee on Oversight and Investigations].	September 25, 2019
116–66	Making Prescription Drugs More Affordable: Legislation to Negotiate a Better Deal for Americans [Subcommittee on Health].	September 25, 2019
116–67	Legislating to Secure America's Wireless Future [Subcommittee on Communications and Technology].	September 27, 2019
116–68	A Public Health Crisis: The Gun Violence Epidemic in America [Field Hearing, Kennedy King College, Chicago, IL] [Subcommittee on Health].	October 3, 2019
116–69	Fostering a Healthier Internet to Protect Consumers [Jointly held between the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce].	October 16, 2019
116–70	Legislation to Reverse the Youth Tobacco Epidemic [Subcommittee on Health]	October 16, 2019
116–71	Sabotage: The Trump Administration's Attack on Healthcare [Subcommittee on Oversight and Investigations].	October 23, 2019
116–72	Building a 100 Percent Clean Economy: Solutions for Planes, Trains, and Everything Beyond Automobiles [Subcommittee on Environment and Climate Change].	October 23, 2019
116–73	Repurposing the C-Band to Benefit all Americans [Subcommittee on Communications and Technology].	October 29, 2019
116–74	Protecting the RFS: The Trump Administration's Abuse of Secret Waivers [Subcommittee on Environment and Climate Change].	October 29, 2019
116–75	Reauthorizing Brand USA and the U.S. SAFE WEB Act [Subcommittee on Consumer Protection and Commerce].	October 29, 2019
116–76	Safeguarding Pharmaceutical Supply Chains in a Global Economy [Subcommittee on Health].	October 30, 2019
116–77	Building a 100 Percent Clean Economy: Solutions for the U.S. Power Sector [Subcommittee on Energy].	October 30, 2019
116–78	Building a 100 Percent Clean Economy: The Challenges Facing Frontline Communities [Subcommittee on Environment and Climate Change].	November 20, 2019
116–79	Building Consumer Confidence by Empowering FDA to Improve Cosmetic Safety [Subcommittee on Health].	December 4, 2019
116–80	Flu Season: U.S. Public Health Preparedness and Response [Subcommittee on Oversight and Investigations].	December 4, 2019
116–81	Accountability and Oversight of the Federal Communications Commission [Subcommittee on Communications and Technology].	December 5, 2019
116–82	Building a 100 Percent Clean Economy: Solutions for Economy-Wide Deep Decarbonization [Subcommittee on Environment and Climate Change].	December 5, 2019
116–83	Securing the U.S. Drug Supply Chain: Oversight of FDA's Foreign Inspection Program [Subcommittee on Oversight and Investigations].	December 10, 2019
116–84	Proposals to Achieve Universal Health Care Coverage [Subcommittee on Health]	December 10, 2019
116–85	Legislation to Improve Americans' Healthcare Coverage and Outcomes [Subcommittee on Health].	January 8, 2020
116–86	Americans at Risk: Manipulation and Deception in the Digital Age [Subcommittee on Consumer Protection and Commerce].	January 8, 2020
116–87	A Public Health Emergency: State Efforts to Curb the Opioid Crisis [Subcommittee on Oversight and Investigations].	January 14, 2020
116–88	Promoting American Innovation and Jobs: Legislation to Phase Down Hydrofluorocarbons [Subcommittee on Environment and Climate Change].	January 14, 2020
116–89	Cannabis Policies for the New Decade [Subcommittee on Health]	January 15, 2020
116–90	Lifting Voices: Legislation to Promote Media Marketplace Diversity [Subcommittee on Communications and Technology].	January 15, 2020
116–91	Out of Control: The Impact of Wildfires on our Power Sector and the Environment [Jointly held between the Subcommittee on Energy and the Subcommittee on Environment and Climate Change].	January 28, 2020
116–92	Legislation to Promote the Health and Safety of Racehorses [Subcommittee on Consumer Protection and Commerce].	January 28, 2020
116–93	Improving Safety and Transparency in America's Food and Drugs [Subcommittee on Health].	January 29, 2020
116–94	Empowering and Connecting Communities through Digital Equity and Internet Adoption [Subcommittee on Communications and Technology].	January 29, 2020

Printed Hearings of the Committee on Energy and Commerce—Continued

Serial No.	Hearing Title	Hearing Date
116–95	Modernizing the Natural Gas Act to Ensure It Works for Everyone [Subcommittee on Energy].	February 5, 2020
116–96	Vaping in America: E-Cigarette Manufacturers' Impact on Public Health [Subcommittee on Oversight and Investigations].	February 5, 2020
116–97	Clearing the Air: Legislation to Promote Carbon Capture, Utilization, and Storage [Subcommittee on Environment and Climate Change].	February 6, 2020
116–98	Autonomous Vehicles: Promises and Challenges of Evolving Automotive Technologies [Subcommittee on Consumer Protection and Commerce].	February 11, 2020
116–99	EPA's Lead and Copper Proposal: Failing to Protect Public Health [Subcommittee on Environment and Climate Change].	February 11, 2020
116–100	Protecting Women's Access to Reproductive Healthcare [Subcommittee on Health] ...	February 12, 2020
116–101	Saving Energy: Legislation to Improve Energy Efficiency and Storage [Subcommittee on Energy].	February 12, 2020
116–102	In the Dark: Lack of Transparency in the Live Event Ticketing Industry [Subcommittee on Oversight and Investigations].	February 26, 2020
116–103	The Fiscal Year 2021 HHS Budget and Oversight of the Coronavirus Outbreak [Subcommittee on Health].	February 26, 2020
116–104	The Fiscal Year 2021 EPA Budget [Subcommittee on Environment and Climate Change].	February 27, 2020
116–105	Strengthening Communications Networks to Help Americans in Crisis [Subcommittee on Communications and Technology].	February 27, 2020
116–106	Combating an Epidemic: Legislation to Help Patients with Substance Use Disorders [Subcommittee on Health].	March 3, 2020
116–107	Building a 100 Percent Clean Economy: Advanced Nuclear Technology's Role in a Decarbonized Future [Subcommittee on Energy].	March 3, 2020
116–108	Buyer Beware: Fake and Unsafe Products on Online Marketplaces [Subcommittee on Consumer Protection and Commerce].	March 4, 2020
116–109	Reduce, Reuse, Recycle, Reform: Addressing America's Plastic Waste Crisis [Subcommittee on Environment and Climate Change].	March 4, 2020
116–110	Protecting Scientific Integrity in the COVID–19 Response [Subcommittee on Health]	May 14, 2020
116–111	On the Front Lines: How Governors are Battling the COVID–19 Pandemic [Subcommittee on Oversight and Investigations—Virtual Hearing].	June 2, 2020
116–112	Pollution and Pandemics: COVID–19's Disproportionate Impact on Environmental Justice Communities [Subcommittee on Environment and Climate Change—Virtual Hearing].	June 9, 2020
116–113	Reviving our Economy: COVID–19's Impact on the Energy Sector [Subcommittee on Energy—Virtual Hearing].	June 16, 2020
116–114	Health Care Inequality: Confronting Racial and Ethnic Disparities in COVID–19 and the Healthcare System [Subcommittee on Health—Virtual Hearing].	June 17, 2020
116–115	Oversight of the Trump Administration's Response to the COVID–19 Pandemic [Full Committee—Hybrid Hearing].	June 23, 2020
116–116	A Country in Crisis: How Disinformation Online is Dividing the Nation [Jointly held between the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce—Virtual Hearing].	June 24, 2020
116–117	High Anxiety and Stress: Legislation to Improve Mental Health During Crisis [Subcommittee on Health—Virtual Hearing].	June 30, 2020
116–118	Addressing the Urgent Needs of Our Tribal Communities [Full Committee—Virtual Hearing].	July 8, 2020
116–119	Consumers Beware: Increased Risks During the COVID–19 Pandemic [Subcommittee on Consumer Protection and Commerce—Virtual Hearing].	July 9, 2020
116–120	Oversight of DOE During the COVID–19 Pandemic [Subcommittee on Energy—Hybrid Hearing].	July 14, 2020
116–121	Pathway to a Vaccine: Efforts to Develop a Safe, Effective, and Accessible COVID–19 Vaccine [Subcommittee on Oversight and Investigations—Virtual Hearing].	July 21, 2020
116–122	There's Something in the Water: Reforming Our Nation's Drinking Water Standards [Subcommittee on Environment and Climate Change—Virtual Hearing].	July 28, 2020
116–123	Improving Access to Care: Legislation to Reauthorize Key Public Health Programs [Subcommittee on Health—Virtual Hearing].	July 29, 2020
116–124	Building a 100 Percent Clean Economy: Opportunities for an Equitable, Low-Carbon Recovery [Subcommittee on Environment and Climate Change].	September 16, 2020
116–125	Trump FCC: Four Years of Lost Opportunities [Subcommittee on Communications and Technology].	September 17, 2020
116–126	Healthcare Lifeline: The Affordable Care Act and the COVID–19 Pandemic [Subcommittee on Health—Virtual Hearing].	September 23, 2020

Printed Hearings of the Committee on Energy and Commerce—Continued

Serial No.	Hearing Title	Hearing Date
116–127	Mainstreaming Extremism: Social Media's Role in Radicalizing America [Subcommittee on Consumer Protection and Commerce—Virtual Hearing].	September 24, 2020
116–128	Pathway to a Vaccine: Ensuring a Safe and Effective Vaccine People Will Trust [Subcommittee on Oversight and Investigations—Virtual Hearing].	September 30, 2020
116–129	Generating Equity: Improving Clean Energy Access and Affordability [Subcommittee on Energy—Virtual Hearing].	October 1, 2020

COMMITTEE ON ENERGY AND COMMERCE

PART B

STAFF REPORTS

	Committee on Energy and Commerce, Democratic Staff Report entitled, ''Shortchanged: How the Trump Administration's Expansion of Junk Short-Term Health Insurance Plans is Putting Americans at Risk''. (https://energycommerce.house.gov/newsroom/press-releases/ec-investigation-finds-millions-of-americans-enrolled-in-junk-health).	June 2020.

APPENDIX IV

HEARINGS HELD PURSUANT TO CLAUSES 2(N), (O), OR (9) OF RULE XI

Serial No.	Hearing Title	Hearing Date
116–1	Time for Action: Addressing the Environmental and Economic Effects of Climate Change (Subcommittee on Environment and Climate Change).	February 6, 2019.
116–3	Examining the Failures of the Trump Administration's Inhumane Family Separation Policy (Subcommittee on Oversight and Investigations).	February 7, 2019.
116–6	Strengthening Our Health Care System: Legislation to Reverse ACA Sabotage and Ensure Pre-Existing Conditions Protections (Subcommittee on Health).	February 13, 2019.
116–7	Protecting Consumer Privacy in the Era of Big Data (Subcommittee on Consumer Protection and Commerce).	February 26, 2019.
116–8	EPA's Enforcement Program: Taking the Environmental Cop Off the Beat (Subcommittee on Environment and Climate Change).	February 26, 2019.
116–11	We'll Always Have Paris: Filling the Leadership Void Caused by Federal Inaction on Climate Change (Subcommittee on Environment and Climate Change).	February 28, 2019.
116–12	Strengthening Our Health Care System: Legislation to Lower Consumer Costs and Expand Access (Subcommittee on Health).	March 6, 2019.
116–14	Wasted Energy: DOE's Inaction on Efficiency Standards and Its Impact on Consumers and the Climate (Subcommittee on Energy).	March 7, 2019.
116–15	Legislating to Safeguard the Free and Open Internet (Subcommittee on Communications and Technology).	March 12, 2019.
116–16	The Fiscal Year 2020 HHS Budget (Subcommittee on Health)	March 12, 2019.
116–17	Lowering the Cost of Prescription Drugs: Reducing Barriers to Market Competition (Subcommittee on Health).	March 13, 2019.
116–18	Mismanaging Chemical Risks: EPA's Failure to Protect Workers (Subcommittee on Environment and Climate Change).	March 13, 2019.
116–21	Priced Out of a Lifesaving Drug: The Human Impact of Rising Insulin Costs (Subcommittee on Oversight and Investigations).	April 2, 2019.
116–22	The Fiscal Year 2020 EPA Budget (Subcommittee on Environment and Climate Change).	April 9, 2019.
116–25	Priced Out of a Lifesaving Drug: Getting Answers on the Rising Cost of Insulin (Subcommittee on Oversight and Investigations).	April 10, 2019.
116–27	Prescription Drug Coverage in the Medicare Program (Subcommittee on Health)	April 30, 2019.
116–28	The State of Pipeline Safety and Security in America (Subcommittee on Energy)	May 1, 2019.
116–29	DOE's Mounting Cleanup Costs: Billions in Environmental Liability and Growing (Subcommittee on Oversight and Investigation).	May 1, 2019.
116–31	Oversight of the Federal Trade Commission: Strengthening Protections for Americans' Privacy and Data Security (Subcommittee on Consumer Protection and Commerce).	May 8, 2019.
116–32	Lowering Prescription Drug Prices: Deconstructing the Drug Supply Chain (Subcommittee on Health).	May 9, 2019.
116–33	The Fiscal Year 2020 DOE Budget (Subcommittee on Energy)	May 9, 2019.
116–34	Accountability and Oversight of the Federal Communications Commission (Subcommittee on Communications and Technology).	May 15, 2019.
116–35	Protecting Americans at Risk of PFAS Contamination and Exposure (Subcommittee on Environment and Climate Change).	May 15, 2019.
116–36	Undermining Mercury Protections: EPA Endangers Human Health and the Environment (Subcommittee on Oversight and Investigations).	May 21, 2019.
116–37	Improving Drug Pricing Transparency and Lowering Prices for American Consumers (Subcommittee on Health).	May 21, 2019.
116–42	Critical Mission: Former Administrators Address the Direction of the EPA (Subcommittee on Oversight and Investigations).	June 11, 2019.
116–44	Oversight of FERC: Ensuring Its Actions Benefit Consumers and the Environment (Subcommittee on Energy).	June 12, 2019.
116–48	Legislative Solutions to Make Our Nation's Pipelines Safer (Subcommittee on Energy).	June 19, 2019.
116–49	Driving in Reverse: The Administration's Rollback of Fuel Economy and Clean Car Standards (Subcommittee on Consumer Protection and Commerce and the Subcommittee on Environment and Climate Change).	June 20, 2019.
116–52	Keeping The Lights On: Addressing Cyber Threats To The Grid (Subcommittee on Energy).	July 12, 2019.
116–54	Our Wireless Future: Building A Comprehensive Approach to Spectrum Policy (Subcommittee on Communications and Technology).	July 16, 2019.
116–55	Building America's Clean Future: Pathways to Decarbonize the Economy (Subcommittee on Environment and Climate Change).	July 24, 2019.

HEARINGS HELD PURSUANT TO CLAUSES 2(N), (O), OR (9) OF RULE XI—Continued

Serial No.	Hearing Title	Hearing Date
116–59	Protecting and Securing Chemical Facilities from Terrorist Attacks (Subcommittee on Environment and Climate Change).	September 11, 2019.
116–62	Protecting Unaccompanied Children: The Ongoing Impact of the Trump Administration's Cruel Policies (Subcommittee on Oversight and Investigations).	September 19, 2019.
116–63	Profits Over Consumers: Exposing How Pharmaceutical Companies Game the System (Consumer Protection and Commerce).	September 19, 2019.
116–67	Legislating to Secure America's Wireless Future (Subcommittee on Communications and Technology).	September 27, 2019.
116–69	Fostering a Healthier Internet to Protect Consumers (Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce).	October 16, 2019.
116–71	Sabotage: The Trump Administration's Attack on Health Care (Subcommittee on Oversight and Investigations).	October 23, 2019.
116–74	Protecting the RFS: The Trump Administration's Abuse of Secret Waivers (Subcommittee on Environment and Climate Change).	October 29, 2019.
116–76	Safeguarding Pharmaceutical Supply Chains in a Global Economy (Subcommittee on Health).	October 30, 2019.
116–77	Building a 100 Percent Clean Economy: Solutions for the U.S. Power Sector (Subcommittee on Energy).	October 30, 2019.
116–80	Flu Season: U.S. Public Health Preparedness and Response (Subcommittee on Oversight and Investigations).	December 4, 2019.
116–81	Accountability and Oversight of the Federal Communications Commission (Subcommittee on Communications and Technology).	December 5, 2019.
116–82	Building a 100 Percent Clean Economy: Solutions for Economy-Wide Deep Decarbonization (Subcommittee on Environment and Climate Change).	December 5, 2019.
116–83	Securing the U.S. Drug Supply Chain: Oversight of FDA's Foreign Inspection Program (Subcommittee on Health).	December 10, 2019.
116–86	Americans at Risk: Manipulation and Deception in the Digital Age (Subcommittee on Environment and Climate Change).	January 8, 2020.
116–91	Out of Control: The Impact of Wildfires on our Power Sector andthe Environment (Subcommittee on Environment and Climate Change).	January 28, 2020.
116–94	Empowering and Connecting Communities through Digital Equity and Internet Adoption (Subcommittee on Communications).	January 29, 2020.
116–95	Modernizing the Natural Gas Act to Ensure it Works for Everyone (Subcommittee on Energy).	February 5, 2020.
116–99	EPA's Lead and Copper Proposal: Falling Short of Protecting Public Health (Subcommittee on Environment and Climate Change).	February 11, 2020.
116–103	The Fiscal Year 2021 HHS Budget and Oversight of the Coronavirus Outbreak (Subcommittee on Health).	February 26, 2020.
116–104	The Fiscal Year 2021 Environmental Protection Agency Budget (Subcommittee on Environment and Climate Change).	February 27, 2020.
116–105	Strengthening Communications Networks to Help Americans in Crisis (Subcommittee on Communications and Technology).	February 27, 2020.
116–110	Protecting Scientific Integrity in the COVID–19 Response (Subcommittee on Health)	May 14, 2020.
116–112	Pollution and Pandemics: COVID–19's Disproportionate Impact on Environmental Justice Communities (Subcommittee on Environment and Climate Change).	June 9, 2020.
116–113	Reviving our Economy: COVID–19's Impact on the Energy Sector (Subcommittee on Energy).	June 16, 2020.
116–114	Health Care Inequality: Confronting Racial and Ethnic Disparities in COVID–19 and the Health Care System (Subcommittee on Health).	June 17, 2020.
116–115	Oversight of the Trump Administration's Response to the COVID–19 Pandemic (Full Committee).	June 23, 2020.
116–116	A Country in Crisis: How Disinformation Online is Dividing the Nation (Subcommittee on Consumer Protection and Commerce).	June 24, 2020.
116–118	Addressing the Urgent Needs of Our Tribal Communities (Full Committee)	July 8, 2020.
116–120	Oversight of DOE During the COVID–19 Pandemic (Subcommittee on Energy)	July 14, 2020.
116–121	Pathway to a Vaccine: Efforts to Develop a Safe, Effective and Accessible COVID–19 Vaccine (Subcommittee on Oversight and Investigations).	July 21, 2020.
116–122	There's Something in the Water: Reforming Our Nation's Drinking Water Standards (Subcommittee on Environment and Climate Change).	July 28, 2020.
116–123	Improving Access to Care: Legislation to Reauthorize Key Public Health Programs (Subcommittee on Health).	July 29, 2020.
116–124	Building a 100 Percent Clean Economy: Opportunities for an Equitable, Low-Carbon Recovery (Subcommittee on Environment and Climate Change).	September 16, 2020.

HEARINGS HELD PURSUANT TO CLAUSES 2(N), (O), OR (9) OF RULE XI—Continued

Serial No.	Hearing Title	Hearing Date
116–125	Trump FCC: Four Years of Lost Opportunities (Subcommittee on Communications and Technology).	September 17, 2020.
116–127	Mainstreaming Extremism: Social Media's Role in Radicalizing America (Subcommittee on Communications and Technology).	September 24, 2020.
116–128	Pathway to a Vaccine: Ensuring a Safe and Effective Vaccine People Will Trust (Subcommittee on Oversight and Investigations).	September 30, 2020.
116–129	Generating Equity: Improving Clean Energy Access and Affordability (Subcommittee on Energy).	October 1, 2020.

