

□ 1230

A preliminary version of the Orange Book was produced in 1979. It was not until 1984, with the enactment of the Drug Price Competition and Patent Term Restoration Act of 1984, more commonly known as the Hatch-Waxman Act, that Congress codified the Orange Book.

This bill amends existing statute to make the Orange Book more useful, particularly for manufacturers of generic drugs. Enactment of this bill will allow these manufacturers to know which branded products face competition and when those products will no longer be protected by patents. Insurance companies, doctors, and patients will be able to determine when a generic alternative is available for a more expensive branded product.

The Food and Drug Administration is already performing the practices contained in this bill, but the legislation would codify current practices and ensure that certain patents are listed in the Orange Book. Additionally, patents that are found invalid would have to be removed following the conclusion of any appeals process.

Mr. Speaker, I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I yield 4 minutes to the gentlewoman from Illinois (Ms. KELLY), the author of H.R. 1503 and a wonderful member of the Health Subcommittee.

Ms. KELLY of Illinois. Mr. Speaker, I am pleased today to speak on my bill, H.R. 1503, the Orange Book Transparency Act, and the critical issue of transparency in the drug and medical device development space.

Should my colleagues vote in favor of this significant bill, the Orange Book Transparency Act will more efficiently achieve lowered costs and higher quality life-saving medicines for consumers. It will enhance market competition by getting generic drugs to market more rapidly. As much data show us, enhancing the market for generic drugs is one of the quickest ways to lower the costs that consumers pay at the pharmacy.

Two things matter to me with respect to healthcare costs. One, we must be proactive in enhancing transparency with regard to the information made available to generic drug developers. Most importantly, we must improve efficiency in the market for prescription drugs in order to ultimately lower costs to patients, their families, and their caregivers.

The Orange Book Transparency Act addresses both of these points by ensuring clarity in patent and exclusivity information maintained by FDA. It also requires that the Government Accountability Office study the effects of listing drug delivery patents in the Orange Book.

To be very clear, I support intellectual property protections for those researching and developing innovative treatments, but we have the responsibility to close loopholes that allow

drugmakers to prevent timely access to information that would lead to new generic drug development, increasing patient access and affordability.

Today, I present a strong and straightforward piece of legislation in order to get lower-cost drugs to Americans in my district and across the country. I am ecstatic that this bill is not only straightforward but also bipartisan.

Mr. Speaker, I thank my colleague from Kentucky, Mr. GUTHRIE, for his work on this bill and key stakeholders for their feedback throughout the process.

The Orange Book Transparency Act moves us in the right direction toward transparency and lower drug costs.

Mr. Speaker, I urge all my colleagues to vote in support of H.R. 1503 today.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE), the Republican ranking member of the Oversight and Investigations Subcommittee of the Energy and Commerce Committee.

Mr. GUTHRIE. Mr. Speaker, I rise today in support of H.R. 1503, the Orange Book Transparency Act of 2019.

The Food and Drug Administration's list of approved brand name therapeutic drug products, known as the Orange Book, plays an important role in drug development. H.R. 1503 will ensure the Orange Book continues to be effective and accurate by requiring drug companies to provide up-to-date information on patents that are relevant to each individual drug. It also directs the Government Accountability Office to study the impact of the patents being listed in the Orange Book.

Mr. Speaker, I thank Congresswoman KELLY from Illinois for her commitment to maintaining the value of the Orange Book to drug manufacturers, payers, providers, and patients. I appreciate her willingness to work together in a bipartisan manner, and I urge my colleagues to support H.R. 1503.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

H.R. 1503 would support the work that the Food and Drug Administration is already conducting and facilitate competition in the marketplace. Therefore, I urge my fellow Members to support this important legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I urge all Members of the House to support this bipartisan legislation that is going to move us closer to our overall goal of lowering the cost of prescription drugs for the American people.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ESHOO) that the House suspend the rules and pass the bill, H.R. 1503, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ESHOO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

**ADVANCING CRITICAL CONNECTIVITY EXPANDS SERVICE, SMALL BUSINESS RESOURCES, OPPORTUNITIES, ACCESS, AND DATA BASED ON ASSESSED NEED AND DEMAND ACT**

Mr. TONKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1328) to establish the Office of Internet Connectivity and Growth, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1328

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act” or the “ACCESS BROADBAND Act”.

**SEC. 2. ESTABLISHMENT OF THE OFFICE OF INTERNET CONNECTIVITY AND GROWTH.**

Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall establish the Office of Internet Connectivity and Growth within the National Telecommunications and Information Administration.

**SEC. 3. DUTIES.**

(a) **OUTREACH.**—The Office shall—

(1) connect with communities that need access to high-speed internet and improved digital inclusion efforts through various forms of outreach and communication techniques;

(2) hold regional workshops across the country to share best practices and effective strategies for promoting broadband access and adoption;

(3) develop targeted broadband training and presentations for various demographic communities through various media; and

(4) develop and distribute publications (including toolkits, primers, manuals, and white papers) providing guidance, strategies, and insights to communities as the communities develop strategies to expand broadband access and adoption.

(b) **TRACKING OF FEDERAL DOLLARS.**—

(1) **BROADBAND INFRASTRUCTURE.**—The Office shall track the construction and use of and access to any broadband infrastructure built using any Federal support in a central database.

(2) **ACCOUNTING MECHANISM.**—The Office shall develop a streamlined accounting mechanism by which any agency offering a Federal broadband support program and the Commission through the Universal Service Fund shall provide the information described in paragraph (1) in a standardized and efficient fashion.

(3) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, and every year thereafter, the Office shall make public on the website of the Office and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the following:

(A) A description of the work of the Office for the previous year and the number of residents of the United States that received broadband as result of Federal broadband support programs and the Universal Service Fund program.

(B) A description of how many residents of the United States were provided broadband by which universal service mechanism or which Federal broadband support program.

(C) An estimate of the economic impact of such broadband deployment efforts on the local economy, including any effect on small businesses or jobs.

#### SEC. 4. STREAMLINED APPLICATIONS FOR SUPPORT.

(a) AGENCY CONSULTATION.—The Office shall consult with any agency offering a Federal broadband support program to streamline and standardize the applications process for financial assistance or grants for such program.

(b) AGENCY STREAMLINING.—Any agency offering a Federal broadband support program shall amend their applications for broadband support, to the extent practicable and as necessary, to streamline and standardize applications for Federal broadband support programs across the Government.

(c) SINGLE APPLICATION.—To the greatest extent practicable, the Office shall seek to create one application that may be submitted to apply for all, or substantially all, Federal broadband support programs.

(d) WEBSITE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Office shall create a central website through which potential applicants can learn about and apply for support through any Federal broadband support program.

#### SEC. 5. COORDINATION OF SUPPORT.

The Office, any agency that offers a Federal broadband support program, and the Commission through the Universal Service Fund shall coordinate with the Office to ensure that support is being distributed in an efficient, technology-neutral, and financially sustainable manner, with the goal of serving the largest number of persons in the United States while avoiding overbuilding and promoting the most job and economic growth for all residents of the United States.

#### SEC. 6. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551 of title 5, United States Code.

(2) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(3) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(4) FEDERAL BROADBAND SUPPORT PROGRAM.—The term “Federal broadband support program” does not include any Universal Service Fund program and means any of the following programs (or any other similar Federal program) to the extent the program offers broadband internet service or programs for promoting broadband access and adoption for various demographic communities through various media for residential, commercial, community providers, or academic establishments:

(A) The Telecommunications and Technology Program of the Appalachian Regional Commission.

(B) The Telecommunications Infrastructure Loans and Loan Guarantees, the Rural Broadband Access Loans and Loan Guarantees, the Substantially Underserved Trust Areas Provisions, the Community Connect Grant Program, and the Distance Learning and Telemedicine Grant Program of the Rural Utilities Service of the Department of Agriculture.

(C) The Public Works and Economic Adjustment Assistance Programs and the Planning and Local Technical Assistance Programs of the Economic Development Administration of the Department of Commerce.

(D) The Community Development Block Grants and Section 108 Loan Guarantees, the Funds for Public Housing Authorities: Capital Fund and Operating Fund, the Multifamily Housing, the Indian Community Development Block Grant Program, the Indian Housing Block Grant Program, the Title VI Loan Guarantee Program, Choice Neighborhoods, the HOME Investment Partnerships Program, the Housing Trust Fund, and the Housing Opportunities for Persons with AIDS of the Department of Housing and Urban Development.

(E) The American Job Centers of the Employment and Training Administration of the Department of Labor.

(F) The Library Services and Technology Grant Programs of the Institute of Museum and Library Services.

(5) OFFICE.—The term “Office” means the Office of Internet Connectivity and Growth established pursuant to section 2.

(6) UNIVERSAL SERVICE FUND PROGRAM.—The term “Universal Service Fund program” means any program authorized under section 254 of the Communications Act of 1934 (47 U.S.C. 254) to help deploy broadband.

(7) UNIVERSAL SERVICE MECHANISM.—The term “universal service mechanism” means any funding stream provided by a Universal Service Fund program to support broadband access.

#### SEC. 7. RULE OF CONSTRUCTION.

Nothing in this Act is intended to alter or amend any provision of section 254 of the Communications Act of 1934 (47 U.S.C. 254).

#### SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Indiana (Mrs. BROOKS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1328, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TONKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 1328, the Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act, or the ACCESS BROADBAND Act.

Mr. Speaker, I first want to thank my good friend, Representative BROOKS, for partnering with me on this

legislation. I also thank the bipartisan group of Members who have cosponsored and supported this legislation, including the many members of the Energy and Commerce Committee who agree that these simple steps can make a big difference for the local communities that our Federal broadband programs are meant for.

Let me be clear: This bill is about serving the people. While a number of valuable Federal broadband initiatives exist, they are siloed in different agencies and are not often coordinated with one another. As a result, the process for local community and business leaders can be confusing.

H.R. 1328, the ACCESS BROADBAND Act, would establish a coordinating office for Federal broadband resources by creating an Office of Internet Connectivity and Growth within the National Telecommunications and Information Administration at the Department of Commerce.

Helping these constituents gain access to broadband internet in the capital region is one of the reasons I sought to join the Energy and Commerce Committee and why I have worked to advance this legislation.

Access to high-speed broadband internet service is increasingly essential. Today, people rely on baseline internet access for banking, to find a job, to do their homework, to communicate with their doctor or other healthcare provider, to communicate with their loved ones, to petition their government, and so much more. Yet, many Americans still do not have reliable high-speed internet service at home.

While a number of valuable Federal broadband initiatives exist, they are siloed in different agencies and are not often coordinated with one another. As a result, the process for local community and business leaders can be confusing.

H.R. 1328, the Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act, or ACCESS BROADBAND Act, would establish a coordinating office.

This new office would hold regional workshops to share best practices and strategies for supporting local business and community leaders interested in expanding broadband access and its adoption.

Our bill would also direct the Office of Internet Connectivity and Growth to consult with any agency offering Federal broadband support to streamline the application process and, to the greatest extent practicable, to create one universal application regardless of which Federal agency or office is involved.

Most importantly, this new office, Mr. Speaker, will be charged with coordinating broadband support provided by all of our Federal agencies that are working to solve this problem, including support offered at the Federal Communications Commission and the Rural

Utility Service at the Department of Agriculture.

Furthermore, the bill clarifies that nothing in this act would alter or amend any provision of the section of law that authorizes the FCC's Universal Service Fund.

H.R. 1328 is an important bill that would indeed help speed up broadband deployment to unserved and underserved areas and promote broadband adoption.

There is still much more work to be done on this issue, and I do hope that this can serve as a starting place for us to open doors of opportunity and access to millions of Americans by investing in broadband expansion.

Mr. Speaker, I thank all the Members and staff working together on ACCESS BROADBAND to help ensure that our communities can access the broadband resources that they need to grow and prosper.

The ACCESS BROADBAND Act is a bipartisan, commonsense bill, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1328, the ACCESS BROADBAND Act. I would also like to take this time to thank my colleague, Representative TONKO, for asking me to partner on this very important bill. I thank him and his team for this work.

Why is this bill so important? To put it simply, people in every State of our country, including Indiana, need better access to the internet.

This is no surprise to us. Every time I am home, back in the Fifth District, Hoosiers, particularly from rural areas, tell me they are afraid of being left behind in the 21st century economy because we continue to be more and more reliant on technology.

I have spoken to many members of the Indiana Farm Bureau who have voiced their continued concerns with the level of connectivity in Indiana and, as we have learned, throughout the country. They cannot wait and hope for new technology to fix their connectivity problems that have existed for years.

Additionally, today, more and more schools require homework to be submitted electronically, tests are taken online, and class notes are posted on school websites. When students can't access the internet, they often have to travel to a library daily in order to just keep up with their studies, or they risk falling behind in their classes.

We can't forget about the impact the internet has had on businesses of all sizes, especially small businesses. This week is National Small Business Week, so small businesses from across the country are meeting with Members of Congress or their staff about the obstacles they face as they work to grow their businesses.

Each year, these advocates highlight the need for the Federal Government

to better support their efforts. A significant part of that equation is working to ensure better and faster access to the internet, no matter where their business is located or no matter how large or small it is.

When small businesses don't have broadband internet access, their communities suffer, and they miss opportunities to create new jobs, drive innovation, and increase our country's global competitiveness.

□ 1245

For all these reasons and more, we must do more to support our communities in an age where internet connectivity is crucial to success.

Indiana has recognized this critical need and has made a commitment to invest \$100 million in supporting broadband access across the State for underserved areas. This Next Level Connections program is exactly the kind of idea that the ACCESS BROADBAND Act will help support. By making Federal resources easier to access, Indiana will be better able to support its own internet access efforts.

The ACCESS BROADBAND Act is an important step toward eliminating broadband access difficulties. This bill will require the National Telecommunications and Information Administration to create an office to coordinate all the various Federal efforts that support broadband deployment and access. This office will perform outreach to communities in every corner of our country to inform them how they can best support internet access development. It will also require the office to standardize applications for financial assistance or grants and work to create a single application for all Federal broadband support programs.

This bill is about bringing the benefits of broadband communications into the lives of our constituents. I am glad Congress is acting on a solution to help address this problem faced not only by Hoosiers but Americans all across the country.

I thank the gentleman from New York, Representative TONKO, once again for allowing me to partner with him on this important legislation. I look forward to working with him in the future on similar issues to ensure that our country and our constituents are wired and ready to compete.

Mr. Speaker, I urge all my colleagues in the House to support this measure, and I yield back the balance of my time.

Mr. TONKO. Mr. Speaker, again, I urge my colleagues to support H.R. 1328. It underscores the very relevance and importance of broadband in today's society. It speaks to fairness for all communities, certainly for all households, businesses, and the like. It is a way for us to offer a greater partnership with government, more effective governance, with this given phenomenon of technology. I encourage my colleagues to support that.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and pass the bill, H.R. 1328, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 8, 2019.

Hon. NANCY PELOSI,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 8, 2019, at 11:00 a.m.:

Appointment:  
Congressional-Executive Commission on the People's Republic of China.  
Commission on Security and Cooperation in Europe (Helsinki).

With best wishes, I am  
Sincerely,

CHERLY L. JOHNSON.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 48 minutes p.m.), the House stood in recess.

□ 1330

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARSON of Indiana) at 1 o'clock and 30 minutes p.m.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Brian Pate, one of his secretaries.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 1503 and  
H.R. 1520, if ordered.