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PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

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No. 129

## House of Representatives

The House met at 11:30 a.m. and was called to order by the Speaker pro tempore (Mr. RASKIN).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 30, 2019.

I hereby appoint the Honorable JAMIE RASKIN to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

Monsignor Stephen J. Rossetti, Catholic University of America, Washington, D.C., offered the following prayer:

Good and gracious God, you are light, and wherever You shine, You cast out the darkness. We have become so very aware of the darkness which invades this world and causes distrust and discord.

Come now into this place and into our hearts, dispel the darkness, and bring on Your kingdom of light. Let peace reign in this place today and always.

We make this prayer in the power of Your spirit and Your holy name.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a) of House Resolution 509, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by the Speaker on Friday, July 26, 2019:

H.R. 1569, to amend title 28, United States Code, to add Flagstaff and Yuma to the list of the locations in which court shall be held in the judicial district for the State of Arizona;  
H.R. 2196, to amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs.

### 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, July 29, 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 July 29, 2019, at 10:17 a.m.:

That the Senate passed S. 1275.  
That the Senate passed with an amendment H.R. 504.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,  
*Deputy Clerk.*

### 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, July 29, 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 July 30, 2019, at 10:04 a.m.:

That the Senate passed without amendment H.R. 2695.

With best wishes, I am,  
Sincerely,

ROBERT F. REEVES,  
*Deputy Clerk.*

### EMPOWERING BENEFICIARIES,ENSURING ACCESS, AND STRENGTHENING ACCOUNTABILITY ACT OF 2019

Ms. NORTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3253) to provide for certain extensions with respect to the Medicaid program under title XIX of the Social Security Act, and for other purposes, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:  
Senate amendment:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Sustaining Excellence in Medicaid Act of 2019".*

**SEC. 2. EXTENSION OF THE COMMUNITY MENTAL HEALTH SERVICES DEMONSTRATION PROGRAM.**

Section 223(d)(3) of the Protecting Access to Medicare Act of 2014 (42 U.S.C. 1396a note), as amended by Public Law 116-29, is amended by striking “July 14, 2019” and inserting “September 13, 2019”.

**SEC. 3. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERTIMENT.**

(a) **IN GENERAL.**—Section 2404 of Public Law 111-148 (42 U.S.C. 1396r-5 note) is amended by striking “September 30, 2019” and inserting “December 31, 2019”.

(b) **RULE OF CONSTRUCTION.**—Nothing in section 2404 of Public Law 111-148 (42 U.S.C. 1396r-5 note) or section 1902(a)(17) or 1924 of the Social Security Act (42 U.S.C. 1396a(a)(17), 1396r-5) shall be construed as prohibiting a State from applying an income or resource disregard under a methodology authorized under section 1902(r)(2) of such Act (42 U.S.C. 1396a(r)(2))—

(1) to the income or resources of an individual described in section 1902(a)(10)(A)(ii)(VI) of such Act (42 U.S.C. 1396a(a)(10)(A)(ii)(VI)) (including a disregard of the income or resources of such individual’s spouse); or

(2) on the basis of an individual’s need for home and community-based services authorized under subsection (c), (d), (i), or (k) of section 1915 of such Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

**SEC. 4. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.**

Section 6071(h)(1)(F) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking “\$132,000,000” and inserting “\$254,500,000”.

**SEC. 5. EXTENSION FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.**

Section 501(c) of the Social Security Act (42 U.S.C. 701(c)) is amended—

(1) in paragraph (1)(A)(vii), by striking “and 2019” and inserting “through 2024”; and

(2) in paragraph (3)(C), by striking “fiscal years 2018 and 2019” and inserting “fiscal year 2018 and each fiscal year thereafter”.

**SEC. 6. REDUCED WHOLESALE ACQUISITION COST (WAC)-BASED PAYMENTS FOR NEW DRUGS AND BIOLOGICALS.**

Section 1847A(c)(4) of the Social Security Act (42 U.S.C. 1395w-3a(c)(4)) is amended by striking “payable under this section for the drug or biological based on—” and all that follows through the period at the end and inserting the following: “payable under this section—

“(A) in the case of a drug or biological furnished prior to January 1, 2019, based on—

“(i) the wholesale acquisition cost; or

“(ii) the methodologies in effect under this part on November 1, 2003, to determine payment amounts for drugs or biologicals; and

“(B) in the case of a drug or biological furnished on or after January 1, 2019—

“(i) at an amount not to exceed 103 percent of the wholesale acquisition cost; or

“(ii) based on the methodologies in effect under this part on November 1, 2003, to determine payment amounts for drugs or biologicals.”.

Ms. NORTON (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentlewoman from the District of Columbia?

There was no objection.

A motion to reconsider was laid on the table.

**SENATE BILL REFERRED**

A bill of the Senate of the following title was taken from the Speaker’s table and, under the rule, referred as follows:

S. 1275. An act to require the collection of voluntary feedback on services provided by agencies, and for other purposes; to the Committee on Oversight and Reform.

**ENROLLED BILLS SIGNED**

Cheryl L. Johnson, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker on Friday, July 26, 2019:

H.R. 1569. An act to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona.

H.R. 2196. An act to amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs.

**ADJOURNMENT**

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 509, consistent with the fourth clause in section 5 of Article I of the Constitution, and notwithstanding section 132 of the Legislative Reorganization Act of 1946, the House stands adjourned until 11 a.m. on Friday, August 2, 2019.

Thereupon (at 11 o’clock and 34 minutes a.m.), consistent with the fourth clause in section 5 of Article I of the Constitution, and notwithstanding section 132 of the Legislative Reorganization Act of 1946, under its previous order, the House adjourned until Friday, August 2, 2019, at 11 a.m.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

1781. A letter from the FPAC-BC, Farm Service Agency, Department of Agriculture, transmitting the Department’s final rule—Emergency Conservation Program [Docket No.: FSA-2019-0006] (RIN: 0560-AI46) received July 25, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

1782. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting the Office’s report on discretionary appropriations legislation within seven calendar days of enactment, pursuant to 2 U.S.C. 901(a)(7)(B); Public Law 99-177, Sec. 251(a)(7)(B) (as amended by Public Law 114-113, Sec. 1003); (129 Stat. 3035); to the Committee on the Budget.

1783. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the De-

partment’s semi-annual report on Energy Conservation Standards Activities for July 2019, pursuant to 42 U.S.C. 15834; Public Law 109-58, Sec. 141(b); (119 Stat. 648); to the Committee on Energy and Commerce.

1784. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Revisions to the California State Implementation Plan, Feather River Air Quality Management District; Correction [EPA-R09-OAR-2015-0164; FRL-9997-33-Region 9] received July 24, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1785. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Modification of Significant New Uses for Oxazolidine, 3,3’-Methylenebis[5-methyl-, [EPA-HQ-OPPT-2011-0941; FRL-9995-09] (RIN: 2070-AB27) received July 24, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1786. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

1787. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007 is to continue in effect beyond August 1, 2019, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 116-54); to the Committee on Foreign Affairs and ordered to be printed.

1788. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-92, “Fiscal Year 2020 Budget Support Act of 2019”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

1789. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-95, “Warehousing and Storage Eminent Domain Authority Act of 2019”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

1790. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-96, “Power Line Undergrounding Program Certified Business Enterprise Utilization Act of 2019”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

1791. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-99, “Department of Health Functions Clarification Temporary Amendment Act of 2019”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

1792. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-107, “Mypheduh Films DBA Sankofa Video and Books Real Property Tax Exemption Act of 2019”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

1793. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-93, “Firearms Safety Omnibus Clarification Temporary Amendment Act of 2019”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.