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MARKUP OF: ENERGY AND COMMERCE COMMITTEE VOTE ON

H.R. 767; H.R. 772; H.R. 880; H.R. 931; H.R.

2422; H.R. 3387; AND H.R. 3388

THURSDAY, JULY 27, 2017

House of Representatives

Committee on Energy and Commerce

Washington, D.C.

The Committee met, pursuant to call, at 10:00 a.m., in Room 2123 Rayburn House Office Building, Hon. Greg Walden [Chairman of the Committee] presiding.

Present: Representatives Walden, Barton, Upton, Shimkus, Murphy, Burgess, Blackburn, Latta, McMorris Rodgers, Harper, Lance, Guthrie, Olson, McKinley, Kinzinger, Griffith, Bilirakis, Johnson, Long, Bucshon, Flores, Brooks, Mullin, Hudson, Collins, Cramer, Walberg, Walters, Costello, Carter, Pallone, Rush, Eshoo, Engel, Green, DeGette, Doyle, Schakowsky, Butterfield, Matsui,

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Castor, Sarbanes, McNerney, Welch, Lujan, Tonko, Clarke, Loeb sack, Schrader, Kennedy, Cardenas, Ruiz, Peters, and Dingell.

Staff present: Ray Baum, Staff Director; Mike Bloomquist, Deputy Staff Director; Elena Brennan, Legislative Clerk, Energy/Environment; Adam Buckalew, Professional Staff Member, Health; Karen Christian, General Counsel; Kelly Collins, Staff Assistant; Jerry Couri, Chief Environmental Advisor; Paul Edattel, Chief Counsel, Health; Blair Ellis, Digital Coordinator/Press Secretary; Melissa Froelich, Counsel, Digital Commerce and Consumer Protection; Adam Fromm, Director of Outreach and Coalitions; Ali Fulling, Legislative Clerk, Oversight and Investigations; Giulia Giannangeli, Legislative Clerk, Digital Commerce and Consumer Protection/Communications and Technology; Jay Gulshen, Legislative Clerk, Health; Tom Hassenboehler, Chief Counsel, Energy/Environment; Paul Jackson, Professional Staff, Digital Commerce and Consumer Protection; A. T. Johnston, Senior Policy Advisor, Energy; Peter Kielty, Deputy General Counsel; Bijan Koohmaraie, Counsel, Digital Commerce and Consumer Protection; Mary Martin, Deputy Chief Counsel, Energy and Environment; Katie McKeough, Press Assistant; Paul Nagle, Chief Counsel, Digital Commerce & Consumer Protection; Mark Ratner, Policy Coordinator; Dan Schneider, Press Secretary; Jennifer Sherman, Press Secretary; Sam Spector, Policy Coordinator, Oversight and Investigations; Madeline Vey, Policy

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Coordinator, Digital Commerce and Consumer Protection; Hamlin Wade, Special Advisor, External Affairs; Michelle Ash, Minority Chief Counsel, Digital Commerce & Consumer Protection; Jacquelyn Bolen, Minority Professional Staff; Jeff Carroll, Minority Staff Director; Jacqueline Cohen, Minority Chief Environment Counsel; David Cwiertny, Minority Energy/Environment Fellow; Elizabeth Ertel, Minority Office Manager; Lisa Goldman, Minority Counsel; Waverly Gordon, Minority Health Counsel; Rick Kessler, Minority Senior Advisor and Staff Director, Energy and Environment; Jessica Martinez, Minority Outreach and Member Services Coordinator; Dan Miller, Minority Policy Analyst; Caroline Paris-Behr, Minority Policy Analyst; Tim Robinson, Minority Chief Counsel; Samantha Satchell, Minority Policy Analyst; Matt Schumacher, Minority Deputy Press Secretary and Digital Director; Andrew Souvall, Minority Director of Communications, Outreach and Member Services; and C. J. Young, Minority Press Secretary.

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The Chairman. Members will take their seats.

Good morning, everyone, and welcome to our full committee markup. As our Staff Director on our side, Ray Baum, often likes to say, the fun never stops, and we will be working in that spirit today with our fourth full committee markup this Congress.

Before us today are seven common sense bills that seek to protect consumers on our roadways, advance public health, and modernize the nation's drinking water infrastructure.

Today, we are taking an important step toward making our roadways safer and reducing the rising number of traffic-related fatalities. We can set the stage for the continued development of self-driving cars and ensure that America stays the innovation leader that it is.

I truly believe the bipartisan bill-drafting process for self-driving legislation is an example of our committee at its best and our staff at their best, working together to pursue the common goal of saving lives.

Our aim was to develop a regulatory structure that allows for industry to safely innovate with significant government oversight, as safety has to be our chief priority, and I believe today's legislation strikes that critical balance.

Shifting gears for a moment, we are also considering five public health bills today. The first is H.R. 767, the Stop, Observe, Ask, and Respond, or SOAR, to Health and Wellness Act

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of 2017. It will provide much-needed training to help professionals so they can better identify and appropriately treat human trafficking victims.

H.R. 880, the MISSION ZERO Act, will create a military-civilian partnership grant program to advance cutting-edge trauma care in civilian settings.

By integrating the Defense Department's successful care model into civilian settings, we will improve trauma care and we will save lives.

H.R. 931, the Firefighter Cancer Registry Act of 2017, will create a national registry to voluntarily collect information to better understand cancer incidents in firefighters and help work toward protective measures.

H.R. 2422, the Action for Dental Health Act of 2017, will help target important resources to increase access to oral health education and dental services in communities in need.

H.R. 772, the Common Sense Nutrition Disclosure Act of 2017, would revise the FDA's nutrition disclosure standards to make them more flexible for retail food establishments and avoid a patchwork of inconsistent and overly burdensome state and local regulations.

Now, I realize some of these bills will need some offsets and we will continue to work together to find those offsets in a bipartisan fashion to resolve any cut-go issues before these

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measures reach the House floor.

Last, but certainly not least, we have legislation related to the nation's drinking water. Moving a serious reauthorization of any major environmental law such as the Safe Drinking Water Act, takes a lot of cooperation and willingness to work out the issues and find common ground.

That common ground has brought us to where we are today. This bill focuses on three main principles: increasing funding to address drinking water systems' physical needs, aiding states' and utilities' compliance and operation of the drinking water program, and encouraging the wisest use of the money that is spent.

So, cumulatively, these bills represent this committee's dedication to advancing thoughtful solutions that put American consumers and patients first and exemplify our dedication to work across the aisle on things where we agree.

I would like to thank my colleagues on both sides of the aisle and their staffs for their good faith efforts on these really important bills.

With that, if there are any members on our side that would like the balance of my time, I will yield to the gentleman from Texas, Dr. Burgess.

Mr. Burgess. I thank the Chairman for yielding and I want to thank Chairman Walden and Chairman Latta for their work on the self-driving vehicle legislation.

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When I was chairman of Commerce, Manufacturing, and Trade Subcommittee, we spent a lot of time on self-driving technology and the ability that it had to save lives.

It is important we continue to promote the development of these vehicles as they get closer to adoption on our roadways. Self-driving vehicles have the potential to increase mobility, change ownership models, increase the sharing economy, and improve work capacity.

Consumption of entertainment products and services may also grow as people find new ways to spend their travel time.

The most important change is the ability to save lives. Last year in my home state of Texas, automobile fatalities reached over 3,500.

Throughout my life I've seen the lifesaving effects of advancements in vehicle technology from seatbelts to airbags to anti-lock brakes. Self-driving vehicles are the next step in this trajectory.

Automobile dealers are very important back home. I understand that there was concern about this legislation's preemption language. I am glad that a compromise was worked out.

Today's markup is focused on advancing the adoption of self-driving vehicles. I look forward to working with my colleagues on the road to deployment, and I yield back.

The Chairman. Oh, you got up early this morning. That was

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pretty good -- the road to deployment.

Gentleman yields back. The Chair now recognizes the gentleman from New Jersey, Mr. Pallone, for five minutes.

Mr. Pallone. Thank you, Mr. Chairman.

Our Full Committee markup today will begin with legislation addressing self-driving vehicles. While I still contend that we did not need to rush this issue as we have over the last several weeks, I am proud to say that we have reached a bipartisan agreement.

I want to start by thanking Chairmen Latta and Walden and Ranking Member Schakowsky and their staffs for getting us to this point.

This bill is not perfect. I would have preferred no preemption provision. But we were able to narrow it. The legislation also includes a phase-in period in the exemption section so that millions of exempted cars will not hit our roads all at once.

Moreover, we have ensured that the federal government's lead auto safety agency will be required to do rulemakings and industry will be required to submit safety assessment certifications.

We insist that any manufacturer entering this market must have cybersecurity practices in place before their cars are sold. It also includes provisions that will protect drivers and passengers including requirements to ensure kids are not

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forgotten in hot cars and that all new cars have the latest technology in their head lamps.

These are all important provisions but there is still more work to be -- to be done. We must still address an authorization of appropriations for the auto safety agency, which is not in the bill, and I still hope we can hear from NHTSA about how it would implement the bill's provisions.

I am committed to getting this bill through the legislative process as long as we insist on safety being the top priority.

We will also markup four bipartisan public health bills that will improve our ability to respond to critical health care issues and will provide needed resources to address ongoing public health concerns.

However, I will not support the fifth health bill before us today. H.R. 772, the Common Sense Nutrition Disclosure Act of 2017 dealing with menu labeling is not common sense, in my opinion.

This bill would make significant changes to the menu labeling requirements passed as part of the Affordable Care Act that are intended to provide consumers with access to accurate nutritional information about their food when they are eating out.

And I remain concerned that FDA's final menu labeling rule has been delayed and that this bill would only add to consumer and industry confusion. Many in the restaurant and food industry have already made significant investments to comply and this bill

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would only upend those efforts.

Finally today we will markup the Drinking Water System Improvement Act, which addresses many of the challenges facing communities nationwide who do not have confidence in the safety of their drinking water.

And in terms of what are those concerns, well, harm from lead and other contaminants, water main breaks and crumbling infrastructure, risks from hurricanes, droughts, and other extreme weather.

Access to safe drinking water is, obviously, essential to our health and prosperity as a nation but it is far from guaranteed. So this bill will offer real funding and real tools to make our drinking water safer and to rebuild our drinking water infrastructure.

And I want to thank Chairman Walden and Shimkus for working with the Democratic members of this committee to craft and improve this legislation and I particularly want to thank Ranking Member Tonko for keeping the spotlight on drinking water issues and propelling this legislation forward.

When we held the legislative hearing on this bill in May, I said that we needed a bipartisan effort to reauthorize the drinking water state revolving fund.

The Chairman responded by working with us to improve this bill at subcommittee and I look forward to improving it even

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further through today's manager's amendment.

Once that amendment is adopted this bill will address a broad range of drinking water issues. It will take important steps to address the growing problem of lead in drinking water in homes and in schools.

It includes funding to replace lead drinking fountains and will require EPA to assess for the first time the anticipated cost to replace our lead service lines nationwide.

It will take important steps to improve consumer information about drinking water quality, making consumer confidence reports more understandable, more accurate, and more frequent.

And the legislation will also increase infrastructure funding to \$8 billion over five years and will ensure a minimum level of assistance for disadvantaged communities, reflecting provisions from Mr. Tonko's AQUA Act.

Later today I expect we will adopt a manager's amendment to address drinking water security and resilience consolidation to improve drinking water quality and compliance and broader monitoring for emerging contaminants.

Again, safe drinking water need not be a partisan issue, and I am glad that today it won't be. This is very important legislation, and I look forward to supporting it.

I yield back, Mr. Chairman.

The Chairman. Gentleman yields back.

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Before I call on Mr. Latta, I want the Committee to know that on Monday, our colleague, Mr. Costello, became a father again to Caroline. We want to extend congratulations to he and Christine.

[Applause.]

Do you wish to make any comments out of order, or do you just need sleep?

Mr. Costello. The one who's taking up most of the energy is the 32 year old because it is, like, you know, mom and baby are doing their thing, and so he's very excited, and thank you for acknowledging my second child. It is very special, and I appreciate you doing that.

The Chairman. Congratulations.

Now I would like to recognize the gentleman from Ohio, Mr. Latta, for opening comments.

Mr. Latta. Mr. Chairman, that is a hard act to follow. Thank you very much, Mr. Chairman.

In the Digital Commerce and Consumer Protection Subcommittee which I chair, we have -- we have taken the lead to draft comprehensive legislation on self-driving vehicles.

Last week in the subcommittee, we advanced a draft bipartisan compromise that aims to clarify the federal and state roles, ensure consumer safety and reduce traffic-related fatalities and injuries. Many of you heard these statistics, but they bear repeating.

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Each year, approximately 6 million Americans are involved in vehicular accidents, resulting in nearly 2 million injuries.

In 2016, approximately 40,000 people lost their lives on our nation's highways. Sadly, in my home state of Ohio, traffic deaths have been on the rise over the last few years.

We have an opportunity now to aid in testing and deploying these lifesaving technologies. Delaying means thousands of people will unnecessarily continue to be injured or die on our nation's highways.

Mr. Chairman, I know you and I share the belief that this should be a bipartisan effort and we have achieved that. I would like to thank you, Ranking Member Schakowsky, Ranking Member Pallone, and Mrs. Dingell for your significant interest and engagement.

I would also like to thank the staff for the many hours of meetings and preparations and negotiations. I want to also acknowledge the stakeholders who have been willing to work with us.

The subcommittee has had over 250 meetings this year alone with the autos, the disability community, seniors, tech communities, trade associations, suppliers, state transportation leaders, and, last but not least, NHTSA.

I am also pleased to report that we were able to finalize language that satisfies the concerns many of you heard on the

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franchise laws from our auto dealers.

Safety should be and always will be our number-one priority. As it is said, safety first, safety last, safety always.

I strongly believe that this bill will make a real difference for everyday Americans. In my remaining time, I would also like to address H.R. 3387, the Drinking Water System Improvement Act.

This important legislation will provide needed improvements to Ohio and the nation's aging drinking water infrastructure and ensure states and communities have greater flexibility in meeting their needs.

I thank Chairman Shimkus and the committee for including several provisions that I authored in this bill. Additionally, I am pleased that the Common Sense Nutrition Disclosure Act remains a priority for this committee.

I have continually supported initiatives that would allow flexibility for how food establishments provide consumers with nutrition information.

Thank you again, Mr. Chairman. I urge support of these bills and I yield back.

The Chairman. The gentleman yields back the balance of time.

The Chair -- yes. Anybody else? Or should we go ahead and move to bring up the bill or anybody, just general opening statements?

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Okay. The Chair recognizes the gentleman from Texas, Mr. Green.

Mr. Green. Thank you, Mr. Chairman.

We are marking up a number of bills today including H.R. 767, the SOAR to the Health and Wellness Act, which help health care professionals identify and assist human trafficking victims.

So far, far too many victims of trafficking have contact with a health care professional while they are in captivity and yet they go undetected.

This legislation builds on work initiated by the Administration of Children and Families in the Office of Women's Health in 2014 by establishing grants to further train health care providers in diverse care settings.

H.R. 931, the Firefighter Cancer Registry Act, will help advance understanding of increased incidents of cancer among our nation's heroic firefighters so we can develop better responses.

H.R. 2422, the Action on Dental Act, seeks to improve and promote oral health care. We are also considering H.R. 880, the MISSION ZERO Act, introduced by myself and Chairman Burgess along with Representative Castor and Representative Hudson.

This bill would promote the development and partnerships between civilian trauma centers and our military and is a step toward a national trauma system which allows a continuous seamless exchange of knowledge between the military and civilian health

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sectors.

I will also be supporting the manager's amendment, H.R. 3387, the Drinking Water System Improvement Act. This legislation is a significant step forward and it will give more Americans access to safe and clean drinking water.

I am happy to see the inclusion of several Democratic proposals that will help protect schoolchildren from lead water contamination, increasing federal resources for drinking water systems in low-income communities like those in our district in Houston and Harris County, Texas.

The self-driving vehicle legislation, H.R. 3388, the DECAL Act, is smart and balanced legislation that will help improve on our nation's roads and highways and give the industry the regulatory certainty needed to invest and insure in America's leadership in this section.

Now I want to congratulate both our chair and the ranking member on that subcommittee because when we first started it was such a big effort and they were able to come out with a bill -- bipartisan bill -- and I want to thank all the sponsors in the Committee for working in advance on these important bills and I thank the Chairman and yield back.

The Chairman. I thank the gentleman.

Other members on our -- on the Republican side seeking recognition? Gentleman -- gentleman from Florida, Mr.

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Bilirakis.

Mr. Bilirakis. Thank you, Mr. Chairman. I appreciate it so very much.

Today's markup is a testament to our ability to work in a bipartisan manner to get things done for the American people. I am especially proud of my legislation addressing community challenges.

Challenges emerging from self-driving systems, or the Access Act, will be included in H.R. 3388 with an amendment in the nature of a substitute.

This bill will help ensure that driverless vehicle technology will be developed with the needs of seniors and those with disabilities in mind.

According to the most recent government transport survey, 15 million Americans have difficulty getting the transportation they need. Last night, during my town hall meeting, a constituent of mine, a senior citizen, spoke about the need to improve our community's transit systems for those who have trouble with mobility.

We had a great discussion about how the innovative technology of autonomous vehicles could have a huge impact on underserved populations.

I would like to thank Chairman Walden, Chairman Latta, Ranking Member Pallone, and Ranking Member Schakowsky for their

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willingness to consider member feedback and get us to this bipartisan agreement.

Additionally, I would like to especially thank Representative Dingell for leading this effort with me. I support the amendment in the nature of a substitute and passage of the underlying bill.

In addition, I am glad we are considering the MISSION ZERO Act, which will promote quality care for our nation's heroes and our fellow citizens by sharing best practices through a military-civilian partnership in trauma care.

I also -- I am a co-sponsor of the Action Dental Health Act we are considering today, which increases preventive dental care access for underserved citizens.

In closing, I look forward to advancing the great work of this committee, and I yield back.

Thank you, Mr. Chairman. Appreciate it.

The Chairman. The gentleman yields back. I thank the gentleman.

The Chair recognizes the gentlelady from California for opening comments.

Ms. Matsui. Thank you, Mr. Chairman.

The committee is advancing critical legislation today and I appreciate that much of the work has been done on a bipartisan basis.

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Several of these bills address important public health issues including better coordination for trauma training, creating a new firefighter cancer registry, and a critical oral health promotion and disease prevention.

We also are reauthorizing the drinking water state revolving fund to help ensure every American's access to clean and safe water.

I am pleased that we reached a bipartisan agreement on legislation to facilitate the safe testing and deployment of autonomous vehicles.

We have all cited the potential this technology has for reducing deaths on our roads. But there are so many more benefits for our constituents and our communities that we can see from this innovative technology.

AVs will help expand mobility options for seniors and disabled Americans or areas that lack transit options today. We are seeing new business models that change the way we think about car ownership and which could dramatically decrease congestion on our streets.

We all want to encourage this innovation and we need to have the right protections in place so that consumers can trust that this technology is safe.

I have said throughout this process that my goal was to develop the right policy framework so that NHTSA has the

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appropriate resources and authority, and states and local governments retain their ability to protect their residents.

I have also wanted to see a bill that unlocks further innovation by creating a level playing field that allows technology companies and new market entrants to test AV systems.

The bill we are voting on today represents a compromise that I can support. I appreciate the good faith negotiations that have gotten us to this point.

Thank you, Mr. Chairman. I yield back.

The Chairman. I thank the gentlelady for her comments and good work.

Other members seeking recognition? Mr. Carter is recognized for two minutes.

Mr. Carter. Thank you, Mr. Chairman.

Mr. Chairman, we have seven bills in front of the committee today covering an array of issues but all of those issues are important to the people they would impact.

H.R. 767 will help combat human trafficking and ensure those victims get the best treatment possible. H.R. 772 sets forth reasonable and productive nutrition disclosure standards so Americans across the country know what they are eating.

H.R. 880 will help unite the best practices from both the civilian and military sides in developing trauma practices that will save lives.

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H.R. 931 would create a registry to maintain and track cases of cancer in firefighters and H.R. 2422 will provide essential dental services to people in underserved communities.

We will also be reauthorizing the Safe Drinking Water Act for the first time in over 20 years to help provide safe and stable drinking water supplies to our communities.

Finally, we are bringing up the first autonomous vehicle legislation in the history of Congress. I want to thank all of my colleagues on both sides of the aisle for their hard work and dedication in getting these bills to this point and urge support for all of them.

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

The Chairman. Gentleman yields back.

The Chair recognizes the gentlelady from Florida, Ms. Castor, for two minutes.

Ms. Castor. Well, thank you very much, Mr. Chairman, for holding this markup today on a package of very important bipartisan bills.

I would like to share my strong support for the MISSION ZERO Act and thank Chairman Burgess, Ranking Member Green, and Representative Hudson for working with me to move this bill.

The MISSION ZERO Act will promote innovative partnerships between civilian trauma centers across America with our military medical professionals. It is very important that our medical

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professionals -- the military medical professionals, while they are home, maintain their readiness.

And I have seen a similar initiative at work at home back in Tampa at the Tampa General Hospital, which is our level one trauma center in the Tampa Bay area. And the military medical professionals from McDill Air Force Base.

McDill is home to the 6th Air Medical Group and the 6th Air Mobility Wing and is home to U.S. Special Operations Command and Central Command, and since 2011 the medical -- the air medical group from McDill and Tampa General launched a full team training initiative with nurses, surgeons, and specialists and it has allowed the medical group to maintain full readiness because they are called at a moment's notice to deploy to all sorts of places all across the globe, especially the Middle East, and it has also had a benefit to the surgical team and the trauma teams that work at Tampa General because it is integrated and they are all focused on working together and honing their skills and maintaining readiness.

It has proven very successful and I am hopeful not that this type of initiative can be replicated all across the country to benefit all of us.

So I thank my colleagues and co-sponsors again and I yield back the balance of my time.

The Chairman. Gentlelady yields back the balance of her

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time.

I don't believe there are any other Republicans seeking an opening comment. I know -- Mr. McNerney, you are recognized for two minutes.

Mr. McNerney. Well, I thank the Chairman.

Hey, I am pretty excited about these autonomous vehicles and the potential that they represent and I am also excited that there is bipartisan support.

AVs have tremendous potential for lifesaving. It has already been well noted. AVs have the potential to provide mobility for millions who otherwise face difficulty driving. AVs will reduce congestion and parking challenges and AVs will help connect underserved communities.

So while I am glad to see that the committee is taking up this issue, it is really just a first step. We have to be vigilant to maximize the benefits and minimize the costs.

This means making sure that AVs are safely and appropriately tested and that strong consumer privacy and security protections are in place and, finally, that employment displacement issues are addressed.

With that, I yield back. Thank you, Mr. Chairman.

The Chairman. Gentleman yields back.

Now at this time the Chair recognizes the gentleman from New Mexico for two minutes.

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Mr. Lujan. Thank you, Mr. Chairman, and I would like to thank Chairmen Walden and Latta and Ranking Members Pallone and Schakowsky and all of their staffs.

At subcommittee last week, I offered my amendment on privacy because I think it is critically important that we do more to protect consumer privacy.

I withdrew that amendment based on a commitment from Chairman Latta and Ranking Member Schakowsky that we could work together on this common goal. I am happy to see that we reached that goal and were able to arrive at bipartisan package.

Now, with compromise you work to find common ground. This has been an important conversation and first step. The world we live in today is already so interconnected with different technologies, collecting and transmitting different data, sometimes storing it, sometimes not, and all of these devices have their own differing privacy policies.

We are heading toward a future where you smart house orders an autonomous vehicle through a ride share service to pick up your family and then drop them off at a different location, some of them on their mobile devices while others are using the in-car apps to watch videos or listen to music.

And on top of that, your house will know when you wake up and when you need to order more groceries and the ride share vehicle knows that you like to go out to eat on Thursdays.

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All of this will have serious implications for how consumer information is tracked and used and sold and share and it is our responsibility to take that challenge seriously.

And privacy is just one of the things we must consider as we build the infrastructure of tomorrow which will include autonomous vehicles, smart houses, the internet of things, smart grids, maker spaces, and broadband deployment.

These things, taken together, offer the potential to change the world in ways we can't even imagine today.

Going forward, I hope this committee and the House can more broadly engage in a conversation about privacy, data security, and consumer protections in this space as we continue to advance these amazing innovations.

And once again, I thank the Chairman, the ranking members, and the majority and minority staffs, and with that, Mr. Chairman, I yield back.

The Chairman. Gentleman yields back.

Chair recognizes the gentlelady from California, Mrs. Walters, for two minutes.

Mrs. Walters. Thank you, Mr. Chairman.

I recently introduced H.R. 3405, the Maximizing Research and Enhancement of Autonomous Vehicles Act, or known as the MORE Act, with my colleague from California, Ms. Matsui.

The MORE Act is critical to the advancement of self-driving

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vehicle technology as it allows new entrants to the automobile industry such as tech and ride-hailing companies to test this lifesaving technology on public roads.

The MORE Act expands upon the testing provisions that benefitted car manufacturers in the 2015 FAST Act. The bill levels the playing field by providing the same testing provisions to these new entrants.

By ensuring that these innovative companies can conduct AV testing, this legislation will enable these companies to further advance AV technology which will change the way we live.

The information gathered from testing and the enhanced industry competition will further incentivize the development of AV technology and public safety. This testing will also lead to a drastic reduction in thousands of motor vehicle deaths that occur in California each year. If Congress acts on these vital reforms, this testing and development will slash the 150-plus deaths that occur in Orange County, California each year.

As if the potential to save these many lives was not sufficient justification, the MORE Act and the broader AV package we are considering will drastically reduce traffic congestion and commute times in busy regions like southern California while improving the mobility for seniors and individuals with disabilities.

I would also like to note that the MORE Act maintains NHTSA's

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oversight authority by requiring these new entrants to disclose identifying information and other obligations.

I thank the committee for including the MORE Act in this amendment and urge my colleagues to support the bill. I also thank Chairman Walden, Subcommittee Chairman Latta, and the rest of their committee for the dedication in producing this important legislation.

I yield back the balance of my time.

The Chairman. The gentlelady yields back the balance of her time.

The Chair recognizes the gentleman from New York, Mr. Tonko. Thank you very much for your good work on this drinking water act.

Mr. Tonko. Thank you, Mr. Chair, and thank you for yielding.

Today marks a great step forward in guaranteeing the safe drinking water that our constituents expect and deserve. Unfortunately, far too often drinking water isn't safe, isn't affordable, or isn't reliable.

This is unacceptable. Every modern society depends on clean water. Americans deserve better but the reality is our local governments are often unable to do the preventative work necessary to make our water systems sustainable.

Crumbling pipes pose a serious risk to public health and public safety and the federal share of spending on water systems has trended downward for decades.

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Since the passage of the 1996 Safe Drinking Water Act amendments, federal funding for our drinking water infrastructure has been flat while the needs have continued to grow.

The Drinking Water System Improvement Act will go a long way to addressing these shortfalls. The Environment Subcommittee has done good work this year to build the record on the need for this legislation.

So I do want to thank Mr. Harper, Chair Walden, and Chair Shimkus for all of their work. I want to thank our ranking member, Frank Pallone, and staff on both sides of the aisle for the work done on this issue and the willingness to accept the significant number of Democratic provisions into this bill.

Drinking water infrastructure is too important. It is too important to our health and our economy to continue to ignore.

I look forward to continue to work across the aisle to advance this effort and with that, Mr. Chair, I yield back.

The Chairman. Gentleman yields back.

Are there other Republicans seeking recognition?

Seeing none on the Democratic side -- Mr. Cardenas, recognized for two minutes.

Mr. Cardenas. Thank you very much, Chairman Walden, and also Ranking Member Pallone for holding today's markup.

The bills being considered are unique and wide ranging and I am grateful to have been able to add my voice to the process.

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In particular, I would like to thank the staff for their good and hard work on these three bills -- the SOAR to Health and Wellness Act, the Common Sense Nutrition Disclosure Act, and the Self-Drive Act.

Also, I would like to thank Representative Cohen, the sponsor of the SOAR to Health and Wellness Act, and Representatives Kinzinger and Wagner for their leadership in supporting victims of human trafficking.

While I was on the Los Angeles City Council, the alarming case of 12 women who were forced to work as prostitutes in a brothel right there in Los Angeles was a wake-up call for me as a policy maker and also as a citizen.

My colleagues and I convened a citywide human trafficking task force back then and that task force changed victims' lives and also with the SOAR to Health and Wellness Act.

I am also pleased to help lead the Common Sense Nutrition Disclosure Act with my colleague, Congresswoman McMorris Rodgers, and in addition to that, on the autonomous vehicles we are marking up legislation for the first time in congressional history on this issue.

I am proud to see in this bill provisions I pushed for including my bill H.R. 3404, the Highly Automated Vehicle Advisory Council Act, which creates an advisory council at NHTSA focusing on labor issues, environmental impact, consumer privacy and

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cybersecurity and cabin safety all the while making sure states and cities are involved in the conversation.

I am fortunate to be a member of this committee working on issues that matter on behalf of my home town of Los Angeles and also the entire country.

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

The Chairman. Gentleman yields back.

Chair recognizes another gentleman from California for two minutes, Mr. Ruiz.

Mr. Ruiz. Thank you, Mr. Chairman.

I am glad we are holding this important markup today to advance a number of bills that will help improve the public's health from grants that support initiatives and improve access to dental health care in underserved communities to reauthorizing critical programs that help update our aging drinking water infrastructure and ensure it remains safe to drink.

I also appreciate that the committee has worked hard to make many of these bills bipartisan. I am pleased to support common sense ideas that will move our nation forward, not backward.

As I have said before, the function of our democratic government is to protect the common good for all citizens. I hope we can all agree that having clean and safe drinking water, regardless if you are rich or poor, is a common good.

That is why I support H.R. 3387, the Drinking Water Systems

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Improvement Act.

I also applaud H.R. 2422, the Action for Dental Health Act, which will improve the CDC's oral health promotion and disease prevention grant program and improve access to dental health care in underserved communities like mine.

Some of the programs funded by this grant support community dental health coordinators program that help connect individuals who come into emergency rooms with affordable dental care to help improve their overall health.

Similarly, H.R. 880, the MISSION ZERO Act, helps increase access to critical trauma care providers by promoting partnerships between the Department of Defense and civilian trauma care centers.

This is a perfect example of a collaborative solution to two problems -- one, a shortage of trauma care providers, and two, a limited number of opportunities to train military trauma teams and maintain military readiness.

I am pleased to support these bipartisan bills and other like them to improve access to clean water and critical care across the country.

I yield back the balance of my time.

The Chairman. Gentleman yields back.

Are there other members seeking recognition?

The gentlelady from Michigan, Mrs. Dingell, is recognized

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for two minutes. Thank you for your good work on the autonomous vehicle legislation.

Mrs. Dingell. Thank you for the recognition, Chairman Walden.

I am going to be brief. But I want to applaud Chairman Walden, Ranking Member Pallone, Chairman Latta, and Ranking Member Schakowsky for their leadership, their tireless work to get us to a compromise on this critical legislation to enable the deployment of highly-automated vehicles.

One week ago today, not one of you thought we could be here with bipartisan support. Your leadership is commendable and it is an example for all of us to follow.

It is exactly how this committee and Congress as a whole should work. We sat down, discussed our differences, and came up with a compromise and a negotiated bill.

Passing this bill today means we are one step closer to signing a responsible framework for the deployment of highly-automated vehicles into law.

As many of my colleagues have already indicated, it means we are going to improve mobility for seniors and people with disabilities, reduce congestion on our roads, and improve energy consumption, and we are promoting safety as well.

Thirty-five thousand people die on our roadways each year and this technology has the promise to save lives, plain and

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simple.

With this legislation, we have the unique opportunity to reshape American innovation for generations to come and we want to make sure it is built here in the United States of America -- that the jobs are here.

We cannot let this opportunity slip us by and I once again thank the leadership of the committee and their staff for their good work on this bill and yield back the balance of my time.

The Chairman. The gentlelady yields back the balance of her time.

Are there other members seeking recognition on either sides of the aisle?

If not, the Chair calls up H.R. 3388 and asks the Clerk to report.

The Clerk. H.R. 3388 -- to provide for information on highly-automated driving systems to be made available to prospective buyers.

The Chairman. Without objection, the first reading of the bill is dispensed with. The bill will be open for amendment at any point.

Are there amendments to the bill?

Gentleman from Ohio, the chairman of the subcommittee who has done great work in this area.

Mr. Latta. Well, thank you very much, Mr. Chairman.

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I have an amendment in the nature of a substitute at the desk.

The Chairman. Clerk will report the amendment.

The Clerk. Amendment in the nature of a substitute to H.R. 3388 offered by Mr. Latta, Ms. Schakowsky, Mrs. Dingell, and Mr. Upton.

The Chairman. The gentleman is recognized to speak on his amendment.

Mr. Latta. Again, I want to thank you, Mr. Chairman, and the gentleman from New Jersey, the ranking member of the Full Committee, the gentlelady from Illinois, the ranking member of the subcommittee, and the gentlelady from Michigan, Mrs. Dingell, for all the hard work and negotiations over the past many months.

This amendment in the nature of a substitute is the result of bipartisan work and stakeholder engagement. In this bill we streamlined the process for testing, deployment, and development of self-driving vehicles in the United States.

We do this while ensuring that NHTSA has the appropriate authority and tools it needs to oversee this cutting-edge technology effectively.

Since marking up the discussion draft last week, our staffs have been tirelessly working together on additional provisions which are important to the committee's members including but not limited to the safety assessment certification, cybersecurity, fact finding on rural and mountainous areas, and checks on

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exemptions that manufacturers can maintain.

I am pleased that we are able to reach this bipartisan agreement and I look forward to advancing this bill out of Full Committee and to its passage on the House floor.

And Mr. Chairman, I yield back.

The Chairman. Gentleman yields back the balance of his time.

Chair recognizes the gentleman from Pennsylvania, Mr. Doyle.

Mr. Doyle. Thank you, Mr. Chairman. I move to strike the last word.

The Chairman. For five minutes.

Mr. Doyle. Thank you.

Mr. Chairman, the legislation before us today is the result of a bipartisan compromise. First, I want to commend the staff who worked on this for our side including Lisa Goldman and Michelle Ash, a fellow Pittsburgher.

This legislation advances the development and deployment of autonomous vehicles, a technology which holds great promise and great opportunity for our nation and the world.

I am proud to say that the model for autonomous vehicle control systems using neural networks was pioneered in my district in Pittsburgh by Red Whittaker and his team at Carnegie Mellon University over many years, and Pittsburgh has led subsequent development of this technology at CMU, the National Robotics

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Engineering Center, and most recently with Uber and Ford's investments in self-driving technology.

Our region is a hub for development into such critical technologies for autonomous vehicles as computer vision, machine learning, autonomy, and cybersecurity.

I am very pleased to see this legislation move forward with support from both sides of the aisle and I am also happy to see provisions in this bill aimed at bolstering the safety security and privacy of these technologies.

For this technology to be successful, people need to be assured it is safe and secure. I am happy to see the industry has been a productive partner in crafting these provisions, and while I am happy to see this bill advance, I will say that much more work needs to be done on research and development.

If we want to see our nation remain a leader in this space, Congress needs to invest more money and research and development.

Countries like China are investing billions of dollars on research into artificial intelligence and autonomy. We need to double down on our own research initiatives lest we be left behind and lose both our strategic and economic advantage in this field.

As we continue to work on these issues, I urge my colleagues to support greater federal investment in research and breakout sectors like autonomy, robotics, and artificial intelligence.

Again, Mr. Chairman, I am happy to support the legislation

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before us and I yield back the balance of my time.

The Chairman. I thank the gentleman for his work and kind comments.

Are there other members on the Republican side seeking recognition?

The Chair recognizes the gentleman from Mississippi, Mr. Harper, for five minutes.

Mr. Harper. Move to strike the last word.

Thank you. Thank you, Mr. Chairman.

And this is incredible to take a peek into the future -- things we have no idea what will -- where we will be five, even in a couple of years but, certainly, 10 years from now.

But for my family -- my wife and I, one of our children is Livingston, who's now 28 who has Fragile X Syndrome who cannot drive but he likes to go.

And so he is dependent upon my wife to drive him to and from work most days or relies on friends to get him different places, and he would go somewhere every day just like any other 28-year-old would do, given the opportunity.

So this opens up possibilities for those who have intellectual disabilities and, you know, this is -- this is probably the biggest challenge that we have with our son and we are excited about what this -- what this will do and the opportunities it is going to give him in the future.

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But that is just one example. In the disability community, the lack of transportation is widely viewed as the -- if not the top impediment one of the tops to advancement and success in society.

Barriers to adequate transportation contribute to a lower rate of employment, education, and income. Self-driving cars have the potential to offer individuals with disabilities improved industry and employment opportunities that they would otherwise not have because of those opportunities for mobility.

More than 3.8 million veterans have a service-connected disability. Self-driving cars have the potential to improve mobility access for those who have sacrificed so much for our country.

This technology has the potential to transform the daily lives of such an important part of our social fabric and we cannot let this opportunity to meet their transportation needs pass us by.

I recently introduced H.R. 3414, the Disability Mobility Advisory Council Act, along with Congresswoman Dingell, which directs the transportation secretary to create a federal advisory council on improving mobility access for the disability community.

The bipartisan bill we are considering today creates a federal advisory council with a separate subcommittee focused on

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the disability community.

I appreciate Chairman Walden and Chairman Latta for recognizing these concerns and including the general intent of my bill into the amendment in the nature of a substitute.

This legislation will provide a forum for the disability community, manufacturers, suppliers, and other stakeholders to work together on how to best address the needs of a community that could see incredible benefits from self-driving cars.

States have an important role in this process as well, especially in matters relating to licensure. States have the chance to take the lead to ensure that they do not prematurely implement licensure requirements or restrictions that would take away this opportunity for individuals with disabilities and other nonlicensed populations that could capitalize on this new technology.

Looking at all the stakeholders that are involved, this is an incredible way that we can work together to help the disability community. This includes a focus on the accessibility of user interfaces for the operation of highly-automated vehicles and vehicle designs that can be adapted for those mobility needs.

The opportunities ahead are remarkable. Simple things that most of us take for granted such as getting to and from work or across town to visit family will no longer present insurmountable obstacles to those who cannot currently drive.

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This opens doors for so many people. I just -- I can't remember being more personally excited a piece of legislation or the opportunity that this will give.

Without this bill, the needs of our disability community may not be heard and the potential for this technology to transform everyday life for that community may not be realized.

I support this amendment in the nature of a substitute and final passage of this bipartisan package and urge my colleagues to do the same.

Mr. Chairman, I yield back.

The Chairman. Thank you very much.

We will now turn to the gentlelady from California, Ms. Eshoo, for five minutes.

Ms. Eshoo. Thank you, Mr. Chairman. I move to strike the last word.

First, I want to thank the gentleman from Mississippi, Mr. Harper, for his work and what you just said. I think that your personal story tells the whole story and I think that we all appreciate what that represents.

I have been in the early models in my district that eventually will become public transportation for people -- totally automatic vehicle and it is very, very exciting. I hope you will come and I will take you there.

So thank you for what you said and expressing what this is

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going to do for the disabilities community. And a warm welcome back to the committee to Ray -- to Ray Baum. We have all been -- Ray --

[Applause.]

The place is just not the same without you and I am so glad that you are here for a major markup of bipartisan legislation.

I just want to say a few words of thanks to you, Mr. Chairman, and the ranking member for not only holding today's historic markup because it is -- it is -- so much of this is about the future, to promote testing, deployment, and the regulation of autonomous vehicles.

At the subcommittee hearing on this bill last month, I stressed the need for our committee to pass a fully bipartisan in the spirit of the original federal automotive safety standards which passed Congress nearly unanimously in 1966.

So today is really -- that is why I say it is historic so and I -- I am proud to support all of this. Everyone knows that my congressional district is home to the engineers, the innovators, the developers who are pioneering the AV technologies that will transition us to a driverless society and a driverless world.

It is my hope that the regulatory framework established by this legislation is going to ensure that the world's next great revolution in transportation continues to flourish right here in

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the United States.

As I have said so many times, I am never satisfied unless America is number one and the leader in this effort. This bill I think is a significant improvement over the initial draft and I am pleased about that, and it addresses the traditional abilities of states to regulate matters such as vehicle registration, licensing, insurance, and liability but it also ensures that manufacturers submit safety certification to NHTSA and place the agency on the path toward issuing full safety standards for AVs.

I am very grateful to the Chairman and the ranking member for including my language in the bill to require the AV advisory council to study the environmental impacts of autonomous vehicles as well as the intersection between autonomous and electric vehicles.

The AV revolution is happening on top of the ongoing electrification revolution and I think the advisory council can provide important insight to Congress, to the states, and localities about how to support growing AV fleets with electrical vehicle-charging infrastructure.

We really need to bring this up to scale in our country because if we don't have top-scale charging stations, this effort is not going to be all that we know it can become.

So, ultimately, I think the bill before us today is about

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safety. There are, roughly, the same amount of traffic fatalities in our country today as in 1956, the year that Congress authorized the interstate highway system. Autonomous vehicles have the potential to save thousands of lives.

But consumer safety has to be paramount and I think that this bill provides a regulatory framework that consumers can have confidence in.

So, again, thank you, Mr. Chairman, and I think -- I just want to add one more thing and that is that funding for NHTSA, which is taking on several new mandates under this bill, we all need to keep this in mind.

You know, I mean, we are hailing all of the achievements that these bills represent with great legitimacy but we need an agency that is going to be able to carry out what we are celebrating today and they need to be -- they don't have to be overly funded but they need to be appropriately funded.

So I just wanted to tack that on. Again, my thanks to the Chairman, to the ranking member, to everyone that has been involved with it.

I think what we are doing today is a great source of pride not only to members but anyone that is listening in.

Thank you.

The Chairman. I thank the gentlelady for her comments and good work on this issue.

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Other members seeking recognition?

The Chair recognizes the gentleman from Illinois, Mr. Kinzinger, for five minutes.

Mr. Kinzinger. Well, thank you, Mr. Chairman.

I am not going to take five minutes. I just wanted to thank you and the committee for including the amendment on -- in terms of cybersecurity. I think that was a good addition.

I think that is going to make this a stronger and better bill and I just want to not take all five minutes but thank everybody that worked on that, and I yield back.

The Chairman. Gentleman yields back.

Other members seeking recognition? Finally, the gentlelady from Illinois, who has put so much work into this, Ms. Schakowsky is recognized for the full five minutes.

Ms. Schakowsky. Thank you.

As the ranking member of Digital Commerce and Consumer Protection Subcommittee, I am really happy to be here today to support the autonomous vehicle legislation before the committee.

It may not be exactly the bill that either Chairman Latta or I would have written on our own but it reflects a bipartisan agreement that we reached after really months of worse and weeks of intense negotiations.

Though it has been said, I still want to take the time and thank Chairman Walden and Ranking Member Pallone. I want to thank

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so many members of the subcommittee and the Full Committee that took the time to put their mark on this -- on this legislation.

I want to thank the chairman of the subcommittee, Chairman Latta, for working to make that happen, to be open to all of our members to be able to have that kind of input. I certainly want to thank the staff.

On our side, Jeff Carroll, Lisa Goldman, Michelle Ash, my staff -- my personal staff, Matt Hayward. I want to thank Paul Nagle and his team that worked so closely with us and with so many people on the bill.

I want to thank all the stakeholders -- that I hope you felt that you had an open door to both Chairman Latta and myself to talk to us including the many safety advocates who work so hard.

I started this process concerned that we give sufficient consideration to safety, cybersecurity, and consumer privacy. But we have worked cooperatively to address those issues on preemption.

We narrowed the language to preserve the important role of state and local government and registration, licensing, law enforcement, crash investigation, congestion, emission inspections and other important areas.

We have ensured that NHTSA explains its process for granting exemptions to existing safety standards for autonomous vehicles. The number of exemptions will be scaled up over time.

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Instead of 100,000 per manufacturer in one year, to receive an exemption a manufacturer must show equivalent safety.

Manufacturers must report crashes involving exempted vehicles and all exempted vehicles must be in a list that is available in a public database.

This bill lays out a framework for NHTSA to promote safety -- safe adoption of AVs. Mandatory safety assessments or certifications will ensure that NHTSA receives the data that it needs to evaluate the safety of autonomous vehicles as they appear on the -- our roads.

Within a year of enactment NHTSA will lay out a priority plan for which new safety standards need to be written and which existing safety standards must be updated to ensure the safe deployment of AVs.

The bill requires manufacturers to consider cybersecurity and consumer privacy as they develop AV technology. This was a major priority for Democratic members and some Republicans as well, of course, and I am glad that some of our Republican colleagues are also involved in these concerns.

The bill puts autonomous vehicles and new market entrants on a more even playing field for the testing of AV technology.

We have also worked to create highly-autonomous vehicle advisory council that includes a broad representation of stakeholders. The council will look at issues including access

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for seniors, people with disabilities, cybersecurity, privacy, labor and employment, the environment, cabin safety and deployment in rural areas.

NHTSA will also determine the most effective ways to inform consumers about the capabilities and limitations of -- in autonomous vehicles.

Finally, I want to say -- to highlight safety improvements in the bill that go beyond autonomous vehicles. NHTSA will conduct research and a rulemaking to improve the performance of head lamps in all vehicles, not just AVs, and in two years -- I am especially concerned and proud of this -- NHTSA will issue a rule requiring an alert system to warn the driver if a child is left in the back seat.

Already this year 24 children have died from heat stroke after being left in cars. AVs have the potential to make our roads safer in the future but this technology can save lives right now.

I just want to end by saying that this committee must continue its work to advance auto safety. I'll keep pushing for safety improvements like prohibiting the sale of used cars under recall and granting the NHTSA imminent hazard authority to get dangerous vehicles off the road quickly and, has been said, we must ensure that NHTSA has the staff and the resources it needs to implement this legislation.

I look forward to working with Chairman Latta and other

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committee members on those ongoing efforts, and I yield back.

Mr. Latta.[Presiding.] Thank you very much. The gentlelady yields back and the Chair now recognizes the gentleman from Texas, the vice chairman of the Full Committee.

Mr. Barton. Thank you, Chairman Latta, and Ms. Schakowsky for this important piece of legislation.

It is not exactly analogous but it is similar to 1996 when this committee passed the Telecommunications Act, which ultimately led to the creation of the internet and the explosion of technology that we have seen in the wireless arena.

That, too, was a bipartisan effort in a field that was extremely innovative and has led to huge job growth in our country. So I think this is similar situation in the automotive sector and it is attributed to you and Ms. Schakowsky and Mr. Walden and the ranking member, Mr. Pallone, that we are moving this bill today.

You have added a provision on an advisory committee. One of the things that you're going to look at, Mr. Chairman, is workforce issues. There are lots of jobs in, you know, truck drivers and bus drivers and if this really takes off some of those jobs are going to be gone.

So you have added a provision to take a look at that. Congresswoman Eddie Bernice Johnson, working on a bipartisan bill, set up a pilot program to really begin to see if there is not some ways that we can plan and, you know, kind of preplan and

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maybe do some retraining for some of those workers that might be lost as we move in the direction this bill is headed.

So I want to thank you for your leadership and I would like to yield to Mr. Bilirakis the majority -- the remainder of my time.

Mr. Bilirakis. Thank you. Thank you, Mr. Chairman, and thank you, Mr. Chairman, as well.

I recently introduced the H.R. 3413 act, which is called the Access Act. There is so much potential in this bill. My bill directs the Department of Transportation secretary to create an advisory council on developing autonomous vehicle technology for senior citizens and populations underserved by traditional public transportation services.

This legislation creates a forum for senior and folks who depend on public transit in underserved areas. It also brings manufacturers, suppliers, and other stakeholders together on how best to address the needs of those -- these two communities in order to realize incredible benefits from self-driving cars.

Quite simply, our goal is to make sure that the needs of seniors, those with disabilities, and those who rely on public transit are heard during the development of self-driving technology.

The most recent DOT survey indicates that 15 million Americans have difficulty getting the transportation they need and according to the National Caregivers Library, there are

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approximately one -- 8.4 million seniors who must depend on other forms of transportation.

By 2030, the number of drivers over the age of 85 is expected to be four to five times what it is today. Without convenient transportation options, some senior citizens might even place themselves at risk on the roads by driving when they should not.

Self-driving cars could allow senior citizens to remain safe and independent rather than rely on others to be mobile. You know, again, my parents, my dad, who's a former member of this committee, loves to go to baseball games.

But I am worried that during -- you know, they are night games. He has to drive about 45 minutes to St. Petersburg to see the Rays and, you know, I worry about that. And I know he is a good driver but it would be better if he were in an autonomous vehicle. He would be safer.

So in any case, I think this is -- there are so many advantages to this particular bill. Simple things most of us take for granted such as getting to work going to the doctor, a trip to the local grocery store, or across town to visit family can be difficult undertakings for some. Self-driving cars have the potential to put seniors back in the driver's seat of their lives.

I greatly appreciate Chairman Walden and Chairman Latta for recognizing my concerns and working with me to include the general intent of my bill and to the amendment in the nature of a substitute

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we are considering today.

Again, this is a great bill and I know I don't have a lot of time. But those with disabilities as well, as Representative Harper said -- I actually have something similar to macular degeneration.

I drive now, but in five years it may not be safe for me to drive or safe for others on the road. And this is really exciting legislation and it is going to help a lot of people -- improve a person's quality of life.

Thank you very much and I yield back, Mr. Chairman.

Mr. Latta. Thank you very much. The gentleman yields back.

The gentlelady from California is recognized for five minutes.

Ms. Matsui. Thank you, Mr. Chairman. I move to strike the last word. I am very pleased I am able to support this autonomous vehicle legislation we are considering today.

This bill truly represents a good faith effort by many members on both sides of the aisle to reach a consensus and I thank all of you.

Autonomous vehicle development is advancing at an incredibly rapid pace, faster than we may have thought possible even a few years ago. This isn't the far off future.

The future is now and we need to act and put the right policies in place to test and deploy AVs in a way that is most beneficial

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for consumers. Safety on our roadways is obvious the first and foremost concern.

Without appropriate safety oversight, the public would not be protected and won't gain confidence in this new technology. We have a federal safety that has already begun significant work on autonomous vehicles with a draft AV guidance released last fall.

NHTSA is looking toward the future but as we open up more opportunities to get AVs on public roads, its rollout of this process will become more and more important.

Unfortunately, the initial draft of bills did not do enough to direct NHTSA to fulfill its responsibility to be a safety partner for the manufacturers of autonomous vehicles and equipment.

States and localities also have an important role to play. The state of California has led the country in developing a path for AV testing and deployment.

The state's rules recognize a foundation of NHTSA safety regulations. I want to continue the successful state and federal partnership we have had with NHTSA. States have traditionally regulated drivers and the federal government has regulated vehicles.

I was concerned that the initial draft bills went beyond outlining those responsibilities, potentially infringing upon

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states' abilities to protect residents, enforcing traffic laws, safety inspections, and law enforcement.

I feel strongly that states and localities must continue to be able to employ their tradition of expertise to protect public safety. A traffic stop with an AV may not occur in the same manner as it does with a human driver.

But a Highway Patrol officer must be able to get the registration and proof of insurance of an AV in the event of a collision or traffic violation.

Autonomous vehicles present unique challenges. How do we draw the line between these two jurisdictions then the vehicle is now the driver?

I recognize that this technology will continue to pose new questions to policy makers. I believe that the language in the bill today clarifies the scope of federal and state responsibilities without leaving gaps in the law that could put consumers at risk as the technology evolves.

And I am pleased that we are guarding against unintended consequences by specifying that we do not preempt any other federal laws.

We are also making an important change in federal law to further technology-neutral policies and allow different business models. So we do see the greater competition between all who want to innovate in this space.

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Ultimately, all us want to see AVs provide the greatest possible benefits for our constituents. I believe this AV package starts us in the right direction to pave the way for innovation and expand the mobility options for all Americans and I thank everyone here on this committee for working so hard to get into this place, and I yield back.

Mr. Latta. Thank you very much. The gentlelady yields back, and the gentleman from Indiana is recognized for five minutes.

Mr. Bucshon. Thank you, Mr. Chairman.

I recently introduced H.R. 3421, the Inform Act, which increases transparency between the federal government and the public during testing and deployment of self-driving cars.

The Inform Act creates a searchable database of vehicle VIN numbers that have been granted certain safety exemptions which are unique to self-driving cars.

To be clear, the exempt vehicles represent no reduction in the safety standards set today. The Inform Act is important because it aids state authorities and law enforcement to identify vehicles that have been granted an exemption.

I am pleased that my bill was included in the bipartisan package we are considering today. Also, I would like to take this time to recognize the important role of infrastructure and how infrastructure will play in the ongoing implementation of

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regulation and deployment of self-driving cars.

Autonomous vehicles will demand infrastructure enhancements that ensure machine vision can operate regardless of weather conditions.

I look forward to continuing to work with the committees to ensure that vehicle to infrastructure technologies are part of the implementation and standard-setting process.

Thank you, Mr. Chairman. I yield back the balance of my time.

Mr. Latta. Thank you very much. The gentleman yields back.

The Chair recognizes the gentlelady from New York for five minutes.

Ms. Clarke. Thank you very much, Mr. Chairman. I thank Chairman Walden and Ranking Member Pallone. I also thank Chairman Latta, Ranking Member Schakowsky for your leadership on H.R. 3388 and bringing it up for markup.

It has been a pleasure and, indeed, refreshing to work with my colleagues in a bipartisan fashion on issues important to our constituents across the country and that is what this markup represents today.

H.R. 3388, the Designating Each Cars' Automation Level Act, as we are all aware, autonomous vehicles are here and are the wave of the future.

As innovative technology for these vehicles develop, our

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nation's transportation systems will be transformed, decreasing the need -- the number of traffic collisions, enhancing mobility for the elderly, the disabled, and those who have historically been -- had difficulty in accessing affordable reliable transportation, all the while lowering fuel consumption.

My constituents in the 9th Congressional District of New York will benefit greatly from autonomous vehicles, which will allow smarter, faster, more fuel efficient travel.

However, there is one specific concern with these vehicles -- the preemption section. While we were not able to fully remove the preemption section, we were able to narrow the language based on comments from many entities including the city of New York.

I am pleased that proper cyber security protections are included in the legislation. As you may be aware, proper cybersecurity protections for self -- excuse me, for autonomous vehicles is of great interest, particularly in today's environment, to ensure that these vehicles not only meet technological challenges but there is a plan in place to meet public safety standards and prevent and tackle potential hacks and/or terrorism.

Therefore, it is my honor to introduce, along with my fellow colleague, Adam Kinzinger from Illinois, H.R. 3407. This bill requires manufacturers to develop a written cybersecurity policy.

With the cybersecurity policy, manufacturers would address

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the following: one, a process for identifying, assessing, and mitigating reasonably foreseeable vulnerabilities from cyber attacks or unauthorized intrusions, and two, a process for taking preventive and corrective action to mitigate against these vulnerabilities including incident response plans, intrusion detection, prevention systems that safeguard key controls, systems, and procedures through testing and monitoring.

This legislation requires companies to develop a more comprehensive cybersecurity plan which can mitigate, correct, intersect, and identify imminent threats. Fostering consumer confidence will include ensuring an established system built to protect sensitive information in our technological age.

I am pleased to be a member of this committee as we work on the legislation that has the potential to make a lasting impression on 21st century mobility.

I commend the bipartisan work of my colleagues, the committee leadership, and the American innovators that will work to make self-driving vehicles, their deployment and testing a uniquely American triumph.

Thank you, and I yield back the balance of my time.

Mr. Latta. Thank you very much. The gentlelady yields back.

Are there -- the gentleman from Pennsylvania, the one that might be a little bit sleep deprived today. Five minutes.

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Mr. Costello. Move to strike the last word.

I recently introduced H.R. 3411, which directs the secretary to create a federal advisory council on cybersecurity.

The bipartisan agreement before us today creates a cybersecurity federal advisory subcommittee to enhance the communication between the public and private sector and hopefully help to highlight issues before they become crisis.

I appreciate Chairman Walden and Chairman Latta recognizing my concerns and including the general intent of my bill into the amendment in the nature of a substitute.

Cybersecurity is a critical component of the conversation around self-driving vehicles and my sense is that virtually all of my colleagues are as concerned as I am that we remain vigilant about cybersecurity considerations.

Ensuring the security vehicles that will be making some or all of the driving decisions for us in the future will be a major shift in the way we think about driving. We need to make sure that all of the right stakeholder -- government and private sector -- are having conversations focused on cybersecurity now.

The cybersecurity landscape is always changing, which is why flexibility is important. Being able to adjust to new and emerging threats is the only way to keep up.

As we all know, no one can honestly promise that their system is perfectly secure. That does not mean we should stop

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innovating. It does mean that we need to be security conscious.

Additionally, this bipartisan agreement includes a requirement for companies to develop a cybersecurity plan in order to sell self-driving cars.

The cybersecurity plan requirement as well as the cybersecurity advisory council will greatly enhance industry's focus on cybersecurity and the information sharing relating to cybersecurity.

I would like to thank Chairman Walden, Chairman Latta, Ranking Member Pallone, and Ranking Member Schakowsky for their willingness to consider member feedback and get us to this bipartisan agreement.

I support this amendment in the nature of a substitute and final passage of this bipartisan package and I urge my colleagues to do the same.

I yield back.

Mr. Latta. Thank you very much. The gentleman yields.

The gentlelady from -- I am sorry, the gentlelady from Michigan is recognized for five minutes.

Mrs. Dingell. Thank you, Mr. Chairman. I move to strike the last word.

First, again, I want to thank Chairman Walden, Ranking Member Pallone, Chairman Latta, and Ranking Member Schakowsky for all the hard work on this important legislation.

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Time is really of the essence because we are in an international competition to see what country will take the lead in developing automated vehicles.

If we fail to act or keep this process moving, our country will fall behind, pure and simple, and it is just something we cannot accept. Today's markup is an important step in getting a good bill signed into law and I am pleased that we are moving this bill forward today.

My home state of Michigan is synonymous with the auto industry and manufacturing, and for good reason. It has been the home of every major auto company in this country for over a century and that remains true today.

In 1903, Henry Ford founded the Ford Motor Company and Detroit was the thirteenth largest city in the country. By 1950, one in every six working Americans were employed directly or indirectly by the auto industry and Detroit was the fifth largest city in the country, home to more than 2 million people.

And while we have experienced some ups and downs since then, there is no mistaking that our domestic auto industry is back with record sales in 2016.

And while most people think of nuts and bolts manufacturing when they think of Detroit, the story of our domestic auto industry is really the story of American innovation.

It is about the entrepreneurial spirit that makes our country

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so great. Companies that innovated survived and those that didn't fell by the wayside.

The auto industry has gone from the Model T to the Taurus and now to some of the most fuel-efficient vehicles on the market like the Volt and the Bolt, and today, your vehicle has more computing power than the Apollo space shuttle that took us to the moon, and this is happening in my home state, California, and states across the country.

Now the next chapter of American innovation will be here before you know it with the development of self-driving cars. But we can't take it for granted.

The challenges is for the United States to figure out how we can remain at the forefront of innovation and technology in the world and build a regulatory framework that first and foremost always protects the consumer but also is flexible and can keep up with the pace of rapidly changing technology.

And while this is true for almost every industry in the country, I think we are really seeing it for the first time where people understand the challenge because it is such a visible and ubiquitous product as the automobile.

It is imperative that we get this right. There are a significant number of stakeholders at the table and what we are doing today is going to impact society and lives in many, many ways and all of my colleagues have been talking about them today.

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Just to give you all a laugh, I want you -- like my colleague, Mr. Harper, I want you to think about having to be the person to tell John Dingell he can't drive anymore. It ain't easy. These can't come soon enough.

And I share the concern about cybersecurity and privacy. Passing this bill today gets us one step closer to reshaping American innovation for generations to come. We cannot let this opportunity slip us by.

This is essential to ensure the future of American innovation because this is fundamentally an issue of American competitiveness. Automated vehicles are going to be developed whether we like it or not.

The question is are we going to do it here in America or are we going to let China or India get ahead of us or not. America needs to stay in the driver's seat.

I want to once again applaud the bipartisan process that led us to this place. There have been a lot of contentious fights in this committee and I am sure there are more to come.

But today, we showed that we really can set our differences aside and come up with a negotiated product. This is a work in progress but if we keep up the successful and collaborative process that brought us to where we are today, we are going to end up in the right place for America.

Thank you, Mr. Chairman. Yield back the balance.

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Mr. Latta. Thank you very much. The gentlelady yields back.

Is there anyone on the Republican side seeking time?

Maybe not. The gentleman from California is recognized for five minutes.

Mr. Cardenas. Thank you, Mr. Chairman.

The self-drive act that we are considering today includes H.R. 3404, a bill I introduced that would create an advisory council for highly-automated vehicles at NHTSA.

In my home state of California, we see more and more signs of the autonomous vehicles that will soon be the norm on our streets.

The technology is growing and changing so fast that sometimes it is difficult to keep up. The advisory council included by my bill will help the industry grow in a way that is responsible for respectful.

It will be an opportunity for industry representatives, state and local leaders, researchers, environmental experts, labor organizations, safety and consumer advocates, and engineers to come together to assess how autonomous vehicles will affect our daily lives.

For example, how will autonomous vehicles change our work force? What effect will they have on the environment? How will they protect consumer privacy and safeguard consumer data?

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How will the manufacturers of autonomous vehicles ensure that the design of the vehicles keep all passengers safe in a crash a passenger seating is -- as passenger seating is rearranged?

As a former Los Angeles council member and also a member of the California legislature, I will be especially focused on making sure states and cities will need to be -- need to adjust to and live with the guidance discussed in this room will have a seat at the table.

I want to make sure we give them the tools and information they need to keep our constituents and our local businesses safe.

As a former small business owner myself, I understand the potential effects that what we discuss in this room has on the bottom line and the ability to pay our workers.

I look forward to continuing to hold our American businesses to the high standard that the world expects of our great nation.

I believe this bill will help us have the honest conversations we need to create better, safer transportation options for Americans and the world.

Thank you, Mr. Chairman. I yield back.

Mr. Latta. Thank you very much. The gentleman yields back.

The Chair recognizes the gentleman from Oklahoma for five minutes.

Mr. Mullin. Thank you, Mr. Chairman.

It is a little odd sitting over here on this side but I am

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glad to be surrounded by so many good people.

Anyway, Mr. Chairman, I recently introduced H.R. 3412, the LEAD'R Act, which establishes clear federal-state roles and responsibilities for safe testing and developing -- development of automated driving systems inside the United States.

This bipartisan bill we are marking up today includes my bill because one of the most important pieces of this self-driving package is defining the appropriate lanes for federal, state, and local governments.

This bill will ensure a clear path for the United States to remain a leader in the development of self-driving vehicles without a patchwork of state laws hurting investments.

Industry driving -- industry is driving this development in self-driving vehicles. We, as a federal government, need to make sure that safety is first and foremost in considering anything.

We also need to keep the innovation and investment inside the United States. I thank the committee for the willingness to consider member feedback to get us to this bipartisan agreement and I support this amendment in the nature of a -- of a final -- and final passage of this bipartisan package. I urge my colleagues to do the same and I will yield back.

Mr. Latta. Thank you. The gentleman yields back the balance of his time.

Is there anyone on the Democrat side seeking recognition?

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None?

Any on the Republican? No. Okay.

Are there any other members coming before the committee?

Hearing none, the vote occurs on the amendment in the nature of the substitute.

All those in favor, signify by saying aye.

All opposed, no.

The ayes have it and the amendment is agreed to.

The question now occurs on favorably reporting H.R. 3388 as an amendment to the House.

All those in favor shall signify by saying aye, and this will be --

And opposed, no.

A roll call has been requested.

The Clerk. Mr. Barton.

Mr. Barton. Yes.

The Clerk. Mr. Barton votes aye.

Mr. Upton.

[No response.]

Mr. Shimkus.

Mr. Shimkus. Aye.

The Clerk. Mr. Shimkus votes aye.

Mr. Murphy.

Mr. Murphy. Aye.

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The Clerk. Mr. Murphy votes aye.

Mr. Burgess.

Mr. Burgess. Aye.

The Clerk. Mr. Burgess votes aye.

Mrs. Blackburn.

Mrs. Blackburn. Aye.

The Clerk. Mrs. Blackburn votes aye.

Mr. Scalise.

[No response.]

Mrs. McMorris Rodgers.

Mrs. McMorris Rodgers. Aye.

The Clerk. Mrs. McMorris Rodgers votes aye.

Mr. Harper.

Mr. Harper. Aye.

The Clerk. Mr. Harper votes aye.

Mr. Lance.

Mr. Lance. Aye.

The Clerk. Mr. Lance votes aye.

Mr. Guthrie.

Mr. Guthrie. Aye.

The Clerk. Mr. Guthrie votes aye.

Mr. Olson.

Mr. Olson. Aye.

The Clerk. Mr. Olson votes aye.

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Mr. McKinley.

Mr. McKinley. Aye.

The Clerk. Mr. McKinley votes aye.

Mr. Kinzinger.

Mr. Kinzinger. Aye.

The Clerk. Mr. Kinzinger votes aye.

Mr. Griffith.

Mr. Griffith. Aye.

The Clerk. Mr. Griffith votes aye.

Mr. Bilirakis.

Mr. Bilirakis. Aye.

The Clerk. Mr. Bilirakis votes aye.

Mr. Johnson.

Mr. Johnson. Aye.

The Clerk. Mr. Johnson votes aye.

Mr. Long.

Mr. Long. Aye.

The Clerk. Mr. Long votes aye.

Mr. Bucshon.

[No response.]

Mr. Flores.

Mr. Flores. Aye.

The Clerk. Mr. Flores votes aye.

Mrs. Brooks.

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Mrs. Brooks. Aye.

The Clerk. Mrs. Brooks votes aye.

Mr. Mullin.

Mr. Mullin. Aye.

The Clerk. Mr. Mullin votes aye.

Mr. Hudson.

Mr. Hudson. Aye.

The Clerk. Mr. Hudson votes aye.

Mr. Collins.

Mr. Collins. Aye.

The Clerk. Mr. Collins votes aye.

Mr. Cramer.

Mr. Cramer. Aye.

The Clerk. Mr. Cramer votes aye.

Mr. Walberg.

Mr. Walberg. Aye.

The Clerk. Mr. Walberg votes aye.

Mrs. Walters.

Mrs. Walters. Aye.

The Clerk. Mrs. Walters votes aye.

Mr. Costello.

Mr. Costello. Aye.

The Clerk. Mr. Costello votes aye.

Mr. Carter.

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Mr. Carter. Aye.

The Clerk. Mr. Carter votes aye.

Mr. Pallone.

Mr. Pallone. Aye.

The Clerk. Mr. Pallone votes aye.

Mr. Rush.

[No response.]

Ms. Eshoo.

Ms. Eshoo. Aye.

The Clerk. Ms. Eshoo votes aye.

Mr. Engel.

Mr. Engel. Aye.

The Clerk. Mr. Engel votes aye.

Mr. Green.

Mr. Green. Aye.

The Clerk. Mr. Green votes aye.

Ms. DeGette.

Ms. DeGette. Aye.

The Clerk. Ms. DeGette votes aye.

Mr. Doyle.

Mr. Doyle. Yes.

The Clerk. Mr. Doyle votes aye.

Ms. Schakowsky.

Ms. Schakowsky. Aye.

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The Clerk. Ms. Schakowsky votes aye.

Mr. Butterfield.

[No response.]

Ms. Matsui.

Ms. Matsui. Aye.

The Clerk. Ms. Matsui votes aye.

Ms. Castor.

[No response.]

Mr. Sarbanes.

Mr. Sarbanes. Aye.

The Clerk. Mr. Sarbanes votes aye.

Mr. McNerney.

Mr. McNerney. Aye.

The Clerk. Mr. McNerney votes aye.

Mr. Welch.

Mr. Welch. Aye.

The Clerk. Mr. Welch votes aye.

Mr. Lujan.

Mr. Lujan. Aye.

The Clerk. Mr. Lujan votes aye.

Mr. Tonko.

Mr. Tonko. Aye.

The Clerk. Mr. Tonko votes aye.

Ms. Clarke.

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Ms. Clarke. Aye.

The Clerk. Ms. Clarke votes aye.

Mr. Loeb sack.

Mr. Loeb sack. Aye.

The Clerk. Mr. Loeb sack votes aye.

Mr. Schrader.

Mr. Schrader. Aye.

The Clerk. Mr. Schrader votes aye.

Mr. Kennedy.

Mr. Kennedy. Aye.

The Clerk. Mr. Kennedy votes aye.

Mr. Cardenas.

Mr. Cardenas. Aye.

The Clerk. Mr. Cardenas votes aye.

Mr. Ruiz.

Mr. Ruiz. Aye.

The Clerk. Mr. Ruiz votes aye.

Mr. Peters.

Mr. Peters. Aye.

The Clerk. Mr. Peters votes aye.

Mrs. Dingell.

Mrs. Dingell. Aye.

The Clerk. Mrs. Dingell votes aye.

Mr. Walden.

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The Chairman. Aye.

The Clerk. Mr. Walden votes aye.

Mr. Latta.

Mr. Latta. Aye.

The Clerk. Mr. Latta votes aye.

Mr. Latta. Are there any members that wish to be recorded?

The gentleman from Michigan.

Mr. Upton. Mr. Upton votes aye.

The Clerk. Mr. Upton votes aye.

Mr. Latta. The gentleman from Indiana.

Mr. Bucshon. Aye.

The Clerk. Mr. Bucshon votes aye.

Mr. Latta. The gentleman from North Dakota -- or sorry,  
North Carolina.

Mr. Butterfield. Aye.

The Clerk. Mr. Butterfield votes aye.

Mr. Latta. The gentlelady from Florida.

Ms. Castor. Aye.

The Clerk. Ms. Castor votes aye.

Mr. Latta. Gentleman from Illinois.

Mr. Rush. Aye.

The Clerk. Mr. Rush votes aye.

Mr. Latta. The Clerk will report the tally.

The Clerk. Mr. Chairman, on that vote, there were 54 ayes

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and zero noes.

Mr. Latta. Fifty-four -- 54 ayes and zero noes. The ayes have it.

[Applause.]

The bill is favorably passed and will be favorably reported to the full House.

The Chairman. Shh. As our guests leave, we have several other bills we need to move on to. So members, shh. We will get back to work here.

So the Chair now calls up H.R. 767 as favorably reported by the Subcommittee on Health on June 29th, 2017, and asks the Clerk to report.

The Clerk. H.R. 767, to establish the Stop, Observe, Act, and Respond to Public and Wellness Training pilot program to address human trafficking in the health care system.

The Chairman. Without objection, the first reading of the bill is dispensed with. The bill will be open for amendment at any point.

I know Mr. Cardenas has an amendment. Mr. Pallone will -- why don't we go ahead and call up the amendment under Mr. Pallone -- the Cardenas amendment?

The Clerk will report the amendment.

The Clerk. Amendment to H.R. 767 offered by Mr. Cardenas.

The Chairman. The gentleman from California is recognized

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for five minutes to speak on his amendment.

Mr. Cardenas. Thank you very much. Okay. The amendment has been read. Thank you. Sorry about that.

Mr. Chairman, I am thrilled to introduce an amendment which would allow health care professionals and organizations that provide training on human trafficking to be eligible to apply for the SOAR grants.

This is a bipartisan amendment that would expand access to training for more health care providers and save lives. With more than 85 percent of trafficking victims coming into contact with health care professionals at some point, medical providers are uniquely and well positioned to identify and provide assistance to victims of trafficking.

It is so important that we help health care organizations reach as many providers as possible and expand the reach of training. This training is crucial for health care professionals to recognize the red flags and save victims of this egregious human rights violation.

Imagine an innocent child, a six-year-old girl playing in a park with her parents nearby. They look away for one minute and suddenly she is gone.

Imagine that sorrow, that loss, the total horror once they realize their child has been taken. Now imagine she ends up in a hospital 500 miles away for a broken arm or a fever.

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The nurse treating her hasn't seen the news reports and doesn't recognize her face but the nurse can identify signs of distress that signal that this child might be a trafficking victim.

Because of the training the nurse receives in this -- in this particular story, the little girl is saved. She is reunited with her family and her future is restored. This is a nationwide and worldwide crisis.

About 5.4 million children disappear into human trafficking system every year and we already know that the majority of them will end up at a clinic or hospital at some point.

How many of these children slip through our fingers? We don't know. Trafficking devastates the lives of over 20 million people worldwide every year and the National Human Trafficking Resource Center lists many home state -- my home state of California as the state with the highest number of reported human trafficking victims in this country with over 1,300 cases reported in 2016.

I urge my colleagues to vote yes to my amendment and help to potentially save as many innocent lives as possible. I appreciate the bipartisan support and effort on this issue overall and on my amendment.

I thank you very much, Mr. Chairman. I yield back.

The Chairman. Are there other members -- the gentleman

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yields back.

Are there other members seeking recognition on the amendment this side of the aisle?

Seeing none, the question now arises on passage of the amendment.

All those in favor will say aye.

Those opposed, nay.

The ayes appear to have it. The ayes have it and the amendment is adopted.

Are there other amendments to H.R. 767?

Seeing none, the question now arises on favorably reporting H.R. 767 as amended to the House.

All those in favor will say aye.

Those opposed, nay.

The ayes appear to have it. The ayes have it and the measure is favorably reported.

The Chair now calls up H.R. 931 as favorably reported by the Subcommittee on Health on June 29th, 2017, and asks the Clerk to report.

The Clerk. H.R. 931, to require the secretary of Health of Human Services to develop a voluntary registry to collect data on cancer incidents among firefighters.

The Chairman. Without objection, the first reading of the bill is dispensed with. The bill will be open for amendment at

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any point.

Are there any bipartisan amendments to this bill?

Seeing none, are there any amendments to this bill?

Further discussion?

The gentleman from New York is recognized to strike the last word.

Mr. Collins. Yes, Mr. Chairman, I do strike -- move to strike the last word, and thank you for holding a markup on the seven bills today.

H.R. 931, the Firefighter Cancer Registry Act, is one of the seven important pieces of legislation. I am proud to have introduced this legislation, which has received strong bipartisan support.

This legislation addresses an enormous gap in research related to health impacts on the career of a firefighter. There are nearly 1.2 million men and women serving as firefighters in the United States.

These brave men and women protect our families, our homes, and our communities from over 1.3 million fires each year. While it is generally understood that firefighting is a dangerous career, more needs to be done to understand the correlation between firefighting and cancer.

These men and women are subject to chemical smoke and toxins at each fire they fight, and cancer caused by these chemicals must

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be better understood.

My bill helps to do just that. H.R. 931 directs the CDC to create a registry that will track cancer in the firefighting community.

Additionally, this registry will record the variables of firefighting including years of service, numbers of fires attended, and the types of fires attended.

The information is essential to the development of future protocols, safeguards, and the development of equipment that will better protect these brave men and women.

Our nation's firefighters put their lives on the line for our communities every day and it is important we have the ability to fully understand the health impacts of this dangerous job.

Thank you again, Mr. Chairman, for holding this markup and I yield back.

The Chairman. The gentleman yields back the balance of his time.

Other members seeking recognition from the Democrat side?

And on the Republican side, the Chair recognizes the gentlelady from Indiana, Mrs. Brooks, for five minutes to strike the last world.

Mrs. Brooks. Thank you, Mr. Chairman.

According to the Firefighter Cancer Support Network, cancer is the most dangerous yet unrecognized threat to the health and

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safety of our nation's firefighters.

Over their careers and even over the course of one call, firefighters are exposed to multiple cancer-causing agents through varied routes of exposure.

The Firefighter Cancer Registry Act will allow researchers to better understand the link between firefighting and the multiple forms of cancer and would promote innovation and the improvement of protective equipment for firefighters.

Enhanced data collection can also lead to better treatments for firefighters battling cancer.

I would like to thank the gentleman from New York for leading this effort. I am proud to be an original co-sponsor of this important legislation. I am encouraged by the committee's efforts to support our nation's firefighters.

I urge your support and I yield back.

The Chairman. Gentlelady yields back the balance of her time. Any other members seeking recognition?

Seeing none, the question now arises on passage. Favorably reporting H.R. 931 to the floor.

All those in favor will say aye.

Those opposed, no.

The ayes appear to have it. The ayes have it and the bill is reported to the floor favorably.

The Chair calls up H.R. 880 as favorably reported by the

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Subcommittee on Health on June 29th, 2017 and ask the Clerk to report.

The Clerk. H.R. 880, to amend the Public Health Service Act to facilitate assignments of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers and for other purposes.

The Chairman. Without objection, the first reading of the bill is dispensed with. The bill will be open for amendment at any time.

Are there bipartisan amendments to the bill? The gentleman -- the subcommittee chairman, the gentleman from Texas, Dr. Burgess, is recognized.

Mr. Burgess. Move to strike the last word.

The Chairman. Strike the last word, and is recognized for five minutes.

Mr. Burgess. Mr. Chairman, I do have a bipartisan amendment. Let me just first say that I am grateful to the Full Committee for marking up the bipartisan --

The Chairman. Go ahead.

Mr. Burgess. It was a late -- it was a late night last night. The Chairman advised me about the Rules Committee and I wouldn't accept his counsel.

[Laughter.]

And I am reaping that --

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The Chairman. You know, that explains why -- yeah. Please go ahead and speak on this and then we will take up the bipartisan amendment thereafter.

Mr. Burgess. Wonderful.

The bill does -- will establish a grant program for military civilian partnerships and trauma care. It will allow both sectors to benefit from others' experience and expertise.

The program is intended to address significant variation in trauma care delivery across the country while helping our troops maintain battlefield readiness between periods of active engagement.

This bill stems from a June 2016 report from the National Academies of Science, Engineering, and Medicine entitled, "A National Trauma Care System Integrating Military and Civilian Trauma Systems to Achieve Zero Preventable Deaths After Injury."

Among the report's recommendation to propose that the secretary of defense should take steps to develop integrated permanent joint civilian and military trauma system training platforms in order to create and sustain expert trauma workforce between periods of active combat.

And now if it is in order, I have an amendment to this.

The Chairman. The Clerk will report the bipartisan amendment.

The Clerk. Amendment to H.R. 880 offered by Mr. Burgess.

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The Chairman. Without objection, further reading of the amendment is dispensed with. The gentleman from Texas is recognized to speak on his amendment.

Mr. Burgess. Thank you, Mr. Chairman.

Mr. Chairman, I actually -- I also want to thank you for your comments in your opening statements about the work that is ongoing on seeking offsets for several of the bills that are being offered today and this bill is one of those.

So I am offering an amendment that makes two small changes. It makes the bill more budget conscious. While it is not get cut-go compliant, it adjusts authorization levels to bring us closer to that goal.

I look forward to working with the other members of the committee to identify offsets as we continue to move this bill through the legislative process.

Secondly, the amendment provides clarity to the role that states play in licensing providers that practice under this bill.

I am encouraged by the bipartisan effort to support both our servicemen and our nation's trauma care systems and I would like to thank Representatives Green, Hudson, Castor for their work on this important bill and I am prepared to yield back.

The Chairman. The gentleman yields back.

Are there other members seeking recognition to speak on the amendment? I would go to Mr. Green --

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Mr. Green. Thank you, Mr. Chairman.

I move to strike the last word.

The Chairman. Gentleman is recognized.

Mr. Green. I want to speak about 880, the MISSION ZERO Act introduced by myself and Chairman Burgess along with Representative Castor and Hudson.

The bill would promote the development of partnerships between civilian trauma centers and our military. This will increase the number of trauma care providers available in civilian settings, maintain the combat readiness of our military trauma teams and providers, and ensure a learning health system where knowledge is shared between civilian and combat trauma settings.

There are nearly 30,000 preventable fatalities from trauma injury each year that would -- could have been avoided by optimal care provided through a coordinated trauma care system.

The MISSION ZERO Act will assist the Department of Defense in assigning trauma surgeons to civilian trauma centers, filling a gap in care, and establishing a grant program for eligible trauma systems and centers to incorporate full military trauma teams and individual military trauma providers in their hospitals.

This bill is a step toward a national trauma care system that will allow for the continuous and seamless exchange of knowledge across the military and the civilian health care centers.

And on a personal note, Mr. Chairman, our Health Care

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Subcommittee in 2005 I think when Governor Deal from Georgia now as our chair we did a CODEL to Iraq and Afghanistan to look at the trauma centers in Iraq at Balad and also in Baghdad but also in Bagram.

And I was amazed in Balad because most of those surgeons were actually Reservists who were called up on 90 days so they could keep their practice at home.

But when we were observing a soldier who was hurt, the number of specialty physicians who were there all at the same time, because if you got blown up into a Humvee, you had -- you need a neurologist, you need an orthopedic surgeon, you need a -- so there were so many specialties working at the same time.

And I talked about that in Houston because at one time Fort Sam Houston would send their doctors to Houston, our level one trauma center, on a Friday and Saturday night because up until the IEDs it was typically shootings and knifings.

And so I think this bill is just going to be amazing, but it did start with our CODEL and watched the military traumas. So I encourage a yes vote and I yield back my time.

The Chairman. Gentleman yields back his time.

Are other members seeking recognition on this bill? The Republican side? No one else?

Ms. Clarke, did you want to speak on this? Another amendment. Okay. Are there any other -- anyone else seeking

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recognition?

If not, the question arises on passage of the Burgess amendment.

Those in favor will say aye, those nay. Well, we will do that a little slower.

Those in favor, say aye.

Those opposed, no.

The ayes appear to have it. The ayes have it. The amendment is adopted.

Are there further amendments? Now, there we go.

The Chair recognizes the gentlelady, Ms. Clarke, for an amendment.

Ms. Clarke. Thank you, Mr. Chairman.

I move to strike the last word and I do have an amendment at the desk.

The Chairman. Could we go ahead and call up the amendment first? Would that be all right?

Ms. Clarke. Absolutely.

The Chairman. And then you can speak on it. Okay.

The Clerk will report the amendment.

The Clerk. Amendment to H.R. 880, offered by Ms. Clarke.

The Chairman. Without objection, further reading of the amendment is dispensed with. The Chair recognizes the gentlelady to speak on her amendment.

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Ms. Clarke. Thank you, Mr. Chairman.

Mr. Chairman, my amendment would require that HHS secretary, in consultation with the secretary of defense, to include in their report to Congress the effect that H.R. 880, the Mission Act, has on providing health care to civilian trauma patients in both urban and rural settings.

This bill already requires the secretaries to provide a report to Congress discussing the effect of H.R. 880 on providing health care to civilian trauma patients.

My amendment simply takes this requirement a step further by asking for a specific breakdown of the numbers by urban and rural settings.

Unfortunately, in some parts of my district violence is endemic, especially gun violence. As a result, hospitals in my district such as Brookdale and Kings County Hospitals see a significant number of trauma cases.

Having increased access to quality trauma care, which was provided for by this bill, will save countless lives and notably improve health care outcomes for victims of violent and traumatic encounters in my district and across the nation.

And by further enumerating the numbers into urban and rural categories, which my amendment would require, we will be able to see where the greatest need is and make the necessary adjustments to the grant program to ensure a more efficient and effective

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program.

Finally, it is my hope that the benefits of the underlying bill will be similar to those experienced by the National Health Service Corps.

Not only do community health centers benefit from the extra manpower provided through the National Health Services Corps, the program acts as a major recruitment tool for community health centers.

Many of the doctors who are placed by the National Health Service Corps remain at the community health center once their service commitment ends.

Hopefully, upon retirement, the military trauma providers who participate in this program will return to the civilian trauma centers where they were once stationed.

Civilian trauma centers could certainly use the help. Everyone wins with this bill. Urban areas win, rural areas win, civilians win, and the military wins, too.

I am encouraged by what this bill will do to improve the quality of and access to trauma care in this country and I ask my colleagues to join me in supporting this amendment and the underlying bill.

With that, Mr. Chairman, I yield back the balance of my time.

The Chairman. Gentlelady yields back the balance of her time.

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Other members seeking recognition on the Clarke amendment?  
Either side?

Seeing none, the question now arises on passage of the --  
of the -- yes, on the Clarke amendment.

Those in favor will say aye.

Those opposed, nay.

The ayes appear to have it. The ayes have it and the  
amendment is adopted.

Are there further amendments to the underlying bill?

If not, the question now occurs on favorably reporting H.R.  
880 as amended.

All those in favor shall signify by saying aye.

Those opposed, nay.

The ayes appear to have it. The ayes have it and H.R. 880  
is favorably reported to the full house.

The Chair now calls up H.R. 2422 as favorably reported by  
the Subcommittee on Health on June 29th, 2017, and I ask the Clerk  
to report.

The Clerk. H.R. 2422, to amend the Public Health Service  
Act to improve essential oral health care for low-income and other  
underserved individuals by breaking down barriers to care and for  
other purposes.

The Chairman. Without objection, the first reading of the  
bill is dispensed with. The bill will be open for amendment at

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any time. Are there any bipartisan amendments to this bill?

Is anyone seeking recognition on this bill? Oh, the Chair recognizes the gentleman from Texas, Mr. Green.

Mr. Green. Thank you, Mr. Chairman.

I strike the last word. I want to speak in support of H.R. 2422, the Action for Dental Health Act of 2017 sponsored by our colleague, Congresswoman Kelly.

The bill will make grants available at both Centers for Disease Control and Prevention and Health Resources and Services Administration, HRSA, for initiatives in improved oral health for underserved populations.

I was pleased to offer an amendment to H.R. 2422 during the subcommittee markup of my amendment, incorporated feedback from CDC and HRSA, and will help ensure that we are building on the existing oral health programs in both agencies.

Poor oral health can have a negative impact on a person's overall health and quality of life and it is an unfortunate reality that many Americans have no access to affordable dental care.

These people often end up delaying care to the point where the pain becomes some unbearable they end up in our emergency rooms where they receive expensive and usually ineffective treatment.

The oral health programs this bill would support play a critical role in breaking down barriers to dental care in underserved communities.

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Under the bill, the states and voluntary groups will receive funding to -- for example, implement emergency room referral programs so the patients can receive dental care in a dentist chair and not the ER or a community dental health coordinator to help patients navigate a system and find a dentist.

I would like to thank the bill's sponsors for their bipartisan work on this important legislation and programs like this provide great benefit to not only people in Texas but across the country. I urge my colleagues to join me in supporting Action for Dental Health Act.

And I will yield back my time.

The Chairman. Gentleman yields back the balance of his time.

Other members seeking recognition? The gentleman from Mississippi, Chairman Harper, is recognized.

Mr. Harper. Thank you, Mr. Chairman.

I am pleased to support H.R. 2422, the Action for Dental Health Act. I hope the secretary of Health and Human Services will utilize his authority provided in this legislation to educate the public about the importance of seeing a dentist and developing and maintaining good oral health habits.

Regular dental visits can catch serious medical problems. But I am troubled by recent data from HHS which reports that only 43 percent of the population visited a dentist in the past year

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and in rural areas only 38 percent saw a dentist in the last year.

This bill is a step towards improving these numbers and improving oral health in our country.

With that, I yield back, Mr. Chairman.

The Chairman. Gentleman yields back the balance of his time. Are other members seeking recognition?

The gentlelady from New York is recognized to strike the last world.

Ms. Clarke. Thank you very much, Mr. Chairman.

I rise in support of H.R. 2422, the Action for Dental Health Act of 2017, and to commend my esteemed colleague, the gentlelady from Illinois, Ms. Kelly, for her leadership on this issue.

This bill would, among other things, reauthorize and add new authorities to the CDC's oral health promotion and disease prevention grant. It would also permit eligible entities such as nonprofit dental societies, state programs, or dental schools to apply for CDC funding to develop or implement initiatives to reduce barriers to care and improve oral health for underserved populations.

My constituent, Dr. Reneida Reyes, is a respected pediatric dentist who runs her own successful dental practice, trains dental students and is an active board member of both the American Academy of Pediatric Dentistry and the American Dental Association.

This woman's schedule is busier than mine, and I am a member

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of Congress. Yet, she finds time to volunteer her services in underserved communities. Children just love her.

One parent raved in an online review, "My children actually asked to see Dr. Reyes." Dr. Reyes even coaxes her dental students into coming with her on a school visit or on the dental van. She reports that after their first visit to a school on dental van, the dental students are hooked.

They often become regular volunteers working right alongside her providing care and dental health education to the children of Brownsville and other underserved areas of my district.

The nonprofit dental societies that Dr. Reyes volunteers with will benefit greatly from the reauthorization of the CDC's oral health promotion and disease prevention grant that this bill provides.

Studies have linked poor oral health to, among other illnesses, heart disease, which according to the CDC, is the leading cause of death in the United States.

So it is critical to introduce children to good oral hygiene and prevention as early as possible. Good oral health saves people from pain. It saves their smiles but, most of all, it could save their lives.

I ask my colleagues to join me in supporting this much-needed bill and I yield back the balance of my time.

The Chairman. Gentlelady yields back the balance of her

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time. Thank you for your work on this.

Other members seeking recognition? Seeing none, the question now occurs on favorably reporting H.R. 2422 as amended to the House.

All those in favor will say aye.

Those opposed, no.

The ayes appear to have it. The ayes have it and the measure is favorably reported.

The Chair now calls up H.R. 772 and asks the Clerk to report.

The Clerk. H.R. 772, to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments and to amend the authority to bring proceedings under Section 403(a).

The Chairman. Without objection, the first reading of the bill is dispensed with. The bill will be open for amendment at any point.

Are there any bipartisan amendments to this bill? Any bipartisan?

The Chair recognizes the gentleman from New Jersey to strike the last word.

Mr. Pallone. Thank you, Mr. Chairman.

I move to strike the last word and speak in opposition.

We know that obesity and diet-related health conditions are

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continuing to impact Americans at record rates, creating a costly public health problem in our country and we must use every tool available to bring down the rates of obesity and do what we can to address conditions like heart disease, Type 2 diabetes, and stroke.

One tool we have is increasing access to nutrition information so consumers can make informed decisions about their options when eating out at restaurants and other food establishments and for this reason the Affordable Care Act included federal menu-labeling requirements that were intended to help consumers access nutrition information in a way that would be consistent and easy to understand.

My concern is that H.R. 772 would weaken the current menu-labeling requirements and lead to greater consumer confusion and industry uncertainty.

This bill would further delay implementation of federal menu labeling regulations that the FDA has been working on since the passage of the ACA in 2010.

The effective date of FDA's final menu-labeling rule has been repeatedly delayed, most recently in May of this year, and I fear that this bill would prolong compliance while also making significant changes to the rule.

As I noted when we considered this bill last Congress, I continue to believe that legislation is not the right approach

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to address the concerns raised by some industry groups regarding the menu labeling.

While proponents of this bill claim it would increase flexibility for covered entities, in reality the bill is overly broad and would allow restaurants and retail establishments to determine serving sizes and what would be one designated menu or menu board for the purposes of disclosing calorie information.

It would permit establishments to disclose nutritional content for certain food items through a choice of methods such as ranges, averages, or labeling of individual flavors or components instead of utilizing a standardized format, and these provisions would lead to inconsistent labeling and create confusion for consumers.

Additionally, the bill would limit the civil liability of covered entities, impeding private citizens' ability to take legal recourse should an establishment fail to comply with the menu-labeling requirements.

And for these reasons the bill is opposed by many public health groups including the American Heart Association and the Center for Science and the Public Interest.

I would like to ask unanimous consent, Mr. Chairman, to enter into the record a statement in opposition to the bill from over 75 public health groups as well as a letter from the American Association for Justice in opposition. I think you have these,

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but I'll --

The Chairman. Without -- without objection.

[The information follows:]

\*\*\*\*\*COMMITTEE INSERT 1\*\*\*\*\*

Mr. Pallone. I think you have them but I'll give them to you.

But not only will this bill hurt consumers, it will also hamstring those in industry who have been responsible actors and have made good-faith efforts to move forward with the menu-labeling requirements in order to provide their customers with the nutrition info they need.

And I think we should be encouraging industry stakeholders who are making nutrition info available, not creating more information.

So I urge my colleagues to vote against this legislation. I yield back.

The Chairman. Gentleman yields back the balance of his time.

The Chair recognizes the gentlelady from Washington.

Mrs. McMorris Rodgers. Mr. Chairman.

The Chairman. Did you want to speak on this for five minutes?

Mrs. McMorris Rodgers. Yes. I move to strike the last word.

Thank you, Mr. Chairman. I would like to take this opportunity to thank Chairman Burgess, Chairman Walden for their attention to this important issue, Representative Cardenas for co-leading this bill with me.

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Our joint efforts to clarify and improve these regulations and represent the needs of America's small business owners is critical.

When the FDA announced its final rule implementing a national menu-labeling standard in 2014, the intent was twofold -- deliver customers increased access to nutrition information and establish a single uniform national standard.

However, in trying to create a uniform standard, the FDA's 400-page rule attempts a one-size-fits-all approach to an industry as diverse as its ingredients.

Under the current rule, every deli and salad bar offering, every possibly pizza topping combination will have to be calculated and their calorie count displayed on physical menus.

This is problematic for two reasons. First, the made-to-order portion of the food industry offers endless constantly-changing combinations of ingredients. For some sandwich shops and pizzerias, the possible variations are in the tens of millions.

The FDA wants these restaurants to put on paper all of these variations and their calorie counts and have it publically displayed in the restaurants. It is an unrealistic use of these business owners' time.

Second, the digital and online ordering is now customers' preferred method of ordering. Over -- or nearly 90 percent of

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orders in some restaurants are placed without an individual ever stepping foot in a brick and mortar store.

So tell me, how does it make sense to force a restaurant to have a physical menu with calorie listings when 90 percent of your customers aren't going to see it?

And how does it make sense to force a customer to navigate millions of combinations to find the nutrition information that matches their order?

Having reliable nutritional information available to consumers is important, which is why today's discussion is on the practicality of existing regulations and how we can improve them to benefit the lives of the American people.

Over the years, I have met with stakeholders and other member offices on this issue countless times. H.R. 772 is the result of those efforts. This bill is not about the merits of calorie counts.

This bill is not and does not remove the requirement of calorie counts on menus and this bill certainly does not make it more difficult for customers to receive nutritional information.

This bill at its very core is about flexibility. This bill clarifies the intent of the FDA's rule and uses technological innovations to provide needed flexibility to America's business owners.

It would permit restaurants, grocers, convenience stores to

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provide nutrition information in a way consistent with how they operate and how customers actually place orders including by phone, online, or through mobile apps.

By bringing this rule into the 21st century, customers can trust that they are getting the reliable information they need in an easy to access way.

It also makes certain that small business owners and their employees are protected from frivolous lawsuits and criminal actions that could arise from an honest inadvertent human error.

An employee that puts too many pickles on a sandwich, thereby increasing the calorie count stated on the menu, should not face criminal charges or class action lawsuits.

This bipartisan legislation, which passed this committee and the House last Congress, provides access to calorie information in a practical, flexible, and simpler manner by clarifying, not significantly altering, complicated regulations.

I encourage my colleagues on both sides of the aisle to support H.R. 722 to bring certainty to the business community and the customers they serve.

Thank you, and I yield back.

The Chairman. The gentlelady yields back.

Are there other members seeking recognition? The Chair recognizes the gentlelady from California, Ms. Eshoo, for five minutes to strike the last word.

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Ms. Eshoo. Thank you, Mr. Chairman.

I think we all need to take a deep breath. I think that the gentlewoman has made points about what is before us. But with all due respect, I think it is a little over the top.

There isn't anyone that cares about the -- you know, what we -- what we eat that I think very sensibly, common sense, hasn't benefitted whether they are in a coffee shop, wherever they are, to see what the calories are -- the calorie count content.

I don't need to know all of the scientific words that describe the -- you know, what the composition of the -- of the food is. But I think that we benefit from that.

Now, really, what this legislation does is to extend the time frame relative to the compliance date with the FDA. Everyone should know that the FDA has extended the compliance date of the final rule multiple times and they have done that because they have worked with the stakeholders.

So this is not about lawsuits and, I don't know, all the things that were listed. I mean, it was like, you know, we are going to remove the first-born child out of every household.

That is not what it is. This is -- the legislation moves the compliance date. Now, if that is what the committee wants to do, then you're going to vote for moving the compliance date.

But it has been -- people -- these businesses have been given many, many opportunities, appropriately -- everybody's got to be

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heard -- and the last time they did so was five days before the rule was due to go into effect.

So my point is is that stakeholders have been able to work with the FDA. They have extended the compliance date of the final rule multiple times, legitimately so, and this has given restaurants and food establishments plenty of time to meet the FDA's requirements.

So I don't really find this to be common sense. My grandmother used to say the most uncommon of the senses is common sense. But I don't think that this is common sense and I think that -- I think that this nutritional -- we are in a new era. We are not in the '50s. We are not in the '50s.

Now, if people want to eat things that are highly caloric, then that is up to them. But we know on this committee what the costs are relative to obesity, what that brings about.

So we are in a new era. When I first came to Congress, there was not salad bar here, and platters of food were decorated with fruit.

Now, I am from California so that was a shock to me. So people think very differently about their intake now. They still have a choice to eat the fattening salty things. But this is important for us to move on and so that the public is informed. It is their choice.

So I don't think this is about frivolous lawsuits and all

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the things that have been contended and we know that the prepared and precooked food industry has grown exponentially. People are working longer -- they are working harder -- women in the workforce.

And so I go and buy a lot of prepared things but I always look to see what -- how much sodium is in it and many of them are loaded with sodium because I end up putting the product back on the shelf.

So if the committee thinks that the -- that there should be an extension of the compliance date, that is one thing, and that is before us. I think people have had a long time to -- and appropriately so -- to comply.

So my choice is is that we move ahead and let people be informed about the caloric intake. I don't think that is such a big deal. I have gone to many restaurants, small mom and pop operations.

They put the calories on it and I think it is terrific that they do. I think it is forward leaning. I think people can benefit from it if they want to. If they don't, they don't.

So I think it is time that we get this going and so I think I have said enough about it. I don't think that we need this but it is up to the committee.

I am not going to support it because I think that there have been many opportunities. Everybody has had a chance. It has

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been changed many times, rolled forward, and I think it is time to fish or cut bait now.

The Chairman. All right. The gentlelady's --

Ms. Eshoo. So I yield back. Thank you.

The Chairman. I am going to fish and cut bait.

The Chair recognizes the gentleman from Ohio, Mr. Latta.

Mr. Latta. Thank you, Mr. Chairman.

I yield to the gentlelady from Washington.

Mrs. McMorris Rodgers. Well, I may just want to clarify a bit here.

First of all, the regulations that came out of FDA were some of the most -- it was one of the top three costly regulations ever issued by the federal government. It said the proposed regulations could have a huge impact.

Part of the reason it has been delayed for as long as it has is because of the concern from many food establishments across the country that it is impossible to meet the requirements that are being laid out.

There have been numerous meetings with FDA through the years. But part of the reason that we are here today is because the concerns have not been addressed and that is why we need the legislation -- the work that has been done by stakeholders, so many members, industry to bring certainty to our small business owners across the country --

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Ms. Eshoo. Would the gentlewoman yield?

Mrs. McMorris Rodgers. -- that continue to worry about these regulations. And I might also mention the regulations do include criminal penalties, the potential of frivolous lawsuits for someone, an individual, who inadvertently may not do -- put the sandwich together just right.

Ms. Eshoo. Would the gentlewoman yield?

Mrs. McMorris Rodgers. Sure.

Ms. Eshoo. I just -- do you yield?

Mrs. McMorris Rodgers. Sure.

Ms. Eshoo. Thank you. I appreciate it.

I don't think it is the job of our committee -- maybe others do -- but I don't think it is the job of our committee to get into the specifics of the -- of what the foods contain, the calories, and all of that.

That belongs with an agency to do and that is why I am really uncomfortable about the -- about the -- about the legislation. So I think it belongs with the FDA and I just want to --

Mrs. McMorris Rodgers. Reclaiming my time.

Ms. Eshoo. Thank you. I appreciate that.

Mrs. McMorris Rodgers. I may -- I may remind the committee that this issue fundamentally was first addressed in law that gave the FDA the ability to even write these rules.

But when the rules were written by the FDA, it is another

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example where an agency went way beyond what was ever in the underlying law and so it is our responsibility to come back and provide that clarification.

And so that is why the legislation is needed, and with that, I will yield back.

Mr. Pallone. Will the gentlewoman yield? Or I guess I can get other time.

Mr. Latta. I yield to the gentleman from New Jersey.

Mr. Pallone. I -- look, I just want to say, very briefly, I guess I really disagree with the gentlewoman.

This is about the right to know. There are so many times, I think, when we basically are empowering consumers or individuals to make choices because, you know, we think that that is something individuals would do.

And so, to me, this -- it is very important that these rules and that what was in the ACA originally with regard to menu labeling move forward.

And, you know, that bill was passed in 2010. It is now 2017, and I disagree with the gentlewoman that there haven't been -- there hasn't been ample opportunity, and I have been involved with this personally, for, you know, those within the industry to make their case before the FDA changes -- you know, sure, there were some initial regulations.

They have been changed and there has been ample opportunity

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over those, you know, seven years or so to really get input from the industry and I don't think that -- you know, I think the industry is split on this.

There are a lot of, you know, people who, within the industry, have moved forward, have -- you know, are ready to implement these regulations, and I do agree with the gentlewoman from California, Ms. Eshoo.

You know, at some point, you know, we have as a -- as a Congress to establish the overall framework and leave it up to the agency and the industry to work together rather than going back and saying, you know, we are going to delay again or we are going to substantively change and make for even more confusion.

There are substantive changes in this bill. It is not just a delay. And my fear is that those changes -- you know, some in the industry want additional changes. But those changes make for even more confusion.

So I think that what the gentlewoman, Ms. Eshoo, said about, you know -- we just can't keep delaying and delaying and making changes at the congressional level.

These changes are being made with the industry and by the agency in charge and it is time for us to say, look, okay, enough is enough. And I don't -- it may also be that the FDA will, you know, make additional changes.

But the bottom line is I don't think that we need to go beyond

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what we planned on in the beginning. It was establishing the basic right to know so that, you know, individuals can make responsible choices.

That is really important, and thank you for the time, Mr. Latta.

The Chairman. The gentleman --

Mr. Latta. My time has expired.

The Chairman. The gentleman's time has expired. Are there members on this side seeking recognition?

The gentleman from New York, Mr. Engel, is recognized to strike the last word.

Mr. Engel. Thank you, Mr. Chairman. I yield to Ms. Eshoo.

Ms. Eshoo. I thank the gentleman for yielding to me.

My colleagues, I think that there are a couple of things to underscore in this. This is a consumer protection issue. That is why it was brought up and legislated. That is really what the law was about.

This legislation that is before us today is going to preempt the state's ability to impose more stringent nutrition labeling requirements.

Now, California always has the best consumer protections and I don't think a state like California or any other state in the union that wants to offer their consumers a higher level of protection should be preempted from doing so. It is a higher

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level. I think that states should have the right to do that.

This bill really represents a patchwork of protocols and it creates a decrease in consumer access to important nutritional information but it also, I believe, is going to increase the likelihood of inconsistent and confusing menu labels.

So we are getting all tangled up on this thing. The purpose of the original legislation was to inform Americans about the nutrition of the foods that they are eating. I don't find that to be so menacing or outrageous. I think it is smart. I think it is forward leaning.

I think that also that it was appropriate for stakeholders to be working with the FDA and the FDA stretched out the time. But as the ranking member of the Full Committee said, it has been going on for seven years.

So it is not like there has been a condensed time frame -- that the private sector has been ignored, not listened to, and that there is a race to the bottom to put something bad in place. We need to move on.

So I think that the underlying legislation really worsens the situation rather than helping it along. So I have a lot of respect for the -- for the gentlewoman and the work that she does.

So this isn't -- I just don't agree with you. I think that this is -- I don't think this is necessary and I really think that we need to move on.

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So I thank the gentleman for yielding to me and I yield back to you.

Mr. Engel. Mr. Chairman, I yield back.

The Chairman. We have a little interruption up here. Welcome Arlo and Tiffany back.

[Applause.]

The Chairman. Yes. There you go. Okay. Now we can all get along.

[Laughter.]

Ms. Eshoo. Talk about nutrition. I mean, this baby is well-fed, huh? Yes.

[Laughter.]

The Chairman. Not going anywhere near any of that.

Members on this side of the aisle seeking recognition. Mr. Griffith, were you -- you wave off?

The gentleman from Michigan, Mr. Walberg, is recognized for five minutes. Strike the last word.

Mr. Walberg. Strike the last word, Mr. Chairman, and being a grandfather you have taken my attention off now as well. To see a beautiful baby like that warms my heart and I think it also draws attention to the fact that we do want to do things that properly bring nutrition to our citizens, that little baby included, in the years ahead.

But we also know that what they are going to see is far

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different than what we are experiencing right now. Just having an opportunity to go out to the Silicon Valley in California and see some of the sharing economy and the tech industry, it is amazing how fast things are moving, and the fact that we have to be light on our feet and prepared for what consumers are going to be expecting.

And I think these seven years that we have been delaying and looking at how we really impact menu labeling, which has its benefits, of course, but the right to know also ought to be a right to know in a competent fashion that keeps up with the times and really provides information that is not simply adequate but accurate and accurate in a way that the consumer is looking for and capable of looking for it right now.

Representative Dingell and I have the privilege of having a major pizza corporation on the borders of our district, sharing it together, and that was a corporation that several years ago took an unbelievable stance with the CEO stepping up and saying, we have not been doing well for our consumers -- tell us what you want.

It changed everything in that industry. They learned and they stepped up to the plate. Now, in walking through and seeing the abilities that they have given to their consumers with literally millions of choices that they have to put on their pizza in their own way and to be able to online or on the phone be able

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to look at a menu label, as it were, but not on a board because over 90 percent of their people will not be coming into a store.

They will be ordering online or by phone and they have the capability of seeing it in a way they couldn't see by the original menu-labeling requirements.

This goes -- I believe this bill here, and I appreciate the gentlewoman from Washington pushing it forward and making it an opportunity for us to really look at what will work now and have a diversity there so a one-size-fits-all plan isn't pushed forward.

Not every place is the same, and even the menu items that are there have different numbers of chicken in the basket or size of the chicken. It is all different.

So what is a consumer getting? We want to make sure to the best of our ability -- it will never be 100 percent but the best of our ability we give the consumer the nutrition labeling that they can use and make best decisions but, in turn, allow the unique businesses that are out there with their framework to not only give that information out but to succeed and be there available for their consumer to continue enjoying what they have for them.

So, Mr. Chairman, I stand fully in support of this bill. I think it is common sense. I think it keeps us up to the times. It gives us the flexibility to continue to expand our capabilities and meeting the needs of consumers in a realistic way to encourage

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good nutrition but also to encourage choice and do it in a way that makes sense.

So having said that --

Mr. Shimkus. Would the gentleman yield just one -- your last minute? Back behind you.

Mr. Walberg. Would yield.

Mr. Shimkus. Thank you.

I would just say two things. For a committee that prides itself on being high-tech, the fight over menu boards and printed menu lists is really kind of silly. So I think if -- you know, if we really believe in the digital age, we ought to be supporting my colleague.

And the second thing is, in small-town America you have people who try to start over by opening restaurants and for the individual restaurateur, when this deal was cut it was really the chain folks who were going to have national menus and they were going to have the Applebee's of the world and the like. It is not -- it is not Joe's Bar & Grill or the micropub. They are popping up all over the place.

So for those two reasons, I appreciate what my colleague is doing, and with that, I yield back to my colleague from Michigan.

Mr. Walberg. I thank the gentleman. It is absolutely right where we are coming from. Let us not impinge upon the opportunity for people to succeed and do it in the -- in the food industry.

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And I think we are -- we are taking a major step forward that will help all and with -- having said that, I yield back.

The Chairman. Okay. Are there other members seeking recognition?

The Chair recognizes the gentlelady from Illinois.

Ms. Schakowsky. Thank you, Mr. Chairman.

I move to strike the last word.

I am strongly opposed to H.R. 772, the Common Sense Nutrition Disclosure Act. You know, at a time when over 78 million adults are obese, we should not be undermining efforts to educate consumers about nutritional value of the foods that they eat.

The estimated annual cost of obesity in the United States is \$147 billion. We should be embracing efforts to reduce this enormous cost to our health care system and instead H.R. 772 would take us in the opposite direction by undermining and further delaying important consumer protections.

First, it would allow establishments to display calorie information in a way that would only serve to confuse and mislead consumers.

Second, it would deny consumers the opportunity to view caloric information regardless of how or where they purchase food from a chain restaurant.

Finally, it would severely delay the final rule for menu labeling by sending the FDA back to the drawing board and then

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insisting -- instating a period of at least two years before that revised rule can take effect.

The FDA has already put forth a proposed rule, solicited comments, worked with stakeholders to finalize the menu-labeling rule. Then, as others have mentioned, the Trump administration delayed the implementation of the rule only four days before it was set to go into effect.

Countless businesses have invested already time and money into menu labeling and it is irresponsible to delay the implementation of this important rule mere days before it was set to take effect.

More importantly, consumers deserve access to this information. Studies have shown that providing nutrition information at restaurants actually can and does help people make lower calorie choices.

In addition, a national poll found that 80 percent of Americans supports caloric labeling at chain supermarkets and restaurants.

H.R. 772 would weaken an important tool intended to help Americans make informed food choices at a time when obesity and other nutrition-related health problems are at critical levels.

That is why countless consumers and public health organizations oppose this bill including the American Cancer Society, the American Diabetes Association, the American Heart

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Association, the American Nurses Association, and the Trust for America's Health.

I urge my colleagues to take another look at this. There is a lot of opposition from the field where people are most informed and, you know, nobody is forced to look at that nutritional information. No one is forced to look at the calories.

But a lot of Americans -- I include myself among them -- think it is really a good idea. We should be encouraging that.

And so I urge my colleagues to oppose this bill. I thank you and I yield back.

The Chairman. Gentlelady yields back.

The Chair recognizes --

Mrs. McMorris Rodgers. Mr. Chairman.

The Chairman. -- the gentlelady from Washington for what purpose?

Mrs. McMorris Rodgers. Thank you, Mr. Chairman. I have an amendment at the desk.

The Chairman. Clerk will report the amendment.

The Clerk. Amendment to H.R. 772, offered by Mrs. McMorris Rodgers.

The Chairman. Without objection, further reading of the amendment is dispensed with and the gentlelady is recognized for five minutes to speak on her amendment.

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

This is a bipartisan amendment I am offering with Representative Cardenas. It is simple, noncontroversial, supported by the grocers, convenience stores, pizzas, pizza restaurants including the National Restaurant Association.

When the legislation was first drafted in 2011, it made sense to statutorily ensure an implementation period for the food establishments affected by the regulation.

But as has been mentioned, it has been almost seven years and many of these establishments are very familiar with what FDA finalized and what we are proposing here today.

We need to bring certainty to our nation's businesses and the customers they serve as quickly as possible and I believe the FDA will determine the amount -- the appropriate amount of time needed for proper implementation before official enforcement.

I encourage my colleagues on both side of the aisle to support this important amendment and ultimately vote yes for the bipartisan Common Sense Nutrition Disclosure Act.

I yield back.

The Chairman. Gentlelady yields back.

The Chair recognizes the gentleman from New Jersey for five minutes. Strike the last word.

Mr. Pallone. Thank you, Mr. Chairman, and I want to speak in opposition to this amendment.

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The proponents of this amendment seem to be arguing that by striking the language requiring a two-year delay before new final regulations could take effect that this bill would not lead to an extended delay for many labeling requirements.

But that is simply not true, in my opinion. This bill would require FDA to issue new proposed regulations and ultimately new final regulations through notice and comment rulemaking.

We know that process can be timely and this amendment does nothing to speed up implementation. The final menu labeling rule has been repeatedly delayed and was set to go into effect on May 15th of this year before it was delayed once again at the very last minute.

Restaurants and other retail food establishments should be ready to comply with the menu-labeling requirements and this amendment does not solve the underlying problems with this bill, which would drag out compliance and make substantial changes to the menu-labeling requirements as they stand, only leading to greater confusion for both consumers and industry.

Again, my concern -- I know Ms. Eshoo has expressed the same concern -- is that we have worked for many years now with the FDA, with a lot of these establishments, in trying to come up with regulations that meet the industry's concerns, and I think that for the most part we have done that.

And we really -- you know, how far can this committee and

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this Congress go in trying to get into the intricate details of what should be done?

Again, this was a right to know measure. This was included in the ACA because many people wanted to be empowered to make their own decisions.

We are basically giving this -- you know, it is the notion of individual responsibility, that people should be able to make their own decisions and they can't do that if they don't have this basic information which I believe that they will have, and it makes no sense, in my opinion, to continue this delay and trying to impose, you know, other conditions at the congressional level.

So I would ask my colleagues to oppose the McMorris Rodgers amendment. I yield back, unless somebody wants my time. I guess they can get their own.

The Chairman. Gentleman yields back.

The Chair recognizes the gentleman from Pennsylvania, Mr. Murphy, for five minutes.

Mr. Murphy. Thank you. I wonder if the gentlewoman from Washington would have a colloquy with me on this.

Does this bill impede a consumer's right to know about caloric intake of food? Does this bill correct some issues whereby a cook in the kitchen in good faith may make some inadvertent changes in some of the food content there that otherwise they would be held -- they could be held criminally

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liable for this?

Mrs. McMorris Rodgers. Absolutely. Yes.

Mr. Murphy. I don't know how many members of this committee have been a cook in a restaurant. Any show of hands? How many people have done that kind of work?

Just imagine yourself being criminally liable. Now, plus, I think the issue of standard portion is also something that one may have.

I would suspect standard portion for my good friend, Mr. Long, might be a little different from the dainty and frail Mr. Kinzinger --

[Laughter.]

-- with regard to these things. But nonetheless, in these cases, however, it still provides information for the consumer to make their own decision as the bill as you have drafted stands, correct?

Mrs. McMorris Rodgers. That is right. That is --

Mr. Murphy. I think that is extremely important that people get back to the facts on this instead of continue to raise issues that are simply not there. Your bill does correct many of these things.

And I know Mr. Griffith, I believe, also had his hand up. So if he would like me to yield some time to -- with Mr. Griffith, I yield to you.

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Mr. Griffith. Thank you very much. I appreciate that.

You know, I want to speak for a minute for the 36 million people in this country who suffer from food allergies. Both my son and I do.

We have different food allergies, and what the well-meaning folks who are opposed to this bill don't seem to understand is you may actually be denying -- inadvertently denying us the right to go out to eat because there is no way you can get a menu board that has every combination.

Every single time we go into a restaurant we change the ingredients because we can't eat some of them. We say, take this out -- can you substitute and put that in, and all it is going to take is one public case, one that goes viral where some restaurant gets sued or there is a criminal liability brought against them and every restaurant in the country is going to say, nope, you can't vary the items of food -- you have got to stick with what's in our list on the menu board -- you can't change them.

And when you have a family where one of us, me, is allergic to -- has a true wheat allergy, most of the nuts but not peanuts, oranges -- let's see, now I can have oranges again -- bananas and strawberries, most of the shellfish but not all the shellfish.

My son and I have shellfish allergies but they are not the same. He can't have the peanuts. I can have the peanuts. We have to change every single item that we go to a restaurant on

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and there is no way that a restaurateur can get the menu board right.

This legislation is extremely important. This amendment is important. I hope we will vote for the amendment and for the legislation because there is no way they can keep up with it when you've got people who have this kind of an issue.

We can straighten it out. We know what we are supposed to eat and what we are not supposed to eat and if you give us a general idea of what the caloric content is, that is fine.

But let us not hold these folks responsible when I am rearranging everything on their menu for the benefit of myself and my son.

I yield back to the gentleman from Pennsylvania.

Mr. Murphy. If anybody else on this side wants time, otherwise I will yield back to the Chair.

The Chairman. And the gentleman yields back.

Other members seeking recognition? The gentleman from California, co-sponsor of the amendment, is recognized for five minutes to speak on the amendment.

Mr. Cardenas. Thank you very much, Mr. Chairman.

I am happy to co-lead on the amendment and also on H.R. 772, the Common Sense Nutrition Disclosure Act, with my colleague, Congresswoman McMorris Rodgers.

This bipartisan legislation would give food retailers the

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flexibility they need to comply with the FDA's menu-labeling rule. The bill passed the House through regular order and the previous Congress' strong bipartisan support. Currently, this measure has the support of 80 bipartisan co-sponsors in this House.

I want to be clear. This bill does not limit or reduce the nutritional information provided to consumers. What it does, however, do is the following. It allows the establishment to choose how to provide calorie information for the whole product, number of servings or number of calories per serving.

Nutrient content for a variation such as a flavor or combinations is to be listed as single menu items -- must be accounted for in the whole menu item or serving through a range or average or individual labeling of a component.

Essentially, it makes it easier to identify if an item has more than one serving. It also defines a reasonable basis of nutrient-disclosure content as allowing for variation in nutrient content due to service size or human error in preparation and variation in ingredients.

It also defines standard menu item to be an item with the same recipe prepared substantially the same way with substantially the same food components that are routinely included on a menu.

It also defines menu board. Currently, there is no clear definition of what constitutes a menu board. If a majority of

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orders are placed by consumers who are off premise, the nutrition information is required to be disclosed through a remote access menu and one on the premise is not required.

Under the current rule, the FDA can't even specify to convenience stores how to comply. The definition of a menu is -- menu board is creating confusion for restaurants and other food establishments.

In May of this year, the FDA established an interim final rule extending the compliance date for menu labeling requirements to May 7th, 2018, and establishing a 60-day comment period.

Given the confusion created in localities around the country where officials have prematurely enforced rules prior to May 18th compliance date, it is time to step up and enforce the preemption requirements and create a federal menu labeling standard.

I personally have visited establishments that currently provide as best they can nutrition disclosure information on all their products.

They are glad to do it and yet they point out that they have had to, unfortunately, spend tremendous amounts of time and resources on lawyers due to the uncertainty as to whether their attempted compliance is actually accurate.

And it is very important to understand -- when I visit these facilities I am thinking about the consumer. I am not just thinking about the person who owns the place who's explaining to

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me how complicated this compliance is and I say again they always say they are glad to do it.

But what they don't like is the uncertainty, not knowing that all of that energy and resource that they are putting into that may still result in them being noncompliant, paying fines, and possibly even having criminal charges in some cases and also having to realize that they end up spending way too much money on lawyers rather than trying to do something that one establishment did even though they are spending a lot of money on lawyers.

They actually introduced me to the person that they hired as a nutritionist to actually give free information beyond all of this compliance to their customers.

And it warmed my heart to see that this establishment was established in a 90 percent Latino community and that they are going to teach nutrition responsibility to people who otherwise don't have much access to that in that very hardworking community of people who mostly speak Spanish.

So my point is this. I think it is important for us to respect and understand that when people are employers their job in their minds and their hearts is to make sure that they keep those doors open.

In addition to that, some of us have owned business in highly regulated industries. We welcome that. Yet, at the same time

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what is unfortunate is when we have attempted compliance on the part of the owner when we are unsure as to whether or not all of that energy, all of that effort, is going to still get us in trouble.

I think that this bill and this amendment is a step in the right direction. It is not perfect. It is human made. Yet, at the same time, I think it is a opportunity for us as legislators to take responsibility of our part when it comes to the kind of compliance nationwide and the kind of responsibility that we need to take as legislators.

With that, Mr. Chairman, I yield back.

The Chairman. Gentleman yields back the balance of his time.

Other members seeking recognition on the amendment? Seeing none, question now occurs on adoption of the amendment.

Those in favor will say aye.

Those opposed, nay.

The ayes appear to have it. The ayes have it and the amendment is adopted.

Are there further amendments to H.R. 772? The gentleman for Oregon is recognized for what purpose?

Mr. Schrader. I have an amendment at the desk.

The Chairman. Clerk will report the amendment.

The Clerk. Amendment to H.R. 772, offered by Mr. Schrader.

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The Chairman. Without objection, further reading of the amendment is dispensed with and the Chair recognizes the gentleman from Oregon for five minutes to speak on his amendment.

Mr. Schrader. Thank you very much, Mr. Chairman.

I believe regulations are rarely a one-size-fits-all. I don't think Congress should be in the business of writing loopholes into law to benefit certain businesses over others.

I appreciate the steps this bill takes to allow more flexibility across the board. But the legislation before us goes too far granting a broad exemption for one sector of the restaurant industry, effectively giving them special treatment when compared to other chain restaurants. It is just not fair. It is a competitive advantage.

Under this bill, restaurants where 50 percent or more orders are placed off site, they would be granted a broad exemption from the rules.

Instead of being required to post nutrition and calorie information in their physical locations, like all the other chain restaurants that are required to place nutrition information directly on their physical locations and on their menus, they would get an exemption.

I don't want to see the government causing any inequity, frankly, in the restaurant industry. It is just not fair. I am afraid that my amendment would simply strike this loophole. Easy

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to do.

I think we are also doing consumers a disservice by allowing this information to be so remote that it is virtually useless to them.

For one thing, although most orders are placed offsite at these restaurants, a significant number of consumers will not have access to the information when they choose to order onsite.

Furthermore, there is nothing in this bill that requires restaurants to even tell customers where they can find this information on a website or via phone.

Although we haven't had a hearing on this bill this year, when we heard testimony on the same legislation two years ago, representatives from the pizza industry said they were fully able to comply with the current rule by posting calorie ranges on menu boards.

Other restaurants that sell things like donuts, coffee, ice cream sundaes have said they have no problem complying with the rule as written.

I believe we should provide guidance and assistance to ensure that all restaurants can comply in a fair way, which should stop short of granting unfair loopholes.

My amendment does not stop a restaurant from voluntarily posting nutrition information online. It simply levels the playing field. If you support fairness across the industry, I

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encourage your support of my amendment.

And I yield back, Mr. Chair.

Mr. Upton. [Presiding.] Gentleman yields back.

Other members wishing to speak? Gentleman from Oklahoma of five minutes.

Mr. Mullin. Move to strike the last word.

I have to oppose Mr. Schrader's amendment, although we agree on several things, especially when it comes to over regulating the industry, this one -- this one just, quite simply, it would -- it would strip the bill. I mean, off-premise ordering is the backbone of this bill.

We have pizza shops that deliver 90 percent of their orders online and over the phone. It makes no sense to require an in-store menu board.

H.R. 772 would allow businesses to provide nutritional information in a way that is consistent with how they operate and how consumers actually place orders.

A one-size-fits-all approach to every restaurant in America won't work. We have to give businesses the flexibility to succeed.

As a small business owner, I understand firsthand the challenges restaurants like these face when having to comply with over regulations.

We aren't making anyone exempt. We are using common sense

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and providing flexibility for restaurants where it makes sense.

I yield back.

Mr. Upton. Gentleman yields back.

The Chair recognizes the gentleman from New Jersey, Mr. Pallone, for five minutes.

Mr. Pallone. Thank you, Mr. Chairman.

I want to speak in support of Mr. Schrader's amendment. The bill as currently written creates a different playing field for restaurants and other food establishments where the majority of their customers place their orders off premises.

The bill would allow these establishments to not have to comply with the menu-labeling requirements in their physical location but rather through a remote access menu such as online.

It is my belief that consumers should be able to access nutritional information regardless of the location where they purchase food whether it is in-store or online. Permitting businesses that receive just 51 percent of its orders outside its restaurant or store would disadvantage the remaining customers who make their purchases in store and block them from accessing nutritional information arbitrarily.

I support this amendment because it ensures that restaurants and other establishments are not treated differently just based on their model of serving customers. We should be applying the menu-labeling rules equitably for all covered entities so

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consumers can have access to nutrition information where and when they need it, again, based on the basic right to know.

I yield back.

Mr. Upton. Gentleman yields back.

Other members wishing to speak on the amendment? Seeing none, the vote occurs on the gentleman from Oregon's amendment.

A roll has been requested. The Clerk will call the roll.

The Clerk. Mr. Barton.

[No response.]

Mr. Shimkus.

Mr. Shimkus. No.

The Clerk. Mr. Shimkus votes no.

Mr. Murphy.

Mr. Murphy. No.

The Clerk. Mr. Murphy votes no.

Mr. Burgess.

[No response.]

Mrs. Blackburn.

[No response.]

Mr. Scalise.

[No response.]

Mr. Latta.

Mr. Latta. No.

The Clerk. Mr. Latta votes no.

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Mrs. McMorris Rodgers.

Mrs. McMorris Rodgers. No.

The Clerk. Mrs. McMorris Rodgers votes no.

Mr. Harper.

Mr. Harper. No.

The Clerk. Mr. Harper votes no.

Mr. Lance.

Mr. Lance. No.

The Clerk. Mr. Lance votes no.

Mr. Guthrie.

Mr. Guthrie. No.

The Clerk. Mr. Guthrie votes no.

Mr. Olson.

[No response.]

Mr. McKinley.

Mr. McKinley. No.

The Clerk. Mr. McKinley votes no.

Mr. Kinzinger.

Mr. Kinzinger. No.

The Clerk. Mr. Kinzinger votes no.

Mr. Griffith.

Mr. Griffith. No.

The Clerk. Mr. Griffith votes no.

Mr. Bilirakis.

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Mr. Bilirakis. No.

The Clerk. Mr. Bilirakis votes no.

Mr. Johnson.

Mr. Johnson. No.

The Clerk. Mr. Johnson votes no.

Mr. Long.

Mr. Long. No.

The Clerk. Mr. Long votes no.

Mr. Bucshon.

Mr. Bucshon. No.

The Clerk. Mr. Bucshon votes no.

Mr. Flores.

Mr. Flores. No.

The Clerk. Mr. Flores votes no.

Mrs. Brooks.

Mrs. Brooks. No.

The Clerk. Mrs. Brooks votes no.

Mr. Mullin.

Mr. Mullin. No.

The Clerk. Mr. Mullin votes no.

Mr. Hudson.

[No response.]

Mr. Collins.

Mr. Collins. No.

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The Clerk. Mr. Collins votes no.

Mr. Cramer.

Mr. Cramer. No.

The Clerk. Mr. Cramer votes no.

Mr. Walberg.

Mr. Walberg. No.

The Clerk. Mr. Walberg votes no.

Mrs. Walters.

Mrs. Walters. No.

The Clerk. Mrs. Walters votes no.

Mr. Costello.

Mr. Costello. No.

The Clerk. Mr. Costello votes no.

Mr. Carter.

Mr. Carter. No.

The Clerk. Mr. Carter votes no.

Mr. Pallone.

Mr. Pallone. Aye.

The Clerk. Mr. Pallone votes aye.

Mr. Rush.

[No response.]

Ms. Eshoo.

Ms. Eshoo. Aye.

The Clerk. Ms. Eshoo votes aye.

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Mr. Engel.

Mr. Engel. Aye.

The Clerk. Mr. Engel votes aye.

Mr. Green.

[No response.]

Ms. DeGette.

Ms. DeGette. Aye.

The Clerk. Ms. DeGette votes aye.

Mr. Doyle.

Mr. Doyle. No.

The Clerk. Mr. Doyle votes no.

Ms. Schakowsky.

Ms. Schakowsky. Aye.

The Clerk. Ms. Schakowsky votes aye.

Mr. Butterfield.

Mr. Butterfield. No.

The Clerk. Mr. Butterfield votes no.

Ms. Matsui.

Ms. Matsui. Aye.

The Clerk. Ms. Matsui votes aye.

Ms. Castor.

Ms. Castor. Aye.

The Clerk. Ms. Castor votes aye.

Mr. Sarbanes.

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Mr. Sarbanes. Aye.

The Clerk. Mr. Sarbanes votes aye.

Mr. McNerney.

Mr. McNerney. Aye.

The Clerk. Mr. McNerney votes aye.

Mr. Welch.

Mr. Welch. No.

The Clerk. Mr. Welch votes no.

Mr. Lujan.

Mr. Lujan. Aye.

The Clerk. Mr. Lujan votes aye.

Mr. Tonko.

Mr. Tonko. Aye.

The Clerk. Mr. Tonko votes aye.

Ms. Clarke.

Ms. Clarke. Aye.

The Clerk. Ms. Clarke votes aye.

Mr. Loeb sack.

Mr. Loeb sack. Aye.

The Clerk. Mr. Loeb sack votes aye.

Mr. Schrader.

Mr. Schrader. Aye.

The Clerk. Mr. Schrader votes aye.

Mr. Kennedy.

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Mr. Kennedy. Aye.

The Clerk. Mr. Kennedy votes aye.

Mr. Cardenas.

Mr. Cardenas. No.

The Clerk. Mr. Cardenas votes no.

Mr. Ruiz.

Mr. Ruiz. Aye.

The Clerk. Mr. Ruiz votes aye.

Mr. Peters.

Mr. Peters. Aye.

The Clerk. Mr. Peters votes aye.

Mrs. Dingell.

Mrs. Dingell. No.

The Clerk. Mrs. Dingell votes no.

Chairman Walden.

The Chairman. No.

The Clerk. Chairman Walden votes no.

Chairman Upton.

Mr. Upton. Votes no.

The Clerk. Chairman Upton votes no.

Mr. Upton. Has Mr. Barton been recorded?

The Clerk. Mr. Barton is not recorded.

Mr. Barton. No.

The Clerk. Mr. Barton votes no.

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Mr. Upton. Dr. Burgess?

Mr. Burgess. No.

The Clerk. Dr. Burgess votes no.

Mr. Upton. Mr. Olson?

Mr. Olson. No.

The Clerk. Mr. Olson votes no.

Mr. Upton. Mr. Rush?

The Clerk. Mr. Rush?

Mr. Rush. Aye.

The Clerk. Mr. Rush votes aye.

Mr. Upton. Mr. Green?

Mr. Green. Aye.

The Clerk. Mr. Green votes aye.

Mr. Upton. Other members wishing to cast a vote or change a vote?

I see none. The Clerk will report the tally.

The Clerk. Mr. Chairman, on that vote, there were 19 ayes and 33 noes.

Mr. Upton. Nineteen ayes, 33 noes. The amendment is not agreed to.

Are there further amendments to the bill?

Seeing none, the vote will occur on final passage as amended. H.R. 772, a recorded vote has been ordered and the Clerk will call the roll on final passage.

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The Clerk. Mr. Barton.

Mr. Barton. Aye.

The Clerk. Mr. Barton votes aye.

Mr. Shimkus.

Mr. Shimkus. Aye.

The Clerk. Mr. Shimkus votes aye.

Mr. Murphy.

Mr. Murphy. Aye.

The Clerk. Mr. Murphy votes aye.

Mr. Burgess.

Mr. Burgess. Aye.

The Clerk. Mr. Burgess votes aye.

Mrs. Blackburn.

[No response.]

Mr. Scalise.

[No response.]

Mr. Latta.

Mr. Latta. Aye.

The Clerk. Mr. Latta votes aye.

Mrs. McMorris Rodgers.

Mrs. McMorris Rodgers. Aye.

The Clerk. Mrs. McMorris Rodgers votes aye.

Mr. Harper.

Mr. Harper. Aye.

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The Clerk. Mr. Harper votes aye.

Mr. Lance.

Mr. Lance. Aye.

The Clerk. Mr. Lance votes aye.

Mr. Guthrie.

Mr. Guthrie. Aye.

The Clerk. Mr. Guthrie votes aye.

Mr. Olson.

Mr. Olson. Aye.

The Clerk. Mr. Olson votes aye.

Mr. McKinley.

Mr. McKinley. Aye.

The Clerk. Mr. McKinley votes aye.

Mr. Kinzinger.

Mr. Kinzinger. Aye.

The Clerk. Mr. Kinzinger votes aye.

Mr. Griffith.

Mr. Griffith. Aye.

The Clerk. Mr. Griffith votes aye.

Mr. Bilirakis.

Mr. Bilirakis. Aye.

The Clerk. Mr. Bilirakis votes aye.

Mr. Johnson.

Mr. Johnson. Aye.

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The Clerk. Mr. Johnson votes aye.

Mr. Long.

Mr. Long. Aye.

The Clerk. Mr. Long votes aye.

Mr. Bucshon.

Mr. Bucshon. Aye.

The Clerk. Mr. Bucshon votes aye.

Mr. Flores. Mr. Flores.

Mr. Flores. Aye.

The Clerk. Mr. Flores votes aye.

Mrs. Brooks.

Mrs. Brooks. Aye.

The Clerk. Mrs. Brooks votes aye.

Mr. Mullin.

[No response.]

Mr. Hudson.

Mr. Hudson. Aye.

The Clerk. Mr. Hudson votes aye.

Mr. Collins.

Mr. Collins. Aye.

The Clerk. Mr. Collins votes aye.

Mr. Cramer.

Mr. Cramer. Aye.

The Clerk. Mr. Cramer votes aye.

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Mr. Walberg.

Mr. Walberg. Aye.

The Clerk. Mr. Walberg votes aye.

Mrs. Walters.

Mrs. Walters. Aye.

The Clerk. Mrs. Walters votes aye.

Mr. Costello.

Mr. Costello. Aye.

The Clerk. Mr. Costello votes aye.

Mr. Carter.

Mr. Carter. Aye.

The Clerk. Mr. Carter votes aye.

Mr. Pallone.

Mr. Pallone. No.

The Clerk. Mr. Pallone votes no.

Mr. Rush.

Mr. Rush. Aye.

The Clerk. Mr. Rush votes aye.

Ms. Eshoo.

Ms. Eshoo. No.

The Clerk. Ms. Eshoo votes no.

Mr. Engel.

Mr. Engel. No.

The Clerk. Mr. Engel votes no.

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Mr. Green.

Mr. Green. No.

The Clerk. Mr. Green votes no.

Ms. DeGette.

Ms. DeGette. No.

The Clerk. Ms. DeGette votes no.

Mr. Doyle.

Mr. Doyle. Aye.

The Clerk. Mr. Doyle votes aye.

Ms. Schakowsky.

Ms. Schakowsky. No.

The Clerk. Ms. Schakowsky votes no.

Mr. Butterfield.

Mr. Butterfield. Aye.

The Clerk. Mr. Butterfield votes aye.

Ms. Matsui.

Ms. Matsui. Aye.

The Clerk. Ms. Matsui votes aye.

Ms. Castor.

Ms. Castor. No.

The Clerk. Ms. Castor votes no.

Mr. Sarbanes.

Mr. Sarbanes. No.

The Clerk. Mr. Sarbanes votes no.

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Mr. McNerney.

Mr. McNerney. Aye.

The Clerk. Mr. McNerney votes aye.

Mr. Welch.

Mr. Welch. Aye.

The Clerk. Mr. Welch votes aye.

Mr. Lujan.

Mr. Lujan. No.

The Clerk. Mr. Lujan votes no.

Mr. Tonko.

Mr. Tonko. Aye.

The Clerk. Mr. Tonko votes -- Mr. Tonko votes aye.

Ms. Clarke.

Ms. Clarke. No.

The Clerk. Ms. Clarke votes no.

Mr. Loeb sack.

Mr. Loeb sack. No.

The Clerk. Mr. Loeb sack votes no.

Mr. Schrader.

Mr. Schrader. No.

The Clerk. Mr. Schrader votes no.

Mr. Kennedy.

Mr. Kennedy. Aye.

The Clerk. Mr. Kennedy votes aye.

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Mr. Cardenas.

Mr. Cardenas. Aye.

The Clerk. Mr. Cardenas votes aye.

Mr. Ruiz.

Mr. Ruiz. No.

The Clerk. Mr. Ruiz votes no.

Mr. Peters.

Mr. Peters. No.

The Clerk. Mr. Peters votes no.

Mrs. Dingell.

Mrs. Dingell. Aye.

The Clerk. Mrs. Dingell votes aye.

Mr. Walden.

The Chairman. Aye.

The Clerk. Mr. Walden votes aye.

Mr. Upton.

Mr. Upton. Votes aye.

The Clerk. Mr. Upton votes aye.

Mr. Upton. Other members wishing to cast a vote or change  
a vote?

Mr. Mullin?

Mr. Mullin. Aye.

The Clerk. Mr. Mullin votes aye.

Mr. Upton. Mr. Rush? Mr. Rush? No. Mr. Rush is

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recorded. He's fine.

Other members wishing to change their vote or cast a vote?

Seeing none, the Clerk will report the tally.

The Clerk. Mr. Chairman, on that vote, there were 39 ayes and 14 noes.

Mr. Upton. Thirty-nine ayes, 14 noes. The bill is passed and favorably reported. Want to take the chair?

The Chairman. All right. Members, if I can have your attention. Before we move on, today is Giulia's last markup with us and she -- she is going on to other things -- bigger, better, greater things.

And so I -- she has been a terrific member of our team as we have done markups and set records on markups and I just want to say thank you for your great service in the Energy and Commerce Committee.

[Applause.]

All right. Now, back to business.

The Chair calls up H.R. 3387 and asks the Clerk to report.

The Clerk. H.R. 3387, to amend the Safe Drinking Water Act to improve public water systems and enhance compliance with such act and for another purposes.

The Chairman. Without objection, the first reading of the bill is dispensed with. The bill will be open for amendment at any point.

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Are there any bipartisan amendments to H.R. 3387?

Mr. Shimkus. Mr. Chairman.

The Chairman. The Chair recognizes the -- for what purpose -- from Illinois -- does the gentleman seek recognition?

Mr. Shimkus. Mr. Chairman, I have a bipartisan amendment.

The Chairman. Clerk will report the bipartisan amendment.

The Clerk. Amendment to H.R. 3387, offered by Mr. Shimkus.

The Chairman. Without further objection, the amendment is referred -- the reading of the amendment is dispensed with and the Chair recognizes the chairman of the Environment Subcommittee, the gentleman from Illinois, Mr. Shimkus, for five minutes to speak on his amendment.

Mr. Shimkus. Thank you, Mr. Chairman.

Before I quickly explain the en bloc amendment, I want to recognize a few people for their efforts on this project.

I want to start off by recognizing the sponsor of the bill we are marking up today, Gregg Harper. Gregg has been a consistent supporter of defending rural water systems and his legislation provides a strong base for the amendment I am offering today.

I also want to recognize Paul Tonko, who is persistent on this issue and unmatched, in my opinion. Some of the things in this bill are there for no other reason other than Paul has been a pain in the rear end.

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I also want to recognize Democrats and Republicans from the Michigan delegation who provided input based upon their experiences as well as Mr. Peters and Mr. Green, and I can't forget, obviously, staff -- Rick Keller, Jackie Cohen, Jerri Couri, and Tom Hassenboehler -- for their work. There is other staff members who have spent a lot of time. But we can never thank staff enough for the work they do and the time they put in.

To get to the amendment we have before us, both sides needed to make not just difficult decisions but hard choices. Certainly, we could have insisted on certain things but we would not be in the position we are today.

The amendment before us will advance infrastructure and move us towards a more modern drinking water system. The en bloc amendment adds three new items to this bill.

In response to concerns about the number of emerging contaminants that are unregulated, the bill calls for monitoring for more systems and offsets those costs with federal funding in the same way the law does now.

In addition, this provision takes effect three years after the date of enactment and is contingent upon EPA finding that there is enough lavatory capacity to handle the new sampling.

This is a practical contingency that doesn't put new systems in a catch-22 of being required to monitor but not being able to get results.

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In response to concerns that provisions in the bioterrorism law had lapsed as it relates to drinking water protection, this amendment captures the momentum that has been occurring in the water sector for the last decade and institutes requirements for vulnerability assessments and emergency response plans for water systems against risk to and resilience from bad acts and natural hazards including terrorism or natural disasters like drought.

This amendment is the way the sector is going and this bill recognizes that. The amendment permits third party and consensus standards that are similar and recognized by EPA to be used to satisfy compliance requirements.

Finally, the amendment gives states and EPA the authority to have water utilities that are consistently out of compliance do an assessment about what options including consolidation would improve their water quality.

The amendment also provides protection to systems trying to achieve compliance as long as they are trying to achieve that compliance.

Mr. Chairman, the amendment is not perfect but a step forward and worthy of member support. I would like to yield some time to Mr. Murphy from Pennsylvania.

Mr. Murphy. Thank you.

Mr. Chairman, I just want to say along with this bill there was a letter of support from several organizations and I will just

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read them off quickly: the Alliance for American Manufacturing, American Foundation of Labor, the AFL-CIO, American Foundry Society, American Institute of Steel Construction, the American Iron and Steel Institute, the American Line Pipe Producers Association, Concrete Reinforcing Steel Institute, Iron Mining Association of Minnesota, Iron Ore Alliance, Municipal Castings Association, Pennsylvania Steel Alliance, Specialty Steel Industry of North America, Steel Manufacturers Association, Transportation Trades Department of the AFL-CIO, and United Steel Workers, USW, in support of the provisions in this bill looking at Buy America.

So, I just ask that this revised letter be included in the record.

The Chairman. Without objection.

[The information follows:]

\*\*\*\*\*COMMITTEE INSERT 2\*\*\*\*\*

Mr. Murphy. And with that, I yield back to Mr. Shimkus.

Mr. Shimkus. Gentleman yields back his time to me and I yield back my time to the Chairman.

The Chairman. Gentleman yields back the balance of his time.

The Chair recognizes the gentleman from New Jersey, Mr. Pallone, for five minutes to speak on the amendment.

Mr. Pallone. Thank you -- thank you, Mr. Chairman.

I support this amendment, and I want to thank you for working with the Democratic members of the committee to put this together.

This manager's amendment addresses all of the outstanding issues that were raised in subcommittee. If this amendment is adopted, I think this will be a noncontroversial bill that we can all support.

I want to very briefly describe some of the strengths of this bill and the manager's amendment. This bill reauthorizes the drinking water state revolving fund which funds drinking water infrastructure projects.

The authorization expired in 2003 so this is long overdue. The funding levels are not as high as we wanted but they are significant and an important increase and the bill also includes funding for states to oversee drinking water systems, funding for source water protection petitions, and funding to replace school drinking fountains with lead in them.

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The drinking fountain funding and the requirement that EPA assess the costs of replacing all of our lead service lines nationwide added in subcommittee means that this bill will take important steps to address our exposures to lead in schools and at home.

Also, in subcommittee we set a minimum level of assistance for disadvantaged communities to ensure that these communities are getting the help that they need.

I am also pleased that we were able to include two provisions at subcommittee to ensure that this infrastructure funding translates to good-paying jobs in the construction and steel industries.

But there were four issues we raised at the subcommittee level that did not get done in time for the subcommittee markup and those are consumer notification, drinking water security and resiliency, restructuring, and increased monitoring.

Now, on those, consumer notification we were able to work out last week and that language got included in the base text for today's markup and I want to thank Mrs. Dingell for her work on that issue.

Now EPA will have to do a regulation to make consumer confidence reports more accurate, more understandable, and more frequent.

The other three issues were not worked out until yesterday,

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or actually last night, so they are included in this manager's amendment. On security and resiliency, we have agreed to language that incorporates the requirements of legislation that was offered by Mr. Peters earlier this year.

Under this language, drinking water systems will have to assess their vulnerabilities to malevolent acts and natural hazards including hurricanes, drought, and other extreme weather.

They will have to come up with emergency response plans and there will be funding to help water systems improve their security and resilience. This is an important provision to address real risk in our drinking water infrastructure and I want to thank Mr. Peters for being a champion on that issue.

On restructuring, we have agreed to language that will increase compliance and increase access to safe drinking water. Under this provision, water systems that repeatedly violate drinking water standards and threaten public health will have to look at their options to consolidate or partner with other systems to improve compliance and, in extreme cases, states will have the authority to require consolidation, and I want to thank Mr. Green for being a champion for the customers in the small unincorporated areas in his district who could benefit from this provision.

Lastly, on monitoring, we have agreed on language to expand the unregulated contaminant-monitoring program to include all mid-size systems. This will dramatically increase the number of

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people covered and protected by this monitoring program and I want to recognize Mr. Tonko for his hard work to get this provision included, and basically, Mr. Tonko's work on every aspect of this bill.

This amendment offers real and significant improvements for communities nationwide whose access to safe drinking water is threatened or limited and I urge my colleagues to support this amendment and then to support the overall bill.

I yield back.

The Chairman. Gentleman yields back and I thank the gentleman for his partnership on this -- Mr. Tonko and Mr. Shimkus and others for their great work on this legislation.

The Chair recognizes the gentleman from Michigan, Mr. Upton, for five minutes.

Mr. Upton. Well, I just -- thank you, Mr. Chairman.

I just wanted to really thank particularly the staff on both sides but really the leadership of John Shimkus and you and others who helped negotiate a bill that is where we are today -- a bill that likely should vote on it -- we should pass on a voice vote because we are all unanimous for this.

You know, I am from Michigan and so we lived through a terrible tragedy with Flint a few years ago and, again, the House voted. This committee helped lead the way.

We passed the Kildee-Upton bill on the House floor 416 to

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2. But I think that was a good wake-up call for the rest of the country because they saw their communities, whether they be rural or urban, and asked the same questions. Is our water safe? What type of resources do we have?

This bill helps. It is a major step forward, and coming together like Mr. Shimkus did with both sides of the aisle to get a bill to where we are and be able to get this bill to the House floor probably pretty damn quick when we return after the break. Well, I saw what Buddy Carter said so --

I think that we are -- we are in good shape on this legislation. But we can reward folks across the country and we are doing the job that you sent us to do. So I, again, thank all the participants in this and yield back.

The Chairman. I thank the gentleman for his comments. The gentleman yields back.

The Chair recognizes the gentleman from California, Mr. Peters, for five minutes to speak on the amendment.

Mr. Peters. Thank you much -- very much, Mr. Chairman.

We are here today because we believe that every community deserves being safe and affordable drinking water. And last year, I visited Flint, Michigan myself, saw how the failure of a water system infrastructure damaged the health and prosperity of an entire community.

And in San Diego, we understand that drought-stricken

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communities are facing serious challenges to their short-term and long-term water security. Every local water authority faces threats ranging from industrial pollution to cyber attacks.

So it is terrific that we are taking up legislation today that goes a long way toward repairing our drinking water infrastructure and making it more resilient.

We will allocate more robust funding, lead to the deployment of more smart sensor technologies, and make it easier for states and localities to use federal resources to repair or replace aging pipes.

I am also glad that this bill incorporates my Secure and Resilient Water Systems Act. Under that provision, local water authorities would be able to identify a threat to their system, apply for a grant, and then receive resources and expertise from the EPA to tackle that threat.

It will Incentivize communities to take innovative approaches like water efficiency and water recycling to make their systems more resilient and will prioritize water systems at the greatest risk.

We have to be vigilant and forward thinking about our infrastructure needs and water security in particular, and I really appreciate the bipartisan work done to get the bill to this point.

The federal government plays a critical role in providing

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the resources and expertise that states and localities need to maintain safe drinking water systems. Today, the committee is taking a big step to reasserting that role in protecting public health.

I, too, want to thank the staff very much for working together, Mr. Shimkus -- Chairman Shimkus -- Mr. Tonko, for their bipartisan work and look forward today's vote and to continue to work with you.

I yield back. Thank you.

The Chairman. The gentleman yields back.

Other members seeking recognition? The Chair recognizes the gentleman from Mississippi, Chairman Harper.

Mr. Harper. Thank you, Mr. Chairman.

You know, at an age and time when it seems difficult for us to find common ground on an issue -- on many issues, it is refreshing to know that we found success in working together on this legislation and I want to thank you for your support as well in pushing this through.

Safe drinking water for our constituents is a goal we can all agree should be a priority for Congress. The work of previous Congresses on the Safe Drinking Water Act has produced policy that has made it a foregone conclusion that turning on the tap at your kitchen sink will fill up a glass with safe drinking water. We expect that to be the case.

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But all policy needs to be tweaked occasionally because there is always room for improvement. We learned through visits in our districts that certain regulations are not practical and do not accomplish what was intended. Some regulations work but state and local governments need assistance with implementation.

The Drinking Water System Improvement Act builds on the work of previous Congresses to make the Safe Drinking Water Act better for our constituents.

Members and leadership of the Energy and Commerce Committee have shown a good faith effort to work in a bipartisan way to produce the legislation before us today. I urge everyone to support this, and with that I yield back.

The Chairman. Gentleman yields back.

The Chair recognizes the gentleman from New York, Mr. Tonko, who has put an incredible amount of work into this. You are recognized for five minutes.

Mr. Tonko. Thank you, Mr. Chair, and I move to strike the last word.

Mr. Chair, I thank you and certainly Chair Shimkus. Both of you maintained an open mind and shared the sense of urgency on this issue, for which I am most thankful.

I thank Mr. Harper for his sponsorship and his concerns about drinking water in our country and I thank our ranking member, Frank Pallone, for leading us and filling our voices with -- in this

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discussion so that we could do the best here in a bipartisan effort.

And finally, thanking the staff from both sides for working to make this all possible.

The Environment Subcommittee has heard in great detail about the health and economic consequences of our nation's failing drinking water systems.

Every day there are hundreds of water main breaks and billions of gallons of water lost through leaks. It is clear that our systems are in dire need of additional investment. This measure, this bill, reflects a good compromise.

It is not the bill Democrats would have written on our own but I represents a real commitment to addressing this very serious issue and a significant improvement over the original discussion draft from our legislative hearing back in May.

I commend the majority for a number of provisions in the bill. The underlying bill would reauthorize the drinking water state revolving fund for a total of \$8 billion over the next five years.

It would reauthorize the public water system supervision grant program at a 50 percent higher level, make a number of improvements to help disadvantaged communities, promote better asset management practices, and provide funding for the source water petition program.

These are all very good changes that I fully support and I

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appreciate the majority's commitment to these issues. I want to take a minute to discuss a number of important sections that have been incorporated from Democratic bills as we have heard, and I will repeat but I think they are important to, again, share with the members of this committee.

This bill extend buy America requirements for the length of the reauthorization and puts prevailing wage requirements into the Safe Drinking Water Act statute, creates a minimum set aside for disadvantaged communities of 6 percent.

It seeks to improve the accuracy and availability of compliance data submitted by water systems to states and from states to EPA. It allows the use of SRF funds for siting, for pre-construction activities, and replacing or rehabilitating aging treatment for storage or for distribution facilities.

It authorizes EPA to collect information related to streamlining and aiding the drinking water SRF application process, spending of SRF funds, and the types of assistance granted and it, finally, provides funding for EPA to review existing and potential methods, equipment, and other smart technology to prevent and detect leakage, contamination, and other problems facing our water systems.

These are all identical or very similar to provisions included in the Democratic AQUA Act. Furthermore, other Democratic bills have been incorporated based on our agreement

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at our subcommittee markup either in the underlying bill or in this manager's amendment.

The bill creates a grant program based on a bill authored by Mr. Pallone and Mr. Rush to remove drinking water fountains that contain lead from our schools. Also related to lead, the bill requires future EPA needs assessments to include the cost of replacing lead service lines, which I believe is a critical change to tackle the removal of lead components within our systems.

Based on Mr. Peters' Secure and Resilient Water Systems Act, systems would be required to do assessments of their vulnerabilities to security threats and natural hazards such as hydrological changes.

Language based on Mrs. Dingell's bill is required to improve consumer confidence reports on a more regular basis and that it has been included in the underlying bill.

And language similar to Mr. Pallone's SDWA amendments of 2017 would address restructuring and require systems that frequently violate SDWA to assess their options for a more sustainable future.

Finally, I want to thank the Chairman for working with us to expand EPA's unregulated contaminant monitoring rule. The manager's amendment would expand the requirement to test for those contaminants for all medium-sized systems -- those defined as

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3,300 to 10,000 people served.

Systems larger than 10,000 are already required to test for these contaminants. This would mean that thousands of communities, communities like Hoosick Falls, New York and similarly sized systems would no longer have emerging contaminants go undetected, threatening the health of their residents, potentially for years.

Short of creating more national standards, having communities test for emerging contaminants will empower them to take action to mitigate serious health threats that they may not have known existed otherwise.

Nearly 30 million people will now additionally be captured by the UCMR.

So I am very grateful for your willingness to work with us to address the concerns of people dealing with PFOA and other emerging contaminants.

Mr. Chair, I would just wrap up by saying we have produced a bill that we can be proud of. It will make a difference, it will put us on a path to end the decades of neglect of our water systems, and I encourage our members to adopt this amendment and support the bill.

With that, with great thanks, I yield back.

The Chairman. I thank the gentleman not only for his kind comments but his good work on this matter.

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I will now recognize anyone on the Republican side seeking recognition.

All right. Anybody on the other side? Ms. Clarke is recognized for up to five minutes to speak on the amendment.

Ms. Clarke. Thank you very much, Mr. Chairman.

I thank you and ranking member, Mr. Pallone, and it is my pleasure to support H.R. 3387, the Drinking Water System Improvement Act. I am happy that this bill includes language that will replace lead-containing school drinking fountains.

The city of New York will greatly benefit from these improvements. For years children have not been able to utilize the drinking fountains in our public schools. These fountains, which have caused serious health and environmental damage, have been off limits to New York City students for far too long.

This legislation will ensure that in the near future our students will have access to untainted and lead-free drinking water.

I would like commend and thank my fellow colleague, Mr. Tonko, and all the members of the committee for working on this important provision.

Thank you, and I yield back the balance of my time.

The Chairman. Gentlelady yields back the balance of her time.

Other members seeking recognition? Chair recognizes the

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gentlelady from Michigan, Mrs. Dingell, for five minutes.

Mrs. Dingell. It will be very brief.

I want to thank you, Mr. Chairman, and Ranking Member Pallone, Subcommittee Chairman Shimkus, and Ranking Member Tonko. Again, everybody working together -- is what this committee is known for.

Mr. Upton and I know what that -- and Mr. Walberg, all of us, know the fear that is in the people of Flint's heart and that is why this bill is so important. So we thank everybody for working together.

Yesterday, we had another news story, headlines in the Detroit Free Press -- 6 million people in Michigan drinking water that may be contaminated. It is a problem across the country and we have got to work together to ensure that every consumer in America is drinking safe water.

Thank you, Mr. Chairman.

The Chairman. I thank the gentlelady for her comments and her good work on this as well.

Now, appears no one else is seeking recognition. Now the question arises on passage of the amendment, right?

All those in favor of the amendment will say aye.

Those opposed, nay.

The ayes have it. The amendment is adopted.

Now we go to the question on favorably reporting H.R. 3387

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as amended to the House.

All those in favor shall signify by saying aye.

Those opposed, no.

The ayes appear to have it. The ayes have it and H.R. 3387 as amended is reported to the House favorably.

I just want to thank our teams, our staff, and all the members on all these bills put in a lot of work and we have achieved a lot in -- as we head into the August break.

Without objection, staff is authorized to make technical conforming changes to the legislation considered by the committee today. So ordered.

I recognize the gentleman from New Jersey.

Mr. Pallone. Mr. Chairman, House Rule 11 Clause 2(1) accords committee members the right to give notice of the filing of minority supplemental or dissenting views.

Pursuant to that rule and clause, I am giving said notice which would allow all members up to two additional calendar days to file their views along with the committee report that is forwarded to the House.

Thank you, Mr. Chairman, for all your work and everyone's work on this bill including the staff, and I yield back.

The Chairman. Thank you, Mr. Pallone.

We have much to do going into the fall, but we have gotten a lot done today and up to this point.

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So without objection, the Committee now stands adjourned.

[Whereupon, at 1:25 p.m., the Committee was adjourned.]

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