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MARKUP OF H.R. 959, TITLE VIII NURSING
WORKFORCE REAUTHORIZATION ACT OF 2017, AS
FORWARDED BY THE SUBCOMMITTEE ON HEALTH ON
JUNE 27, 2018; H.R. 1676, PALLIATIVE CARE
AND HOSPICE EDUCATION AND TRAINING ACT, AS
FORWARDED BY THE SUBCOMMITTEE ON HEALTH ON
JUNE 27, 2018; H.R. 3728, EDUCATING MEDICAL
PROFESSIONALS AND OPTIMIZING WORKFORCE
EFFICIENCY READINESS ACT OF 2017, AS
FORWARDED BY THE SUBCOMMITTEE ON HEALTH ON
JUNE 27, 2018; H.R. 5385, CHILDREN'S
HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF
2018, AS FORWARDED BY THE SUBCOMMITTEE ON
HEALTH ON JUNE 27, 2018; H.RES. 982, OF
INQUIRY; H.R. 2278, RESPONSIBLE DISPOSAL
REAUTHORIZATION ACT OF 2017, AS FORWARDED BY
THE SUBCOMMITTEE ON ENVIRONMENT ON JUNE 27,
2018; H.R. 2389, TO REAUTHORIZE THE WEST
VALLEY DEMONSTRATION PROJECT, AND FOR OTHER
PURPOSES, AS FORWARDED BY THE SUBCOMMITTEE

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26 ON ENVIRONMENT ON JUNE 27, 2018; H.R. 1320,
27 NUCLEAR UTILIZATION OF KEYNOTE ENERGY ACT,
28 AS FORWARDED BY THE SUBCOMMITTEE ON ENERGY
29 ON JUNE 21, 2018; H.R. 6140, ADVANCED
30 NUCLEAR FUEL AVAILABILITY ACT, AS FORWARDED
31 BY THE SUBCOMMITTEE ON ENERGY ON JUNE 21,
32 2018; H.R. 6032, STATE OF MODERN
33 APPLICATION, RESEARCH, AND TRENDS OF IOT
34 ACT, AS FORWARDED BY THE SUBCOMMITTEE ON
35 DIGITAL COMMERCE AND CONSUMER PROTECTION ON
36 JUNE 13, 2018; H.R. 2345, NATIONAL SUICIDE
37 HOTLINE IMPROVEMENT ACT OF 2017, AS
38 FORWARDED BY THE SUBCOMMITTEE ON
39 COMMUNICATIONS AND TECHNOLOGY ON JUNE 13,
40 2018; H.R. 3994, ADVANCING CRITICAL
41 CONNECTIVITY EXPANDS SERVICE, SMALL
42 BUSINESSES RESOURCES, OPPORTUNITIES,
43 ACCESS, AND DATA BASED ON ASSESSED NEED AND
44 DEMAND ACT, AS FORWARDED BY THE
45 SUBCOMMITTEE ON COMMUNICATIONS AND
46 TECHNOLOGY ON JUNE 13, 2018; H.R. 4881,
47 PRECISION AGRICULTURE CONNECTIVITY ACT OF
48 2018, AS FORWARDED BY THE SUBCOMMITTEE ON
49 COMMUNICATIONS AND TECHNOLOGY ON JUNE 13,
50 2018; AND H.R. 5709, PREVENTING ILLEGAL

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RADIO ABUSE THROUGH ENFORCEMENT ACT, AS
FORWARDED BY THE SUBCOMMITTEE ON
COMMUNICATIONS AND TECHNOLOGY ON JUNE 13,
2018.

THURSDAY, JULY 12, 2018

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.

Members present: Representatives Walden, Barton, Upton,
Shimkus, Burgess, Blackburn, Scalise, Latta, McMorris Rodgers,
Lance, Guthrie, Olson, McKinley, Kinzinger, Griffith, Bilirakis,
Johnson, Long, Bucshon, Flores, Brooks, Mullin, Hudson, Collins,
Cramer, Walberg, Walters, Costello, Carter, Duncan, Pallone,
Rush, Eshoo, Engel, Green, DeGette, Doyle, Schakowsky,
Butterfield, Matsui, Castor, Sarbanes, McNerney, Welch, Lujan,
Tonko, Clarke, Loeb sack, Schrader, Kennedy, Cardenas, Ruiz,
Peters, and Dingell.

Staff present: Jon Adame, Policy Coordinator,

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76 Communications & Technology; Jennifer Barblan, Chief Counsel,
77 Oversight & Investigations; Mike Bloomquist, Deputy Staff
78 Director; Samantha Bopp, Staff Assistant; Adam Buckalew,
79 Professional Staff Member, Health; Daniel Butler, Staff
80 Assistant; Karen Christian, General Counsel; Kelly Collins, Staff
81 Assistant; Jerry Couri, Chief Environmental Advisor; Jordan
82 Davis, Director of Policy and External Affairs; Margaret Tucker
83 Fogarty, Staff Assistant; Melissa Froelich, Chief Counsel,
84 Digital Commerce and Consumer Protection; Adam Fromm, Director
85 of Outreach and Coalitions; Ali Fulling, Legislative Clerk,
86 Oversight & Investigations, Digital Commerce and Consumer
87 Protection; Theresa Gambo, Human Resources/Office Administrator;
88 Caleb Graff, Professional Staff Member, Health; Brittany Havens,
89 Professional Staff, Oversight & Investigations; Jordan Haverly,
90 Policy Coordinator, Environment; Elena Hernandez, Press
91 Secretary; Zach Hunter, Director of Communications; Paul Jackson,
92 Professional Staff, Digital Commerce and Consumer Protection;
93 Peter Kielty, Deputy General Counsel; Ed Kim, Policy Coordinator,
94 Health; Bijan Koohmaraie, Counsel, Digital Commerce and Consumer
95 Protection; Tim Kurth, Senior Professional Staff, Communications
96 & Technology; Ryan Long, Deputy Staff Director; Mary Martin,
97 Deputy Chief Counsel, Energy & Environment; Sarah Matthews, Press
98 Secretary; Lauren McCarty, Counsel, Communications & Technology;
99 Drew McDowell, Executive Assistant; Mark Ratner, Policy
100 Coordinator; Kristen Shatynski, Professional Staff Member,

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101 Health; Jennifer Sherman, Press Secretary; Peter Spencer,
102 Professional Staff Member, Energy; Austin Stonebraker, Press
103 Assistant; Josh Trent, Deputy Chief Health Counsel, Health;
104 Madeline Vey, Policy Coordinator, Digital Commerce and Consumer
105 Protection; Evan Viau, Legislative Clerk, Communications &
106 Technology; Hamlin Wade, Special Advisor, External Affairs; Andy
107 Zach, Senior Professional Staff Member, Environment; Michelle
108 Ash, Minority Chief Counsel, Digital Commerce and Consumer
109 Protection; Jacquelyn Bolen, Minority Professional Staff; Jeff
110 Carroll, Minority Staff Director; Jennifer Epperson, Minority
111 Federal Communications Commission Detailee; Elizabeth Ertel,
112 Minority Deputy Clerk; Lisa Goldman, Minority Counsel; Waverly
113 Gordon, Minority Health Counsel; Tiffany Guarascio, Minority
114 Deputy Staff Director and Chief Health Advisor; Alex Hoehn-Saric,
115 Minority Chief Counsel, Communications and Technology; Rick
116 Kessler, Minority Senior Advisor and Staff Director, Energy and
117 Environment; Jerry Leverich, Minority Counsel; Dan Miller,
118 Minority Policy Analyst; Alexander Ratner, Minority Policy
119 Analyst; Tim Robinson, Minority Chief Counsel; Samantha Satchell,
120 Minority Policy Analyst; Andrew Souvall, Minority Director of
121 Communications, Outreach and Member Services; Tuley Wright,
122 Minority Energy and Environment Policy Advisor; and Catherine
123 Zander, Minority Environment Fellow.

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124 Chairman Walden. Members will take their seats and our
125 guests theirs. We will get started with the markup.

126 Good morning, everyone. This morning we meet to markup more
127 than a dozen common sense bills, most of which are bipartisan.
128 They've been thoughtfully and thoroughly considered by five of
129 our subcommittees in the Energy and Commerce Committee.

130 The four bills before us to improve the nation's health
131 provider workforce were approved unanimously by our Health
132 Subcommittee last month, and I thank the subcommittee for its
133 work.

134 They are H.R. 959, Title VII Nursing Workforce
135 Reauthorization Act, and H.R. 3728, the EMPOWER ACT,
136 reauthorizing the workforce programs under Titles VII and VIII
137 of the Public Health Service Act.

138 Now, these programs support the education, recruitment, and
139 the retention of many types of really important health providers.

140 H.R. 5385, the Children's Hospital GME Support
141 Reauthorization Act, will reauthorize payments to freestanding
142 children's hospitals that operate graduate and medical education
143 programs in order to support the pediatric health workforce.

144 And finally, H.R. 1676, this is the Palliative Care and
145 Hospice Education and Training Act and will establish a program
146 to enable the training interprofessional health practitioners
147 in palliative and hospice care in a variety of settings.

148 This bill is particularly important to me and one I've heard

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about its potential impact from specialists and disease advocates from across my home state of Oregon, and I was a co-sponsor of this in the past.

Originating from the Digital Commerce and Consumer Protection Subcommittee, we will consider H.R. 6032, the Smart IoT Act, to direct a first-of-its-kind study of the internet-connected devices industry.

Fresh off a unanimous markup last month in the Communications and Technology Subcommittee, H.R. 2345, the National Suicide Hotline Improvement Act, H.R. 5709, the PIRATE Act, H.R. 3994, the Access Broadband Act, and H.R. 4881, the Precision Agriculture Connectivity Act, will all be before us today.

From improving public safety to expanding rural broadband, these bills will collectively address many important parts of our communications ecosystem.

We also will consider two bipartisan bills passed by the Subcommittee on Energy to address regulatory and technological challenges which hamper our ability to capture the benefits of clean reliable nuclear energy.

H.R. 1320 is good for consumers who pay for regulatory costs in nuclear energy. Meanwhile, the Advanced Nuclear Fuel Availability Act establishes a public-private partnership to provide a pathway to have advanced nuclear fuels available to enable America's nuclear scientists and innovators to deploy the next generation of technologies.

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174 And last but not least, we will consider two bills passed
175 by the Subcommittee on Environment to reauthorize certain
176 environmental remediation projects at the Department of Energy.

177 Today's bills speak to the hard work of our members and staff
178 on both sides of the aisle to enact meaningful positive solutions
179 that empower consumers, patients, small businesses, and all
180 Americans.

181 So I urge my colleagues to support these measures and I look
182 forward to advancing them to the full House for consideration.

183 I now recognize my friend, the ranking gentleman from New
184 -- the ranking member from New Jersey, Mr. Pallone, for five
185 minutes for purposes of an opening statement.

186 Mr. Pallone. Thank you --

187 Chairman Walden. Three minutes. I am sorry.

188 Mr. Pallone. Thank you, Mr. Chairman.

189 Today, we are considering 13 bipartisan bills that have
190 worked their way through our five --

191 Chairman Walden. Would the gentleman suspend?

192 Shh. If we can have order. Thank you.

193 Mr. Pallone. Thank you.

194 Today we are considering 13 bipartisan bills that have worked
195 their way through legislative committees. We will also consider
196 one resolution of inquiry that I introduced last week regarding
197 the president's inhumane family separation policy.

198 I'll talk more about the resolution of inquiry further when

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199 it comes up. But it is critical that we approve this resolution
200 since the Republican majority has not scheduled a hearing with
201 Secretary Azar on how HHS is reuniting these families.

202 Every committee Democrat has called for a hearing and I
203 reiterate that request today. HHS simply is not reuniting these
204 families fast enough, and even when they are reunited we are
205 hearing heartbreaking stories of infants not even remembering
206 their mothers.

207 We need answers and we are not getting them from the Trump
208 administration. That's why we must pass this resolution and then
209 we need to hold a hearing.

210 Let me turn to the legislation before us. We will be
211 considering four bipartisan public health bills, all with the
212 goal of strengthening our health work force. We will consider
213 a bill from Representative Matsui that supports the recruitment,
214 training, and retention of nursing professionals.

215 Representative Engel is sponsoring a bill that will improve
216 education, training, and research into palliative care and
217 Hospice care.

218 Representative Schakowsky has championed a bill that
219 supports several important workforce program operated by the
220 Health Resources and Service Administration, or HRSA, and her
221 bill would also boost training for geriatric providers who are
222 increasingly in demand across the country.

223 And then there is legislation from our subcommittee Ranking

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224 Member Green and Chairman Burgess that will allow children's
225 hospitals to continue to train the next generation of pediatric
226 providers.

227 The committee will also consider four bills dealing with
228 nuclear energy and waste cleanup. I support the two bills that
229 address important nuclear legacy waste cleanups as well as the
230 bill to incentivize advanced reactor fuel development.

231 Regarding H.R. 1320, I appreciate the willingness of
232 Chairman Shimkus and Representatives Kinzinger and Doyle to work
233 with me to address concerns I have with this bill.

234 While I still have some questions, I do not intend to oppose
235 the legislation.

236 And we will also markup four bipartisan communication bills.

237 One strengthens the FCC's efforts to crack down on pirate radio
238 operators. Another sets up a process for the FCC to consider
239 how to support internet-connected farming techniques. A third
240 would help the federal government better target federal support
241 of broadband and the fourth bill examines important improvements
242 to the National Suicide Prevention Lifeline, and I look forward
243 to supporting those bills.

244 And, finally, I also support Representatives Latta and
245 Welch's Smart IoT Act that came out of our Digital Commerce and
246 Consumer Protection Subcommittee.

247 So, again, thanks to our members and staff for the work on
248 these various bills and I yield back, Mr. Chairman.

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249 Chairman Walden. The gentleman yields back the balance of
250 time.

251 The chair recognizes the gentleman and the chairman of the
252 Subcommittee on Energy, former chairman of the full committee,
253 Mr. Upton of Michigan, for one minute.

254 Mr. Upton. Thank you, Mr. Chairman.

255 So this morning, we are going to consider two bipartisan
256 bills passed by the Subcommittee on Energy last month to address
257 the development, competitiveness, and regulation of nuclear
258 energy technologies.

259 So these thoughtful proposals reflect the same sense of
260 urgency to begin resolving time-consuming and complex regulatory
261 challenges for the licensing and developing new nuclear
262 facilities and technologies.

263 H.R. 1320, the Nuclear Utilization of Keynote Energy, or
264 NUKE Act, is a bipartisan bill that increases transparency,
265 predictability, efficiency, and the NRC's regulatory regime.
266 In doing so, ratepayers throughout the country as well as
267 countless individuals and industry stakeholders who benefit from
268 the application of nuclear technology will realize the unique
269 industrial, medical, and energy generation capabilities.

270 We are also doing H.R. 6140, the Advanced Nuclear Fuel
271 Availability Act, also a bipartisan bill which lays the foundation
272 for the development in deployment of new first-of-a-kind advanced
273 nuclear reactor designs.

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274 Passage of these two bipartisan bills is important. I yield
275 back.

276 Chairman Walden. The gentleman yields back the balance of
277 time.

278 Are there members on the minority side seeking recognition?

279 I see Ms. DeGette from Colorado, recognized for one minute.

280 Good morning.

281 Ms. DeGette. Thank you very much, Mr. Chairman.

282 I just want to speak in support of Mr. Pallone's House
283 resolution of inquiry. I went down to the border a few weeks
284 ago and I met some of the moms whose children had been taken from
285 them.

286 And then we went over and we went and we met some of the
287 children who had been taken from their parents. I think that
288 it is, frankly, un-American that we have taken these kids from
289 their parents and we now can't reunite them.

290 This is the greatest country in the world, and it absolutely
291 sickens me to think that we now can't figure out 3,000 kids and
292 their parents.

293 I think it's very important that the secretary of HHS
294 transmit this information to the House of Representatives and
295 I think, surely, this should be one thing that we could all on
296 this committee agree on.

297 I yield back.

298 Chairman Walden. The gentlelady yields back.

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299 The chairman recognizes the gentlelady from Tennessee, Mrs.
300 Blackburn, for one minute.

301 Mrs. Blackburn. Thank you, Mr. Chairman.

302 I am so pleased that we have four bills on today's markup
303 that were unanimously passed through our Subcommittee on Comms
304 and Tech.

305 First is Mr. Stuart's Suicide Hotline Improvement Act. We
306 all know families or have family members that have been affected
307 with suicide and we look forward to seeing this bill to the
308 president's desk; Mr. Lance and Mr. Tonko's PIRATE Act, which
309 gives the FCC more tools to combat illegal pirate radio
310 operations; and then also Mr. Tonko and Mr. Lance's ACCESS
311 BROADBAND Act, which ensures federal funding for broadband
312 deployment, is tracked and efficiently coordinated.

313 And finally, we have Mr. Loeb sack and Mr. Latta's Precision
314 Agriculture Connectivity Act. As we will hear next week at our
315 rural broadband hearing, the benefits of expanding broadband
316 access to rural America can open up really exciting opportunities
317 for the ag sector and hardworking farmers and ranchers, and I
318 appreciate the support on these and look forward to moving them
319 forward.

320 Yield back.

321 Chairman Walden. The gentlelady's time has expired.

322 The gentleman from Texas, Mr. Green, for one minute.

323 Mr. Green. Mr. Chairman, I want to share my concern that

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324 my colleague that Denver said about the children in Texas along
325 the border. Taking children away from parents is not an American
326 value and that's all I am going to say on that.

327 One of the bills we are considering today is H.R. 5385, the
328 Children's Hospital GME Support Reauthorization Act I am proud
329 to introduce with our subcommittee chairman, Dr. Burgess, earlier
330 this year.

331 The CHGME program provides needed funding to train our
332 nation's pediatric workforce including pediatricians, pediatric
333 subspecialists and greatly needed in many communities around the
334 country.

335 Our legislation reauthorized the CHGME program for five
336 years at \$325 million annually and a \$25 million increase over
337 current levels.

338 As of today, our bipartisan legislation has 73 co-sponsors.

339 Support from outside stakeholders including the American
340 Hospital Association and the Children's Hospital Association.

341 And, Mr. Chairman, I'd like my full statement to be placed in
342 the record, and I yield back whatever time I have.

343 Chairman Walden. Without objection, that'll happen.

344 [The prepared statement of Mr. Green follows:]

345

346 *****COMMITTEE INSERT 1*****

347 Chairman Walden. The chair now recognizes the gentleman from
348 Illinois, I believe, is next -- Mr. Kinzinger -- for one minute.

349 Mr. Kinzinger. Thank you, Mr. Chairman, for today's markup
350 and including H.R. 1320, the NUKE Act. As those of you on the
351 Energy Subcommittee know, Congressman Doyle and I have been
352 working on this bill for over a year.

353 I am proud of this bill, which also includes Mr. Green and
354 Mr. Latta as co-sponsors, and it makes practical reforms to
355 increase accountability, predictability, and transparency for
356 those regulated by the NRC.

357 Specifically, it eliminates an arbitrary requirement that
358 the NRC recover 90 percent of its budget from those it regulates
359 and instead puts in place a predictable fee structure that bases
360 regulatory cost on the nature of work.

361 The bill creates additional stability by putting a cap on
362 the total annual fee charged to each operating reactor, limiting
363 NRC overhead cost to put the agency in line with similar federal
364 agency spending, create achievable deadlines for major license
365 applications.

366 Nuclear power is at a critical impasse. We have 99 nuclear
367 power plants including four in my district that provide reliable
368 carbon-free electricity around the country. But many of those
369 are facing early retirement, which means a loss of clean energy,
370 good jobs, and ceding our global leadership on safety and
371 nonproliferation.

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372 So I encourage all my colleagues to vote in favor of this
373 bipartisan bill, which will maintain the NRC's gold standard of
374 safety while reducing the regulatory burden on our existing plants
375 but also the next generation.

376 And I yield back.

377 Chairman Walden. The gentleman yields back.

378 The chair recognizes the gentlelady from Illinois, Ms.
379 Schakowsky, for one minute to speak on --

380 Ms. Schakowsky. I am so pleased that we are here today
381 considering these critical health workforce bills in a bipartisan
382 way. I am proud to lead H.R. 3728, the EMPOWER Act, with
383 Representatives Burgess and Bucshon by reauthorizing the
384 geriatric workforce enhancement program and reestablishing the
385 Geriatric Academy Career Awards.

386 This bill is critical to ensuring that we have the workforce
387 in place to respond to the needs of older Americans. Right now,
388 we are facing a geriatric health care workforce shortage, and
389 as Baby Boomers age, the shortage will only grow.

390 The EMPOWER Act will train more providers, give families
391 -- family care givers the tools they need to care for loved ones
392 with Alzheimer's and expands teaching centers to reach rural and
393 under served communities.

394 The EMPOWER Act brings us closer to building the health care
395 workforce our seniors deserve.

396 Thank you, and I yield back.

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397 Chairman Walden. The gentlelady yields back.

398 Other members on the Republican side seeking recognition?

399

400 Seeing none, let's see -- the gentleman from New York, I
401 guess -- Mr. Tonko, isn't it?

402 Oh, I am sorry. Ms. Castor, were you seeking recognition?

403 Ms. Castor. Yes.

404 Chairman Walden. For one minute.

405 Ms. Castor. Thank you very much, Mr. Chairman and
406 colleagues.

407 I think it's very positive we are moving forward on a number
408 of bipartisan health care workforce bills today. They are
409 bipartisan and they are very important.

410 I'd also like to commend Ranking Member Pallone for bringing
411 the resolution that will expand our oversight inquiry of HHS on
412 this horrendous family separation policy.

413 This is very important and the committee really should take
414 up oversight hearings. I am sure some of my colleagues were on
415 the phone on Friday when the HHS secretary said we will have a
416 conference call for all of Congress.

417 But what happened on that call, for folks that don't know,
418 is the secretary didn't answer many questions at all. He spoke
419 for about 20 minutes, turned it over to another assistant
420 secretary, and then the entire Congress he took three questions.

421 So what should happen is the Energy and Commerce Committee that

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422 has oversight of HHS should schedule a series of hearings. We
423 have had time last week to have hearings. We could do it this
424 week.

425 Chairman Walden. The gentlelady's time has expired.

426 Ms. Castor. It's a real shame that that has not happened.

427 I yield back my time.

428 Chairman Walden. Other members seeking recognition?

429 The gentleman from New York, Mr. Tonko, is recognized for
430 one minute.

431 Mr. Tonko. Thank you, Mr. Chair.

432 I thank Environment Subcommittee Chair Shimkus for his work
433 on the two bills that were approved by that subcommittee in June.

434 Mr. Shimkus has worked tirelessly to address nuclear waste issues
435 and I appreciate the attention he has given to sites that are
436 still dealing with the consequences of our nation's entry into
437 the Atomic Age.

438 I support H.R. 2278 and H.R. 2389, and hope we can continue
439 to work together to resolve the remaining unsettled aspects of
440 the West Valley issue in the future. I also want to highlight
441 two telecom bills being considered this morning.

442 First, H.R. 3994, the ACCESS BROADBAND Act establishes an
443 office to streamline management of federal broadband resources
444 and creates a simpler process for small businesses to access those
445 resources.

446 We know the importance of broadband. It can be the

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447 difference between success and failure for students doing
448 homework, job candidates, building toward a new career, and
449 entrepreneurs starting a small business.

450 The second, H.R. 5709, the PIRATE Act, would increase
451 penalties and restrictions on pirate radio. Pirate radio can
452 interfere with emergency broadcast signals and airport
453 communications.

454 Protecting our public airwaves is an essential part of
455 protecting our communities.

456 Chairman Walden. The gentleman's time --

457 Mr. Tonko. I thank Mr. Lance and thank you, Mr. Chair.
458 I yield back.

459 Chairman Walden. -- has expired. Other members seeking
460 recognition?

461 Seeing none, the chair now calls up H.R. 959 as forwarded
462 by the Subcommittee on Health on June 27, 2018 and ask the clerk
463 to report.

464 [The Bill H.R. 959 follows:]

465

466 *****INSERT 2*****

467 The Clerk. H.R. 959, to amend Title VIII of the Public
468 Health Service Act to extend advanced education nursing grants
469 to support clinical nurse specialist programs and for other
470 purposes.

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

474 Are there any bipartisan amendments? Is yours bipartisan
475 or --

476 Ms. Matsui. Yes.

477 Chairman Walden. Are there any amendments? It's close
478 enough. For what purpose does the gentlelady from California,
479 Ms. Matsui, seek recognition?

480 Ms. Matsui. Thank you, Mr. Chairman. I have an amendment
481 at the desk.

482 Chairman Walden. The clerk will report the amendment.

483 [The Amendment offered by Ms. Matsui follows:]

484

485 *****INSERT 3*****

486 The Clerk. Amendment to H.R. 959 offered by Ms. Matsui.
487 Chairman Walden. Further reading of the amendment is
488 dispensed with. The gentlelady from California is recognized
489 for five minutes to speak on her amendment.

490 Ms. Matsui. Thank you, Mr. Chairman.

491 H.R. 959 is a bipartisan bill that reauthorize critical
492 workforce programs for our nation's nurses. Nurses are an
493 integral part of the patient care in many settings. They are
494 often the most memorable part of the patient's hospital stays.

495 But they are also in the community doing things like primary
496 care and public health and prevention. We have many medical
497 workforce shortages across our country and we need to ensure that
498 professionals are available to meet health care needs, especially
499 in rural and under served areas.

500 Nurses contribute to that solution and we must continue to
501 train and support them. We know that it is expensive and time
502 consuming to become trained as a medical professional. But loan
503 repayment and scholarship programs can help alleviate that
504 burden.

505 Those programs also alleviate a workforce to practice where
506 they are needed rather than only where they can receive enough
507 compensation to repay their investment.

508 I appreciate the work of my colleague, Representative Joyce,
509 and this committee to advance this important legislation. I'd
510 also like to express support for the other health bills we are

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511 advancing today.

512 Our aging population will rely on a workforce with geriatric
513 expertise as well as access to patient-centered hospice and
514 palliative care.

515 The EMPOWER Act includes the geriatric workforce bill I
516 authored with my friend, Representative Schakowsky, and I support
517 the PCHETA Act authored by my friend, Representative Engel, which
518 would fund training of physicians who plan to teach palliative
519 medicine.

520 Lastly, medical training at children's hospitals is also
521 very important so I am pleased we are working together on
522 reauthorization for the Children's Hospitals GME program.

523 My amendment to H.R. 959 is technical in nature. I urge
524 my colleagues to support the amendment and the underlying bill.

525 Thank you, and I yield back.

526 Mr. Upton. [Presiding.] The gentlelady yields back.

527 Other members wishing to speak on the amendment?

528 Seeing none, the vote occurs on the amendment offered by
529 the gentlelady from California.

530 Those in favor will say aye.

531 Those opposed, say no.

532 In the opinion of the chair, the ayes have it. The amendment
533 is agreed to.

534 Are there further amendments to the bill?

535 Seeing none, the vote now occurs on favorably reporting H.R.

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536 959 as amended to the House.

537 All those in favor will say aye.

538 Those opposed say no.

539 The ayes have it. The bill is favorably reported.

540 The chair will now call up H.R. 1676 as forwarded by the
541 Subcommittee on Health on June 27th of this year and ask the clerk
542 to report.

543 [The Bill H.R. 1676 follows:]

544

545 *****INSERT 4*****

546 The Clerk. H.R. 1676, to amend the Public Health Service
547 Act to increase the number of permanent faculty in palliative
548 care at accredited allopathic and osteopathic medical schools,
549 nursing schools, social work schools, and other programs
550 including physician assistant education programs to promote
551 education and research in palliative care and hospice, and to
552 support the development of faculty careers and academic
553 palliative medicine.

554 Mr. Upton. Without objection, the first reading of the bill
555 is dispensed with. The bill will be open for amendment at any
556 point.

557 Are there any bipartisan amendments to the bill?

558 The gentleman from New York.

559 Mr. Engel. I move to strike the last word.

560 Mr. Upton. The gentleman is recognized for five minutes.

561 [The Amendment offered by Mr. Engel follows:]
562

563 *****COMMITTEE INSERT 5*****

564 Mr. Engel. Thank you, Mr. Chairman, and Ranking Member
565 Pallone.

566 I am proud to be the sponsor of H.R. 1676, the Palliative
567 Care and Hospice Education and Training Act. I am very pleased
568 to see this bill moving forward today.

569 The goal of palliative care is to alleviate suffering for
570 patients and their loved ones, accompanying efforts to treat or
571 cure illness.

572 Palliative care can help patients and families cope with
573 the symptom, stress, and pain of illness, but too many aren't
574 aware of these benefits. There is also a shortage of educated
575 providers who can offer quality palliative care.

576 My Palliative Care and Hospice Education and Training Act
577 addresses these issues by expanding opportunities for training
578 in palliative and hospice care.

579 This bill also seeks to better educate patients, families,
580 and health professionals about palliative care's benefits and
581 encourages the NIH to expand research around this topic.

582 I think that all of us, unfortunately, have known a loved
583 one who has faced a serious or life-threatening illness so we
584 know too well the confusion and stress these situations bring.

585 This bill will help us ensure that there is a well-trained
586 palliative and hospice care workforce available to care for
587 patients and bring much needed relief to families.

588 I want to thank Congressman Tom Reed and Congressman Buddy

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589 Carter for co-authoring this bill and all the bill's 284
590 bipartisan co-sponsors.

591 So I urge my colleagues to support this legislation and I
592 yield back the balance of my time.

593 Mr. Upton. The gentleman yields back.

594 Mr. Burgess. Will the gentleman yield the balance of his
595 time to me?

596 Mr. Engel. Yes, certainly.

597 Mr. Burgess. I thank the gentleman from New York for
598 yielding and thank you for bringing the bill to the subcommittee
599 where it passed unanimously.

600 This bill has been co-sponsored by many members of the full
601 committee, many members of Health Subcommittee and it builds our
602 palliative hospice care workforce by establishing and supporting
603 palliative care and hospice education centers through federal
604 grants while enhancing research in palliative care at the National
605 Institute of Health.

606 You know, I think this bill complements our committee's work
607 and the House of Representative's work on opioids. With 115
608 Americans dying from overdose each day, we focused efforts to
609 increase access to treatment, incentivized development of opiate
610 alternatives, and to help curb future addiction.

611 The bill before us today can address this issue from a
612 different angle. With the growing scrutiny on doctors
613 prescribing opioids in the midst of this, we must remember that

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614 there are patients with recurring chronic pain, and while the
615 use of opiates can lead to substance use disorder, these patients
616 still need access to pain medications, particularly if they have
617 been successfully maintained and managed on their opiates in close
618 consultation with their doctors.

619 This bill will ensure that we have a palliative and hospice
620 care workforce that is adequately trained to manage patients with
621 serious illness which can include some aspect of chronic pain
622 and chronic administration of opiates.

623 I appreciate having the chance to share these insights.
624 I appreciate Representative Engel bringing this bill to the
625 subcommittee and now to the full committee, and look forward to
626 its passage.

627 I'll yield back to the gentleman from New York.

628 Mr. Engel. Well, I thank the gentleman, and if anyone wants
629 my time I am happy to yield. If not, I'll yield back the balance
630 of my time.

631 Mr. Upton. The gentleman yields back.

632 The gentleman from Georgia strike the last word?

633 Mr. Carter. Mr. Chairman, I move to strike the last word.

634 Mr. Upton. The gentleman is recognized for five minutes.

635 Mr. Carter. Mr. Chairman, I am proud to be an original
636 co-sponsor on this bill that currently has more than 280
637 bipartisan co-sponsors and was passed by a voice vote through
638 our Health Subcommittee.

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639 This legislation supports funding to a variety of programs
640 that provide palliative medicine and training in a variety of
641 settings, establishes a program to enable hospice and palliative
642 physicians to train teams of interdisciplinary health care
643 professionals in palliative and hospice care techniques, and
644 expands the type of professionals trained to provide hospice care
645 including nurses and clinical social workers.

646 When I served as a hospice pharmacy consultant before coming
647 to Congress, I saw the impact that proper palliative care has
648 on patients and families that are faced with incredibly difficult
649 decisions at the end of their lives.

650 This legislation ensures that there is a well-trained
651 palliative care workforce available and ready for individuals
652 with serious illnesses.

653 I want to thank you, Mr. Chairman, for including this
654 legislation in the markup today and enhancing care options for
655 our aging and seriously ill population.

656 I thank you and I yield back.

657 Mr. Upton. The gentleman yields back. Other members
658 wishing to offer amendments?

659 Seeing none, the question now occurs on favorably reporting
660 H.R. 1676 to the House.

661 All those in favor will say aye.

662 Those opposed say no.

663 In the opinion of the chair, the ayes have it and the bill

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664 is favorably reported.

665 The chair now calls up H.R. 3728 as forwarded by the
666 Subcommittee on Health on June 27th of this year and I ask the
667 clerk to report.

668 [The Bill H.R. 3728 follows:]

669

670 *****INSERT 6*****

671 The Clerk. H.R. 3728, to amend Title VII of the Public
672 Health Service Act to reauthorize certain programs relating to
673 the health professions workforce and for other purposes.

674 Mr. Upton. Without objection, the first reading of the bill
675 is dispensed with. The bill will be open for amendment at any
676 point.

677 Any members wishing to offer a bipartisan amendment?

678 Dr. Burgess is recognized.

679 Mr. Burgess. Yes, Mr. Chairman, I have an amendment at the
680 desk.

681 Mr. Upton. The clerk will report the title of the amendment.

682 [The Amendment offered by Mr. Burgess follows:]

683

684 *****INSERT 7*****

685 The Clerk. Amendment to H.R. 3728 offered by Mr. Burgess.
686 Mr. Upton. And the amendment will be considered as read.
687 The staff will distribute the amendment and the gentleman is
688 recognized for five minutes in support of his amendment.

689 Mr. Burgess. Thank you, Mr. Chairman.

690 The underlying bill, the Educating Medical Professionals
691 and Optimizing Workforce Efficiency Readiness Act, which was
692 introduced with Representatives Schakowsky and Bucshon last year,
693 will reauthorize the various workforce programs included in Title
694 VII of the Public Health Service Act.

695 Mr. Chairman, we work with stakeholders to draft a technical
696 amendment which brings the authorization level for the primary
697 care training and enhancement program up to the fiscal year 2018
698 omnibus level and is now more than \$48 million.

699 Additionally, it would raise the salary amount for the
700 geriatric academic career awards such that it would more
701 effectively attract and support the geriatrics faculty. That's
702 faculty to take care of geriatric patients, not very old faculty
703 members.

704 [Laughter.]

705 The underlying bill aims to support and strengthen our
706 geriatric workforce through the geriatrics workforce enhancement
707 program and the geriatric academic career awards so that it can
708 meet the unique needs of our ever-growing population of seniors.

709 While Congress has appropriated funding for the Title VII

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710 workforce programs in recent years, it is essential that we
711 reauthorize the program to ensure longer-term stability. These
712 programs are vital to building and maintaining a well-educated
713 well-trained physician workforce.

714 H.R. 3728 reauthorizes funding for the area health education
715 centers, which also provide both medical education and health
716 care services to medically underserved areas.

717 Reauthorizing these Title VII programs is long overdue.
718 I strongly urge my members to support the amendment and the
719 underlying bill and I will yield back to the chairman.

720 Mr. Upton. The gentleman yields back.

721 Other members wishing to speak on the amendment?

722 Seeing none, the vote occurs on the amendment offered by
723 the gentleman from Texas.

724 All those in favor will say aye.

725 Those opposed, say no.

726 In the opinion of the chair, the ayes have it. The amendment
727 is agreed to.

728 Are there further amendments to the bill?

729 The gentlelady from Illinois has an amendment at the desk?

730 Ms. Schakowsky. I have an amendment at the desk, Mr.
731 Chairman.

732 Mr. Upton. And the clerk will report the title of the
733 amendment.

734 [The Amendment offered by Ms. Schakowsky follows:]

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735

736

*****INSERT 8*****

737 The Clerk. Amendment to H.R. 3728 offered by Ms.
738 Schakowsky.

739 Mr. Upton. And the amendment will be considered as read.
740 The staff will distribute the amendment and the gentlelady will
741 be recognized for five minutes in support of her amendment.

742 Ms. Schakowsky. Well, you've already heard about the
743 reauthorization for the geriatric workforce program and the
744 reestablishment of the geriatric academic career awards, how
745 critical they are, and I really want to thank Representatives
746 Burgess and Bucshon for leading this bill along with me.

747 The amendment is a technical amendment. It makes technical
748 changes to ensure that the geriatric workforce enhancement
749 program can continue its important work while emphasizing the
750 importance of funding the geriatric academic career awards.

751 You've already heard how important it is for these programs
752 to be reauthorized. Our nation is facing a severe and mounting
753 shortage of health care providers to meet the needs of older
754 Americans.

755 It's estimated that by 2030, 3.5 million health care workers
756 will be needed just to maintain the current access level for older
757 Americans.

758 So this means that unless we act now, seniors, especially
759 those with multiple chronic conditions and cognitive impairments,
760 may not receive the quality of care they need.

761 The EMPOWER Act confronts that challenge head on with the

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762 geriatric workforce enhancement program and it's the only federal
763 program dedicated to develop a health care workforce that
764 maximizes the engagement of older adults and family care givers
765 while improving health outcomes.

766 So it's very important. In Chicago, Rush University Medical
767 Center, one of the outstanding health and education institutions
768 to receive grants for health resources and services
769 administration from HRSA to administer a geriatric workforce
770 program, I know many of your communities of my colleagues benefit
771 greatly from these programs and I urge a positive vote on this
772 amendment.

773 I yield back.

774 Mr. Upton. The gentlelady yields back.

775 Other members wishing to speak on her amendment?

776 Seeing none, the vote occurs on the amendment offered by
777 the gentlelady from Illinois.

778 All those in favor will say aye.

779 Those opposed say no.

780 In the opinion of the chair the ayes have it. The amendments
781 is agreed to.

782 Are there further amendments to the bill?

783 Seeing none, the question now occurs on favorably reporting
784 H.R. 3728 as amended to the House.

785 All those in favor will say aye.

786 Those opposed say no.

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787 In the opinion of the chair, the ayes have it and the bill
788 is favorably reported.

789 The chair will now call up H.R. 5385 as forwarded by the
790 Subcommittee on Health on June 27th of this year and ask the clerk
791 to report.

792 [The Bill H.R. 5385 follows:]

793

794 *****INSERT 9*****

795 The Clerk. H.R. 5385, to amend the Public Health Service
796 Act to reauthorize the program of payments to children's hospitals
797 that operate graduate medical education programs and for other
798 purposes.

799 Mr. Upton. And without objection, the first reading of the
800 bill is dispensed with. The bill will be open for amendment at
801 any point.

802 Are there any bipartisan amendments to the bill?

803 The gentleman from Texas, Mr. Burgess.

804 Mr. Burgess. Mr. Chairman, I have an amendment at the desk.

805 Mr. Upton. Dr. Burgess -- the clerk will report the title
806 of the amendment.

807 [The Amendment offered by Mr. Burgess follows:]

808

809 *****INSERT 10*****

810 The Clerk. Amendment to H.R. 5385, offered by Mr. Burgess.

811 Mr. Upton. And the amendment will be considered as read.

812 The staff will distribute the amendment and gentleman from Texas
813 is recognized for five minutes in support of his amendment.

814 Mr. Burgess. Thank you, Mr. Chairman, and I am offering
815 this amendment with Mr. Green. It is a bipartisan amendment.

816 This was an amendment to honor a Texan who's made a substantial
817 impact on the world of pediatric medicine.

818 Dr. Benjy Frances Brooks was born in Lewisville, Texas where
819 I practiced medicine for 25 years. She grew up in neighboring
820 Flower Mound, Texas. Both towns are in my district in the
821 northern part of the state.

822 At the early age of four, she dreamt of becoming a doctor
823 and she operated on her sister's dolls with her mother's manicure
824 scissors.

825 She received a Bachelor and Master's degree from North Texas
826 State Teachers College, which is now the university of North
827 Texas, and went to medical school at the University of Texas
828 Medical Branch in Galveston in 1944, received her medical degree
829 in 1948.

830 Dr. Brooks became one of the first women to enter the
831 department of surgery at Harvard, where she completed her
832 pediatric surgical training. She did return home to Texas to
833 practice pediatric surgery at Texas Children's Hospital where
834 she was one of my faculty members when I was in medical school.

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835 She was the first female pediatric surgeon in the state and
836 went on to teach at Baylor College of Medicine, and at the time
837 the newly established University of Texas Medical School at
838 Houston, and she established and led the pediatric surgery
839 division.

840 Mr. Chairman, I would also ask unanimous consent to place
841 into the record the official biography of Dr. Benjy Brooks.

842 Mr. Upton. Without objection.

843 [The information follows:]

844

845 *****COMMITTEE INSERT 11*****

846 Mr. Burgess. And point to the one statement in this at the
847 conclusion of the biography. Dr. Benjy Brooks was a lifelong
848 fan of Texas. She credits much of her success to her childhood
849 in the Lone Star State with its long history of strong pioneering
850 women.

851 In Texas, Dr. Brooks noted, you can go as far as you can
852 push yourself. And Mr. Chairman, Mr. Green and I do not agree
853 on everything. There are days it seems we don't agree on
854 anything.

855 But we did come to a quick consensus to rename this children's
856 graduate medical education bill the Dr. Benjy Frances Brooks
857 Children's Hospital GME Support Act -- Reauthorization Act of
858 2018, and the significance there is this is the 100-year
859 anniversary of the birth of Dr. Benjy Brooks in Lewisville, Texas.

860 So I encourage my members to join us in support of this
861 amendment and, obviously, support of the underlying bill.

862 Mr. Green. Mr. Chairman, will the gentleman yield?

863 Mr. Burgess. I'll be happy to yield to the ranking member.

864 Mr. Green. Thank you.

865 Mr. Chairman, I want to express my strong support for our
866 amendment to name the Children's Hospital GME Support of
867 Reauthorization Program after Dr. Benjy Frances Brooks in support
868 of the underlying legislation.

869 Dr. Brooks was the first female pediatric surgeon in Texas.
870 She was raised, as the chair of the Health Subcommittee

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871 mentioned, in Lewisville, Texas and she received her medical
872 degree from the first medical school west of the Mississippi,
873 UT medical branch in Galveston.

874 She did her pediatric surgical training at Harvard Medical
875 School in Boston. After returning to Texas, she performed
876 pediatric surgery at Texas Children's Hospital and also at St.
877 Joseph's Hospital where my wife and I were both born and our
878 children were born there back then.

879 In 1973, she joined the newly formed University of Texas
880 Medical School as a tenured full professor and established a
881 division of pediatric surgery, which he headed for the next 10
882 years.

883 I'd like to have the rest of my statement placed in the
884 record. Mr. Chairman, I'd also like to ask unanimous consent
885 to place into the record a statement on this bill, the Children's
886 Hospital Association, and I'll yield back my time.

887 Mr. Upton. Without objection.

888 [The information follows:]

889

890 *****COMMITTEE INSERT 12*****

891 Mr. Upton. Time is yielded back.

892 Other members wishing to speak on the amendment?

893 Seeing none, the vote occurs on the amendment offered by
894 the two gentlemen from Texas.

895 Those in favor will say aye.

896 Those opposed, say no.

897 In the opinion of the chair, the ayes have it and the
898 amendment is agreed to.

899 Are there further amendments to the bill?

900 Seeing none, the question now occurs on favorably reporting
901 H.R. 5385 as amended to the House.

902 All those in favor will say aye.

903 Those opposed, say no.

904 In the opinion of the chair the ayes have it and the bill
905 is favorably reported.

906 The chair will now call up H.R. 2278 as forwarded by the
907 Subcommittee on the Environment on June 27th of this year and
908 ask the clerk to report.

909 [The Bill H.R. 2278 follows:]

910

911 *****INSERT 13*****

912 The Clerk. H.R. 2278, as amended by the Subcommittee on
913 the Environment.

914 Mr. Upton. And without objection, the first reading of the
915 bill is dispensed with. The bill will be open for amendment at
916 any point.

917 Are there any amendments to the bill? Any bipartisan
918 amendments to the bill?

919 The gentleman from Texas, Dr. Burgess.

920 Mr. Burgess. Thank you, Chairman.

921 Technically, it's not a bipartisan amendment but I used to
922 work on this issue with Mr. Markey. So in spirit, it's a
923 bipartisan amendment.

924 [Laughter.]

925 Mr. Upton. Striking the last word, are you offering an
926 amendment?

927 Mr. Burgess. I have an amendment at the desk.

928 Mr. Upton. All right.

929 Mr. Burgess. I beg your pardon. Is this 6140 that we are
930 doing?

931 Mr. Upton. 2278.

932 Mr. Burgess. Let me hold until 6140 --

933 Mr. Upton. All right. So we will reserve your time.

934 Other members wishing to offer an amendment on this bill?

935 Seeing none, the question now occurs on favorably reporting
936 H.R. 2278 to the House.

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937 All those in favor will say aye.

938 Those opposed say no.

939 In the opinion of the chair, the ayes have it and the
940 amendment in the bill is favorably reported.

941 The chair will now call up H.R. 2389 as forwarded by the
942 Subcommittee on the Environment on June 27th of this year and
943 ask the clerk to report.

944 [The Bill H.R. 2389 follows:]

945

946 *****INSERT 14*****

947 The Clerk. H.R. 2389, as amended by the Subcommittee on
948 the Environment.

949 Mr. Upton. And without objection, the first reading of the
950 bill is dispensed with. The bill will be open for amendment at
951 any point.

952 Are there any bipartisan amendments to the bill? Are there
953 any amendments to the bill?

954 The gentleman from New York has an amendment at the desk?

955 Mr. Tonko. Yes, Mr. Chair, I have an amendment at the desk.

956 Mr. Upton. And the clerk will report the title of the
957 amendment.

958 [The Amendment offered by Mr. Tonko follows:]

959

960 *****INSERT 15*****

961 The Clerk. Amendment to H.R. 2389, offered by Mr. Tonko.
962 Mr. Upton. And the staff will -- the amendment will be
963 considered as read. The staff will distribute the amendment and
964 the gentleman from New York is recognized for five minutes in
965 support of his amendment.

966 Mr. Tonko. Thank you, Mr. Chair.

967 H.R. 2389 addresses a unique site in my home state, the
968 Western New York Service Center in West Valley. The site is owned
969 by the state, but from 1966 to 1972 it was operated by a private
970 business to reprocess spent nuclear fuel primarily provided by
971 the federal government.

972 Those reprocessing activities ended decades ago but
973 high-level waste and transuranic waste continue to be stored at
974 the site. This bill authorizes \$75 million annually for 10 years
975 for the West Valley Demonstration Project in order to ensure the
976 site's cleanup continues.

977 However, this is only part of the West Valley issue. DOE
978 and New York State continue to disagree over who should be
979 responsible for paying for waste disposal.

980 At the subcommittee markup, language was removed that would
981 have addressed the uncertainty surrounding these wastes. I
982 believe it is clear that the high level radioactive waste and
983 transuranic waste left at West Valley were primarily derived from
984 atomic energy defense activities and should be disposed of as
985 such.

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986 But I also understand that DOE may not agree with that
987 assessment. The bill, as amended at the subcommittee markup as
988 a requirement for a GAO report to assess the options and cost
989 for disposal.

990 My amendment would make minor changes to the scope of the
991 GAO request including shortening the time line to produce the
992 report and requiring GAO to look at the origins of the waste being
993 stored at West Valley.

994 Ultimately, I believe the statute cares about the defense
995 or nondefense classification of these wastes, not their
996 ownership. Any explanation of the West Valley situation or
997 evaluation of disposal options without consideration of the waste
998 origins would be incomplete.

999 It is unfortunate that we are not resolving the biggest
1000 disagreement over the West Valley waste but I hope we can continue
1001 to work together to ensure the site is eventually remediated and
1002 wastes are disposed of properly and fairly, and revisit the waste
1003 classification issue in the future if necessary.

1004 With that, I urge members to support the amendment and the
1005 underlying bill, and I thank you, Chair, and yield back.

1006 Mr. Shimkus. Will the gentleman yield, Mr. Tonko?

1007 Mr. Tonko. Yes, sir.

1008 Mr. Shimkus. Shimkus.

1009 Mr. Tonko. Yes.

1010 Mr. Shimkus. I want to thank my colleague. We support this

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1011 amendment. This is a very difficult issue that happened decades
1012 ago. It's just part of our nuclear legacy, and the basic premise
1013 is who ends up paying for this, and it's not a small cost.

1014 So as we gather more information, the GAO report will help
1015 do that and we will continue to move forward. Mr. Tonko has been
1016 a strong advocate of trying to address this legislatively, and
1017 having now worked not only as a member of Congress but also in
1018 previous roles in part of the group designed by the state to help
1019 address this site. He's a loyal adversary and a good friend when
1020 we can work together.

1021 So with that, I encourage my colleagues to support this
1022 amendment and I yield back my time to Mr. Tonko.

1023 Mr. Tonko. And I thank the subcommittee chair for his
1024 comments and his commitment, and with that, Mr. Chair, I yield
1025 back.

1026 Mr. Upton. The gentleman yields back.

1027 Other members wishing to speak on the amendment? Seeing
1028 none, the vote occurs on the amendment offered by the gentleman
1029 from New York.

1030 All those in favor will say aye.

1031 Those opposed, say no.

1032 In the opinion of the chair the ayes have it and the amendment
1033 is agreed to.

1034 Are there further amendments to the bill?

1035 Seeing none, the question now occurs on favorably reporting

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1036 H.R. 2389 as amended to the House.

1037 All those in favor shall signify by saying aye.

1038 Those opposed, say no.

1039 In the opinion of the chair, the ayes have it and the bill
1040 is favorably reported.

1041 The chair will now call up H.R. 1320 as forwarded by the
1042 Subcommittee on Energy on June 21st of this year and ask the clerk
1043 to report.

1044 [The Bill H.R. 1320 follows:]

1045

1046 *****INSERT 16*****

1047 The Clerk. H.R. 1320, as amended by the Subcommittee on
1048 Energy.

1049 Mr. Upton. Without objection, the first reading of the bill
1050 is dispensed with. The bill will be open for amendment at any
1051 point.

1052 For what reason does the gentleman from Illinois --

1053 Mr. Kinzinger. Mr. Chairman, I have an amendment at the
1054 desk.

1055 Mr. Upton. The clerk will report the title of the amendment.

1056 [The Amendment offered by Mr. Kinzinger follows:]

1057

1058 *****INSERT 17*****

1059 The Clerk. Amendment to H.R. 1320, offered by Mr.
1060 Kinzinger.

1061 Mr. Upton. And the amendment will be considered as read.
1062 The staff will distribute the amendment and the gentleman from
1063 Illinois is recognized for five minutes in support of this
1064 amendment.

1065 Mr. Kinzinger. Thank you, Mr. Chairman.

1066 This manager's amendment is the product of additional
1067 bipartisan work on this legislation. As discussed during the
1068 Subcommittee on Energy's consideration there were still some
1069 areas where this legislation could be improved and this amendment
1070 accomplishes that.

1071 Specifically, we increase the NRC's flexibility by using
1072 2015 instead of 2016 as the base year for fee caps and remove
1073 a provision that would have allowed the NRC to issue licenses
1074 while a hearing is pending.

1075 I appreciate the efforts of Congressman Doyle and members
1076 and staff on both sides of the aisle in crafting this amendment
1077 so that we can report a strong bipartisan bill out of committee
1078 today.

1079 Finally, Mr. Chairman, I'd like to submit a letter of support
1080 for my bill and Rep. Flores' bill from the Nuclear Energy Institute
1081 for the record.

1082 Mr. Upton. Without objection.

1083 [The information follows:]

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1084

*****COMMITTEE INSERT 18*****

1085 Mr. Kinzinger. And I encourage my colleagues to support
1086 this amendment and the underlying bill, and unless somebody needs
1087 my time I'll yield it back.

1088 Mr. Doyle. Will the gentleman yield?

1089 Mr. Kinzinger. I will.

1090 Mr. Doyle. Thank you.

1091 Mr. Chairman, first, I want to thank the chair and the ranking
1092 members of the full committee and Energy Subcommittee for holding
1093 this markup and for your involvement with the NUKA Act.

1094 I also want to thank my colleague, Mr. Kinzinger, for his
1095 leadership. In this process we have had many conversations on
1096 the NUKA Act and I appreciate the consideration and collaboration
1097 that has allowed us to get to a full committee markup for this
1098 important legislation.

1099 The nuclear energy industry supplies reliable baseload
1100 carbon-free emissions and is a strong job creator in Pennsylvania.

1101 However, the industry is facing a variety of pressures that
1102 will only increase as nuclear plants go offline. The United
1103 States is a world leader in nuclear technology and it is important
1104 to provide transparency and certainty for the nuclear energy
1105 industry.

1106 The NUKA Act accomplishes these goals by modernizing the
1107 NRC's fee structure and encouraging timely licensing decisions
1108 without sacrificing the NRC's mission to protect public health
1109 and safety. These reforms will not only support existing nuclear

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1110 plants but will also encourage investment in the next generation
1111 of nuclear reactors.

1112 By reforming the fee structure, this legislation will
1113 prevent fee increases for existing nuclear reactors as other
1114 plants go offline. These common sense changes will provide
1115 certainty to operators and give NRC the flexibility to meet its
1116 budgetary needs.

1117 The same -- the manager's amendment also applies the same
1118 fee predictability and principles to fuel cycle facilities.
1119 I also appreciate that the manager's amendment strikes the
1120 provision that would have allowed NRC to issue a permit before
1121 a hearing was conducted.

1122 Eliminating this provision will ensure that communities are
1123 able to be involved in the process and that an application is
1124 sufficiently vetted before it's granted.

1125 Once again, I want to thank Mr. Kinzinger, Mr. Pallone, and
1126 Mr. Walden for their work and their efforts to improve this
1127 bipartisan compromise bill. I urge my colleagues to support this
1128 legislation and I look forward to moving this to the floor as
1129 soon as possible.

1130 I yield back.

1131 Mr. Kinzinger. Mr. Chairman, I yield to the senior member
1132 from Illinois, Mr. Shimkus.

1133 Mr. Shimkus. Thank you very much, Mr. Kinzinger.

1134 The manager's amendment offered by Rep. Kinzinger and Doyle

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1135 includes an important provision relating to the annual charges
1136 for fuel cycle facilities.

1137 My district includes the nation's only uranium conversion
1138 facility in Metropolis, Illinois. The facility is one of only
1139 seven total NRC license fuel cycle facilities in the United
1140 States.

1141 Unpredictable and inconsistent NRC annual charges hinder
1142 the ability of a fuel cycle facility to make long-term business
1143 decisions. This year, the annual fee for Honeywell Conversation
1144 Facility increased, despite the facility's current standby status
1145 and exceeds \$1.5 million.

1146 The manager's amendment provides an aggregate cap for fuel
1147 cycle licensees and requires that changes in annual charges must
1148 be aligned with changes in actual regulatory work associated with
1149 the license.

1150 This provision will help stabilize our nation's nuclear
1151 supply chain, preserve U.S. leadership in nuclear technology,
1152 and provide for high-paying jobs.

1153 With that, I thank the colleague for yielding and I yield
1154 back again.

1155 Mr. Kinzinger. I yield back the balance.

1156 Mr. Upton. The gentleman yields back.

1157 The chair will recognize -- strike the last word in support
1158 -- the gentleman's support of the amendment, Mr. Pallone.

1159 Mr. Pallone. Thank you, Mr. Chairman.

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1160 The manager's amendment before us includes several
1161 improvements to the bill. The amendment adds a new section
1162 requiring NRC to report back to Congress on efforts at the
1163 commission to address instances of employees facing reprisal for
1164 raising safety concerns that differ from the commission position
1165 on a particular licensing action.

1166 A recent internal NRC report identified several troubling
1167 cases of NRC employees who raised safety issues being passed over
1168 for promotions or being excluded from work activities by
1169 management.

1170 It's critical that our NRC staff feel comfortable raising
1171 issues with commission actions without fear of workplace
1172 retaliation. The provision included in the manager's amendment
1173 will require NRC to report to Congress on actions it's taking
1174 to address this workplace cultural problem.

1175 The manager's amendment also includes several changes
1176 addressing concerns I raised with the bill most importantly by
1177 striking a provision requiring NRC to issue a construction permit
1178 for a nuclear facility even if an entity has filed a formal request
1179 for a hearing objecting to the project.

1180 And I appreciate the efforts of my colleagues, particularly
1181 Representatives Kinzinger and Doyle, to make common sense changes
1182 to the NRC licensing process that can ease the pressure on the
1183 nuclear industry without jeopardizing safety or the environment.

1184 And while I still have a few concerns with certain provisions

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1185 in the bill, I urge my colleagues to support the manager's
1186 amendment and I do not plan to oppose to underlying bill.

1187 I yield back. I don't think anybody else wants the time,
1188 Mr. Chair.

1189 Mr. Upton. The gentleman yields back.

1190 Other members wishing to speak on the amendment?

1191 Seeing none, the vote occurs on the amendment offered by
1192 the gentleman from Illinois.

1193 All those in favor will say aye.

1194 Those opposed say no.

1195 In the opinion of the chair the ayes have it. The amendment
1196 is agreed to.

1197 Are there further amendments to the bill? Yes, there are.

1198 I have an amendment and I'd ask the clerk to report.

1199 [The Amendment offered by Mr. Upton and Mr. Welch follows:]

1200

1201 *****INSERT 19*****

1202 The Clerk. The amendment to H.R. 1320 offered by Mr. Upton.
1203 Mr. Upton. And the amendment will be considered as read.
1204 The staff will distribute the amendment. This is a bipartisan
1205 amendment offered by myself and Mr. Welch, and I would just say,
1206 briefly, that this amendment requires that the NRC submits to
1207 Congress a report identifying the best practices with respect
1208 to the establishment and operation of a local community advisory
1209 board for members of the community that are impacted by the
1210 decommissioning of that particular nuclear power plant.

1211 The report includes lessons learned from similar boards that
1212 already exist throughout the nation, build out information
1213 included in the NRC's draft guidance relating to its ongoing
1214 rulemaking for decommissioning nuclear power plants.

1215 Recent closures of nuclear power plants have impacted host
1216 communities in many huge ways. Local school districts have
1217 reduced tax base. The community loses hundreds of highly paid
1218 jobs.

1219 Future economic development surrounding the decommissioned
1220 reactor is unknown sometimes and as more nuclear facilities reach
1221 the end of their license period of operation these effects will
1222 continue to be felt throughout the country, certainly in my
1223 district in southwest Michigan as well.

1224 So at the subcommittee mark Mr. Welch noted the experience
1225 of his constituents in facing such challenges. This report will
1226 examine previous experiences, identify the best practices for

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1227 future communities, nuclear licensees, and all stakeholders to
1228 manage this transition, going forward.

1229 So I would hope that everyone here could support this
1230 bipartisan amendment and would yield to my colleague and friend,
1231 Mr. Welch.

1232 Mr. Welch. I thank my colleague and I thank Mr. Kinzinger
1233 and Mr. Doyle.

1234 You know, as we have discussed, Vermont is the home to the
1235 first merchant to be decommissioned in the country, and the
1236 decommission process has been a learning experience for all of
1237 us.

1238 And regardless of what your position may be on nuclear
1239 energy, if you have a nuclear plant in your district it's a
1240 significant source of jobs, tax revenue, and economic activity.

1241 And the impact on grid reliability and security is one thing,
1242 but what I hope we can point out here is the real world consequences
1243 on that local community.

1244 In Vernon, Vermont, Vermont Yankee -- the Vermont Yankee
1245 plant at one point employed 650 people with very good jobs.
1246 Payroll is \$66 million, economic impact of \$500 million, and I
1247 imagine those numbers are similar to the Palisades plant in
1248 Chairman Upton's district.

1249 Today, the number of employees is down to 150 and declining.
1250 The plant that once supported have of the town's revenue and
1251 helped finance a library, a town hall, rec center, and school

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1252 is now a skeleton.

1253 And as you can imagine, this change has had a very significant
1254 impact on this community and on Vermont. During a transition
1255 period as stressful as this, it's critical that the local
1256 stakeholders -- that's the citizens, the folks who have been
1257 living there and working there -- that they have timely access
1258 to information on what's happening along with an opportunity to
1259 provide feedback on how the process should move forward.

1260 We have got to make certain that the community that's
1261 affected has real input into the process. We have a nuclear
1262 decommissioning citizens advisory panel -- 19 members -- created
1263 by the Vermont legislature to be a intermediary between Entergy
1264 and local stakeholders.

1265 We have a number of regional commissions that are playing
1266 a role, significantly, the Windham Regional Commission, and the
1267 amendment that I am offering with Mr. Upton is about continuing
1268 to proceed on this work.

1269 There are big questions about decommissioning, big questions
1270 about how fast a pace that will occur, big questions in a community
1271 about trying to have the site be put back into productive economic
1272 activity.

1273 So I believe that this amendment offered by Mr. Upton and
1274 I is a very good first step in making sure that community voices
1275 in my community, in Chairman Upton's community, and others that
1276 are soon to be seeing plants decommissioned, that the citizens

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1277 there have a big role in ultimately resolving this challenge.

1278 I hope to continue to work with the chairman to address these
1279 matters and thank my colleagues for their attention.

1280 Mr. Upton. The gentleman yields back to me.

1281 Mr. Doyle. Mr. Upton, will you yield?

1282 Mr. Upton. Yes, I'll be glad to yield.

1283 Mr. Doyle. Thank you.

1284 I just want to thank you, Mr. Upton and Mr. Welch, for this
1285 amendment. I support it and I agree it's vital to have community
1286 involvement in the decommissioning process and I just want to
1287 urge all my colleagues to support the amendment.

1288 Thank you. I yield back.

1289 Mr. Upton. Reclaim my time. I want to thank everyone for
1290 working on this. Obviously, it's a key amendment for all of our
1291 communities when, at some point, they will face this if they've
1292 got a nuclear facility that's there and I would, again, urge my
1293 colleagues to vote for it.

1294 I yield back my time.

1295 Are there other members wishing to speak on the amendment?

1296 Seeing none, the vote occurs on the amendment offered by
1297 the gentleman from the great state of Michigan.

1298 All those in favor will say aye.

1299 Those opposed say no.

1300 In the opinion of the chair, the ayes have it and the
1301 amendment is agreed to.

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1302 Are there further amendments to the bill?

1303 Seeing none, the question now occurs on favorably reporting

1304 H.R. 1320 as amended to the House.

1305 All those in favor will signify by saying aye.

1306 Those opposed say no.

1307 In the opinion of the chair the ayes have it and the bill
1308 is favorably reported.

1309 The chair will now call up H.R. 6140, as forwarded by the
1310 Subcommittee on Energy on June 21st of this year and ask the clerk
1311 to report.

1312 [The Bill H.R. 6140 follows:]

1313

1314 *****INSERT 20*****

1315 The Clerk. H.R. 6140, to require the secretary of energy
1316 to establish and carry out a program to support the availability
1317 of HALEU for domestic commercial use and for other purposes.

1318 Mr. Upton. And without objection, the first reading of the
1319 bill is dispensed with. The bill will be open for amendment at
1320 any point.

1321 Are there any bipartisan amendments to the bill?

1322 Mr. Flores. Mr. Chairman, I have an amendment at the desk.

1323 Mr. Upton. The gentleman from Texas, Mr. Flores, has an
1324 amendment. The clerk will report the title of the amendment.

1325 [The Amendment offered by Mr. Flores follows:]

1326

1327 *****INSERT 21*****

1328 The Clerk. Amendment to H.R. 6140, offered by Mr. Flores.

1329 Mr. Upton. And the amendment will be considered as read.

1330 The staff will distribute the amendment and the gentleman from
1331 Texas is recognized for five minutes in support of his amendment.

1332 Mr. Flores. Thank you, Mr. Chairman.

1333 The next generation of advanced nuclear reactors that are
1334 currently under development will vary in size and operation, and
1335 they will need greater flexibility in efficiencies from an
1336 advanced fuel, which is currently not available.

1337 This advanced fuel, known as high-assay low enriched uranium
1338 -- or HALEU for short -- is enriched at higher levels than what
1339 is available in today's commercial market.

1340 The bipartisan Advanced Nuclear Fuel Availability Act, which
1341 I introduced with my friend, Mr. McNerney, establishes a
1342 public-private partnership to the Energy Department's Office of
1343 Nuclear Energy to support the availability of HALEU for domestic
1344 commercial use.

1345 In short, this bill would ensure that there is a robust supply
1346 of advanced fuel available for the domestic commercial industry
1347 to purchase for the advanced reactors of tomorrow.

1348 Today, I am offering a bipartisan manager's amendment with
1349 Mr. McNerney. This amendment makes two clarifications as
1350 requested by the folks at the House committee.

1351 Number one, it excludes nuclear material that is current
1352 allocated for national security use, and number two, it ensures

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1353 that HALEU is made available under the consortium -- or fuel that
1354 is made available under the consortium must not be sold for less
1355 than fair market value.

1356 I urge my colleagues to support this bipartisan amendment
1357 and the underlying legislation.

1358 I yield back the balance of my time.

1359 Mr. Upton. The gentleman yields back.

1360 Other members wishing to speak on the amendment?

1361 The gentleman from California, Mr. McNerney.

1362 Mr. McNerney. Well, I thank the chair and I thank my friend,
1363 Mr. Flores, and I want to support the amendment and I want to
1364 speak on the underlying bill.

1365 Along with Mr. Flores, I am delighted to work on advanced
1366 nuclear technologies through H.R. 6140, the Advanced Nuclear Fuel
1367 Availability Act. This is the future of nuclear energy. We need
1368 a diverse energy mix and nuclear provides a zero carbon emission.

1369 Say, if you believe that climate change is a problem then
1370 you really need to think about nuclear power. It's a zero carbon
1371 source of electricity. The availability of high-assay low
1372 enriched uranium is critical to these efforts. Federal
1373 investments and protocols regarding the transportation, fuel
1374 fabrication, and enrichment to effectively to bring this fuel
1375 to the market are encouraging. Small modular reactors, or SMRs,
1376 will be useful in a variety of settings and this type of fuel
1377 needs to be available by the time SMRs are more widely available.

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1378

1379

The consortium that is formed here is the type of partnership that will be useful in kicks starting this industry and then turning it over to the industry to let it take the reins.

1380

1381

1382

Further, I support the manager's amendment, as I mentioned, clarifying that fair market value must be used and recognizing that defense programs also have needs for these materials.

1383

1384

1385

I look forward to working with my colleague, Mr. Flores, in moving this legislation to the floor, and I yield back.

1386

1387

Mr. Upton. The gentleman yields back.

1388

Other members wishing to speak on the amendment?

1389

Seeing none, the vote occurs on the amendment offered by the gentleman from Texas.

1390

1391

All those in favor will say aye.

1392

Those opposed say no.

1393

In the opinion of the chair the ayes have it and the amendment is agreed to.

1394

1395

Further amendments to the bill? The gentleman from Texas, Dr. Burgess.

1396

1397

Mr. Burgess. Thanks, Mr. Chairman.

1398

I do have an amendment at the desk.

1399

Mr. Upton. Clerk will report the title of the amendment.

1400

[The Amendment offered by Mr. Burgess follows:]

1401

1402

*****INSERT 22*****

1403 The Clerk. Amendment to H.R. 6140, offered by Mr. Burgess.
1404 Mr. Upton. And the amendment will be considered as read.

1405 The staff will distribute the amendment and the gentleman from
1406 Texas is recognized for five minutes in support of his amendment.

1407 Mr. Burgess. Thanks, Mr. Chairman.

1408 This amendment would clarify that the Department of Energy
1409 stockpiles of depleted uranium must be treated the same as natural
1410 and low enriched uranium when it comes to sales or transfers from
1411 the department's uranium inventory.

1412 Under current law, prior to transferring uranium from the
1413 inventory, the secretary of energy is required to determine that
1414 the sale of the material will not have an adverse impact on the
1415 domestic uranium mining conversion or enrichment industries.

1416 Mr. Chairman, foreign-backed -- foreign state-backed
1417 competitors continue to place significant pressure on our
1418 domestic uranium products. U.S. uranium production is at its
1419 lowest since the industry's infancy.

1420 Uranium exploration is down 75 percent in 2017 compared to
1421 2016. The sole conversion facility in the United States recently
1422 suspended its operations.

1423 Losing United States uranium mining conversion enrichment
1424 does put the United States entirely dependent upon other countries
1425 for a fuel needed to power 20 percent of the nation's electricity
1426 in the United States.

1427 We also risk losing a key source of necessarily material

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1428 for America's nuclear navy. U.S. mines are cost competitive on
1429 a global basis under the right policy conditions. This amendment
1430 addresses just a small piece of this potential crisis.

1431 And, Mr. Chairman, I do recognize that there is not unanimity
1432 of opinion on this issue and for that reason I will withdraw the
1433 amendment today and not ask for the vote.

1434 But I do ask that we continue to work on this between now
1435 and the time that this bill comes to the floor.

1436 Chairman Walden. [Presiding.] Yes.

1437 Mr. Burgess. I ask unanimous consent to withdraw the
1438 amendment.

1439 Chairman Walden. The gentleman asks unanimous consent to
1440 withdraw the amendment.

1441 Seeing no objection, the amendment is considered withdrawn.

1442 Mr. Lujan. Mr. Chairman.

1443 Chairman Walden. Are there further amendments? For what
1444 purpose --

1445 Mr. Lujan. I don't know if I am -- if I am able to speak
1446 momentarily on that, now that it's been withdrawn.

1447 Chairman Walden. Well, you can move to strike the last word.

1448 Mr. Lujan. If I could move to strike the last word, Mr.
1449 Chairman.

1450 Chairman Walden. The gentleman is recognized to strike the
1451 last word.

1452 Mr. Lujan. And, Mr. Chairman, the only thing that I wanted

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1453 to raise here, sir, is this is an important conversation that
1454 we are having not just in the committee but around the country.

1455 But the one thing I hope that we don't lose sight of as well
1456 there are a lot of uranium mine workers that worked in the industry
1457 post-1971. The Congress took action to provide support to people
1458 that worked in those mines -- national security interests -- to
1459 make sure that families that were exposed to these conditions
1460 that are now diagnosed with cancer, and it's generational in these
1461 communities.

1462 But it's not been updated. We have since learned that many
1463 of the families that were covered in the Radiation Exposure
1464 Compensation Act that was updated -- we had workers working side
1465 by side with different job titles.

1466 One person may get coverage, another person would not.
1467 Worked side by side, just different job titles. And we have also
1468 since learned that there is different cancers that have been
1469 identified that infected these workers that should have been
1470 covered but Congress has not moved.

1471 And so I am just hoping that in light of this conversation
1472 that we also don't lose sight of the uranium mine workers and
1473 their families that continue to need help across America as well.

1474

1475 And so I thank the gentleman for his indulgence and the
1476 chairman as well, and look forward to working with the committee
1477 on that issue as well.

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1478 Thank you, Mr. Chairman. I yield back.

1479 Chairman Walden. The gentleman yields back. I thank the
1480 gentleman's comments.

1481 Are there any other amendments?

1482 Seeing none, the question now arises -- the question now
1483 occurs on favorably reporting H.R. 6140 to the House.

1484 All those -- all those in favor will signify by saying aye.

1485 Those opposed, no.

1486 The ayes appear to have it. The ayes have it. The measure
1487 is favorably reported.

1488 The chair calls up H.R. 6032 as forwarded by the subcommittee
1489 -- that's number 10 on the list -- as forwarded by the Subcommittee
1490 on Digital Commerce and Consumer Protection on June 13th, 2018,
1491 and ask the clerk to report.

1492 [The Bill H.R. 6032 follows:]

1493

1494 *****INSERT 23*****

1495 The Clerk. H.R. 6032, to direct the secretary of commerce
1496 to conduct a study and submit to Congress a report on the state
1497 of the internet-connected devices industry in the United States.

1498 Chairman Walden. Without objection, the first reading of
1499 the bill is dispensed with. The bill will be open for amendment
1500 at any point.

1501 Are there any bipartisan amendments to the bill?

1502 Are there any amendments to the bill?

1503 Does anyone want to speak on the bill?

1504 Mr. Latta. Mr. Chairman.

1505 Chairman Walden. For what purpose does the gentleman from
1506 Ohio seek recognition?

1507 Mr. Latta. Move to strike the last word.

1508 Chairman Walden. The gentleman is recognized for five
1509 minutes to strike the last word.

1510 Mr. Latta. Well, thank you, Mr. Chairman.

1511 As chairman of the Digital Commerce and Consumer Protection
1512 Subcommittee, I have focused on emerging technologies that look
1513 five or even 10 years in the future to see how new technologies
1514 will benefit Americans.

1515 Whether it be self-driving cars or the Internet of Things,
1516 we have a responsibility to ensure we do not create unnecessary
1517 regulatory burdens that stifle innovation.

1518 With that in mind, I continue this work with my friend, the
1519 gentleman from Vermont, Mr. Welch, on a bipartisan basis to

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1520 develop H.R. 6032, the State of Modern Research, Application,
1521 and Trends IoT Act, or the SMART IoT Act.

1522 The SMART IoT Act is an important first step to lay the
1523 groundwork for the many policy considerations in the Internet
1524 of Things space. The SMART IoT Act directs the secretary of
1525 commerce to survey industry and study efforts in the public sector
1526 regarding IoT.

1527 The resulting compendium of information will benefit both
1528 private industry and regulators. At the federal level, this bill
1529 will help promote goods, streamline government, and at the level
1530 -- at the industry level this bill will help provide innovators
1531 with information about industry-based efforts as well as better
1532 understanding as to who to communicate with in government.

1533 Again, I want to thank my friend, the gentleman from Vermont,
1534 Mr. Welch, for his work with me dating back to our IoT Working
1535 Group in the last Congress on this issue.

1536 I'd also like to thank all the stakeholders that have been
1537 important partners in developing and improving the SMART IoT Act.

1538 We appreciate your willingness to work with us on this very
1539 important issue. I urge my colleagues to support the SMART IoT
1540 Act.

1541 And with that, Mr. Chairman, I yield back the balance of
1542 my time.

1543 Chairman Walden. The gentleman yields the balance of his
1544 time.

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1545 Is there anyone else seeking recognition?

1546 Seeing no one, the chair -- the question now occurs on
1547 favorably reporting H.R. 6032 to the House.

1548 All those in favor will say aye.

1549 Those opposed, no.

1550 The ayes appear to have it. The ayes have it. The bill is
1551 favorably reported.

1552 The chair now calls up H. Res. 982 and asks the clerk to
1553 report.

1554 [The Bill H.Res. 982 follows:]

1555

1556 *****INSERT 24*****

1557 The Clerk. H.Res. 982, of inquiry requesting the president
1558 and directing the secretary of Health and Human Services to
1559 transmit respectively certain information to the House of
1560 Representatives referring to the separation of children from
1561 their parents or guardians as a result of the president's zero
1562 tolerance policy.

1563 Chairman Walden. Without objection, the first reading of
1564 the resolution is dispensed with and the resolution will be open
1565 for amendment at any point.

1566 Are there any bipartisan amendments?

1567 Are there any amendments?

1568 For what purpose does the gentleman from New Jersey seek
1569 recognition?

1570 Mr. Pallone. Strike the last word in support.

1571 Chairman Walden. The gentleman's is --

1572 Mr. Pallone. Thank you, Mr. Chairman.

1573 Chairman Walden. -- is recognized for five minutes to
1574 speak on the amendment -- or on the resolution.

1575 Mr. Pallone. Thank you, Mr. Chairman.

1576 I move to strike the last word and speak in support of my
1577 resolution of inquiry, House Resolution 982, which is
1578 co-sponsored by every Democrat on the committee.

1579 This resolution would authorize our committee to request
1580 information from the president and direct the secretary of Health
1581 and Human Services to transmit information to the House of

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Representatives on the health and welfare of children who were forcibly separated from their parents as a result of the Trump administration's cruel and inhumane zero tolerance policy.

At this point, we have not been given adequate information by Secretary Azar to fully understand what is happening on the ground and how the administration is working to right the abhorrent wrong, self-created, by the Trump administration.

It appears that HHS is attempting to reunite the separated families as a result of the zero tolerance policy on an ad hoc basis and reunification is not happening quickly enough.

We have been given no indication that there is a formal process underway and I am growing increasingly concerned and frustrated each day as I watch this administration's lack of leadership in addressing this crisis.

Secretary Azar continues to paint a rosy picture of how well the reunification is going. But every day we are hearing more heartbreaking stories that clearly show there is still a significant amount of chaos and confusion.

Congress needs to access all necessary information to understand what steps this administration is taking to protect children in its care and how we can ensure the trauma experienced by these kids never happens again.

As I noted in my opening statement, it was reported just yesterday that some young children have been separated for such lengths of time that after being reunited with their parents they

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1607 do not even recognize them.

1608 This is unconscionable and is noted by the American Academy
1609 of Pediatrics and the American Psychological Association this
1610 separation could have long-term implications on the health of
1611 these children.

1612 Congress and the American people deserve answers. Three
1613 weeks ago, every Democrat on this committee wrote the chairman
1614 requesting an immediate hearing with HHS on the well being of
1615 the children that were forcibly separated.

1616 One week later, every Republican on the Health Subcommittee
1617 opposed an amendment at the subcommittee markup that called for
1618 a hearing on this matter.

1619 Democrats and Republicans have been trying to get answers
1620 from this administration only to be repeatedly stonewalled and
1621 I agree with Ms. Castor, our vice ranking member, that Secretary
1622 Azar's conference call last week raised more questions than
1623 answers.

1624 It does not substitute for the oversight responsibility of
1625 this committee to hold a hearing and receive testimony from
1626 relevant administration officials, including Secretary Azar and
1627 Scott Lloyd, the director of the Office of Refugee Resettlement.

1628 We have a duty to get to the bottom of this and implore my
1629 colleagues to support my resolution of inquiry so we can receive
1630 all the necessary documents needed to conduct oversight.

1631 I also once again call on our chairman to reconsider my

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1632 request to hold a hearing as soon as possible. It has been more
1633 than three weeks since we made that request and so far the majority
1634 has not moved forward with the hearing.

1635 I can assure this committee that my resolution is neither
1636 premature nor over broad, as we have already written to Secretary
1637 Azar twice on this issue. I've also talked to him and at this
1638 point I received inadequate responses to my questions.

1639 Additionally, my resolution of inquiry only covers
1640 categories of information that are already in the possession of
1641 the president or the HHS secretary and nothing in my resolution
1642 threatens any basis upon which the president can assert executive
1643 privilege.

1644 I've also been mindful to draft the resolution in the proper
1645 parliamentary form to be respectful of the constitutional
1646 separation of powers. Now is not the time for our committee to
1647 be split along partisan lines.

1648 If we are truly to understand the impact of this policy and
1649 exercise effective authority, then our committee must have access
1650 to the information covered by the resolution.

1651 This committee, as well as the American public, must be
1652 reassured that the U.S. government cares about the physical and
1653 mental health of thousands of children and we can begin to do
1654 that today by favorably reporting this resolution.

1655 And so I urge my colleagues to support this resolution, and
1656 unless somebody wants my time, which is not much left, I yield

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1657 back.

1658 Chairman Walden. The gentleman yields back.

1659 The chair recognizes himself for five minutes for the
1660 purposes of speaking on the resolution.

1661 I couldn't agree more with my colleague. This is not the
1662 time to split the committee on a partisan basis and,
1663 unfortunately, I believe your resolution has contributed to that.

1664 Let me -- let me say that Mr. Pallone filed the inquiry on
1665 July 3rd. It directs the present secretary of HHS to produce
1666 broad categories of documents relating to implications of the
1667 president's zero tolerance policy.

1668 I confess, I was a little puzzled when I first learned that
1669 he'd filed this resolution of inquiry on the subject of the
1670 president's policy.

1671 Historically, these types of resolutions of inquiry are
1672 filed as a way of seeking information when a party, usually the
1673 administration, has refused to or is dilatory in providing
1674 information to Congress. They are kind of the last hammer you
1675 have, not the first, and that's simply not the case here.

1676 As members of this committee are aware, we have jurisdiction
1677 over Health and Human Services Office of Refugee and Resettlement.

1678

1679 This committee has conducted extensive oversight of the
1680 department's management and care of unaccompanied children dating
1681 back to the Obama administration when the department was

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1682 completely unprepared for the number of children who crossed the
1683 border in the summer of 2014 and were placed in its care.

1684 We have continued that oversight, starting then and even
1685 before and through -- as late as this week. That work continues
1686 in Congress.

1687 Fewer than two weeks ago, all the Republicans on this
1688 committee sent a letter to the HHS secretary asking a number of
1689 very serious questions and requesting documents about HHS' care
1690 of children in its custody including questions about medical
1691 treatment, how Health and Human Services vets the placement of
1692 children in the community, and HHS' management of the
1693 reunification process.

1694 It's worth noting that we offered our colleagues on the
1695 Democratic side of the aisle the opportunity to co-sign that
1696 letter with us and, ultimately, they rejected that offer.

1697 I also led a delegation of committee members to Texas this
1698 past weekend. We cleared our schedules. We set up meaningful
1699 meetings to review each stage of the process adults and
1700 unaccompanied children go through when they attempt to enter the
1701 country illegally.

1702 We went to facilities managed by Customs and Border
1703 Protection, Immigration and Customs Enforcement, and the Office
1704 of Refugee Resettlement. Like the letter we sent on June 29th,
1705 we invited the minority members of this committee to join us on
1706 this fact finding mission and I want to thank my fellow Oregonian,

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1707 Representative Schrader, for coming.

1708 During our visit, we had the opportunity to ask a number
1709 of questions of the agencies who manage these facilities. We
1710 went there to get the facts, firsthand -- see it firsthand.

1711 So, today, we will be distributing to members the initial
1712 report of the memorandum from our staff detailing what we observed
1713 and documenting the answers we got from HHS to the committee
1714 members' questions including, I would note, many of the questions
1715 that Ranking Member Pallone rightfully has asked in his letters
1716 to HHS on June 14th and June 26th.

1717 In addition to the answers received on the ground in Texas,
1718 Secretary Azar, I know, has provided written responses to Ranking
1719 Member Pallone's letters just yesterday and they have responded
1720 to us as well.

1721 This is what a serious oversight investigation looks like
1722 and our fact finding will continue. Now, for years, HHS has had
1723 a role in caring for unaccompanied alien children.

1724 Let me be very clear. I do not support and I don't believe
1725 members on this dais support separating children from their
1726 parents, period. Right now, HHS is in the middle of handling
1727 the reunification of children in its custody with their parents
1728 or family members, and from what we learned during our trip on
1729 -- where we were there on Monday to Texas, it's a very delicate
1730 process that can have serious implications about the children's
1731 future welfare.

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1732 In a court filing just this week, HHS described how certain
1733 individuals were not eligible for reunification due to their
1734 criminal history, being in criminal custody, or because they were
1735 not the parent of the child they accompanied into the United
1736 States.

1737 The problem HHS experienced during the Obama administration
1738 when it failed to do adequate background checks of the adults
1739 with whom it placed the unaccompanied children illustrate what
1740 happens when HHS does not do its job well.

1741 At least six children were trafficked and ended up working
1742 in horrific conditions on an egg farm in Ohio. Others were
1743 released to sponsors with criminal records, including human
1744 trafficking, child molestation, and homicide.

1745 HHS needs to get this right and we will make sure they do.
1746 That is our job on this committee. But if HHS and this committee
1747 are to learn the appropriate lessons from this situation and enact
1748 proper reforms if needed our oversight needs to be informed by
1749 the facts.

1750 If the minority's interest is collecting information and
1751 doing a thorough and serious review of HHS's role, I would submit
1752 to you that is something this committee did in 2014 and is doing
1753 now and we'd ask you to join us in a bipartisan effort.

1754 I believe, however, that this resolution of inquiry is
1755 unnecessary and not a particularly effective tool to pursue that
1756 oversight when the committee is doing its work already and when

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1757 the administration is cooperating and, so far, producing
1758 information in response to those requests.

1759 And finally, I would just say we have been told by HHS as
1760 of 7:00 a.m. July 12th, this morning, there are 103 children under
1761 age five covered by the court order. Of the 103 children, 57
1762 have been reunified as of 7:00 a.m. today.

1763 Forty-six were acknowledged by the court to be ineligible
1764 -- the court said they are ineligible for reunification or
1765 determined by HHS, DHS, or DOJ to be ineligible under
1766 court-approved criteria.

1767 Of these 46, 22 children have been found ineligible due to
1768 safety concerns posed by the adults in question. Eleven adults
1769 have a serious criminal history -- charges or convictions of child
1770 cruelty, kidnaping, murder, human smuggling, domestic violence,
1771 et cetera.

1772 Seven were determined not to be the parent. One adult had
1773 falsified the birth certificate. One adult was alleged to have
1774 abused the child. One adult planned to house the child with an
1775 adult charged with sexually abusing a child and one adult is being
1776 treated for a communicable disease.

1777 Twenty-four children are not eligible for reunification due
1778 to circumstances of the adults in question. Twelve adults have
1779 been deported and are being contacted. Nine adults are in custody
1780 of the U.S. Marshall Service for other offenses. Two adults are
1781 in custody of state jails for other offenses and one adult's

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1782 location has been unknown for more than a year.

1783 These are -- this is how you get to the facts. We will
1784 continue to and we will hold them accountable because I don't
1785 think there is anybody on this dais that doesn't want to see kids
1786 well cared for and reunified with their parents in a safe position.

1787 With that, I yield back the balance of my time.

1788 The chair recognizes the gentlelady from Colorado, Ms.
1789 DeGette, for five minutes to speak on the resolution.

1790 Ms. DeGette. Thank you. Move to strike the last word.

1791 Chairman Walden. The gentlelady is recognized.

1792 Ms. DeGette. Mr. Chairman, as the ranking Democrat on the
1793 Oversight and Investigations Subcommittee, if we had gotten all
1794 that information as a result of a robust O&I investigation, then
1795 I would say we were doing our work.

1796 But we got all that information because the ACLU sued the
1797 government and the judge made them provide all of this
1798 information, and to this day, I don't believe that one child would
1799 have been reunited with his or her parent because of what this
1800 committee has done, and I say shame on us.

1801 It should be a bipartisan effort that we do this not --

1802 Chairman Walden. Would the gentlelady yield?

1803 Ms. DeGette. I will in a moment, Mr. Chairman. But let
1804 me say I told you this. I told Mr. Harper this. We should have
1805 been all over this from day one, and I will also say that there
1806 are now -- the deadline of Tuesday of this week, which PS HHS

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1807 did not meet, although they apparently have now met it, was for
1808 the very young children -- I think seven and under, or five and
1809 under -- but there are still several thousand children who have
1810 not been reunited with their parents and I see no result of any
1811 effort on behalf of this committee or the Oversight and
1812 Investigations Subcommittee to get these kids reunited with their
1813 parents, either.

1814 It's the federal judge who is requiring this to happen, and
1815 as a mother, I will say that I was horrified when I saw the media
1816 reports today and yesterday where some of these children were
1817 under such trauma they didn't even recognize their own parents.

1818 What kind of a country does this to children?

1819 Mr. Pallone. Will the gentlelady yield?

1820 Ms. DeGette. I just have to ask you. I'll yield to Mr.
1821 Pallone.

1822 Mr. Pallone. I agree with you, and let me just say this.

1823 I am not suggesting, Mr. Chairman, that Secretary Azar doesn't
1824 return your calls. He does, and he had -- he talked to me. He
1825 had the conference call that Ms. Castor mentioned.

1826 But the problem is I don't really think he has any idea what's
1827 going on. When I went to the Elizabeth Detention Center on
1828 Father's Day, I had two fathers who had daughters, one who had
1829 a younger sibling who was seven years old, who basically said
1830 that when the kids were taken away from them at the border, they
1831 never heard anything again about them. They didn't know where

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1832 they were. They had no communications with them.

1833 I then spoke to the secretary a couple days later and he
1834 said, I don't understand, Mr. Pallone. He said, we have a policy
1835 where we have tracked every one of these kids. These parents
1836 or older brother can contact them. Here's the 800 number. You
1837 have them call.

1838 But none of that was the case, and I am not saying he's lying.

1839 But I don't think he had any idea. I mean, the problem is they
1840 don't have the tracking system. There is no communication.

1841 There is this huge discrepancy between what he says and the
1842 reality on the ground. I yield back.

1843 Ms. DeGette. And reclaiming -- yes, reclaiming my time,
1844 I was down there a couple of weeks before the committee went down
1845 there and we met -- my group met with about 45 women whose kids
1846 had been taken from them, and the HHS folks and also the ICE folks
1847 said that the people could call this phone number. But they
1848 weren't given the phone number.

1849 They didn't have the phone number and they didn't have the
1850 money to call because up until that point they had to call --
1851 they had to pay to call, and they changed those policies later.

1852 But these are all things, and again, I'm -- I think that
1853 Mr. Pallone is right. I don't think that Secretary Azar really
1854 knew about this and I don't think there was very good
1855 communication, if any, between ICE and HHS.

1856 But the problem is we are talking about reunification of

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1857 families, and I am not saying this to be partisan. I am saying
1858 this because I think we can be doing a lot more on this committee.

1859 Mr. Chairman, out of comity I am happy to yield the rest
1860 of my time to you.

1861 Chairman Walden. I thank the gentlelady. I think we share
1862 a concern about making sure parents and children are reunited
1863 in safe conditions. I don't think there is any disparity on this
1864 committee about that.

1865 We are working with HHS to set up an opportunity to go over
1866 to their special operations command and take the committee there.
1867 This is where it's multi agency involved in this issue.

1868 The parents -- you're right, they are under ICE, not under
1869 HHS. The kids are under HHS, and part of what we learned at the
1870 border -- because we set up and that's where I wish more members
1871 -- I realize, it's hard to do this.

1872 Ms. DeGette. Excuse me, sir. I went to the border.

1873 Chairman Walden. I was not going to say that, my friend.
1874 I know. Many members have gone to the border individually.
1875 I applaud you for doing that.

1876 What we were trying to do as chairman of the committee was
1877 put together a bipartisan delegation to the border where we had
1878 set up in advance opportunities to see literally from the Rio
1879 Grande through the initial detention facility of CBP to the ORR
1880 facility to the gateway bridge to then the adult facility at --
1881 Port Isabel so that we could hear from and ask our questions of

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1882 each element, even those agencies over which we do not have
1883 jurisdiction, to get the answers that our constituents and we
1884 all want.

1885 And so we are going to --

1886 Ms. DeGette. Mr. Chairman, just reclaiming my time.

1887 I have my itinerary from my codel to south Texas from
1888 Saturday, June 23rd, and I am happy to submit that for the record
1889 so you'll know.

1890 Chairman Walden. Absolutely.

1891 Ms. DeGette. Some of us saw every single thing that you
1892 saw, too.

1893 Chairman Walden. I am not -- the gentlelady's time has
1894 expired.

1895 Are there other members seeking recognition?

1896 Mr. Green. Mr. Chairman, would the lady yield to me with
1897 your time?

1898 Chairman Walden. This was Ms. DeGette's time and it's
1899 expired.

1900 Are there other members seeking recognition?

1901 The gentlelady from California, Ms. Eshoo, is recognized
1902 for five minutes to speak on the resolution.

1903 Ms. Eshoo. I thank the chairman.

1904 I think that this entire issue is a stain on the soul of
1905 our country. I understand that there have been trips to the
1906 border. I, too, was part of one I think almost three weeks ago.

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1907 I would have participated in the one that the chairman
1908 sponsored but I had already been to a border control facility
1909 as well as an ICE facility.

1910 You know, I think for the majority that this is also a source
1911 of great embarrassment to you and for many reasons. But there
1912 is no way that anyone can pull a rabbit out of a hat and say that
1913 we have done anything of any substance here at this committee
1914 that has jurisdiction over HHS.

1915 When the president announced his zero policy -- his zero
1916 tolerance policy that separated nearly 3,000 children from their
1917 families, HHS has been thrust into the middle of implementing
1918 this disastrous policy. Now the agency has to address the fallout
1919 of the crisis by reuniting the families, and while HHS was not
1920 responsible for separating the families, I think we have to hold
1921 the agency accountable to reunite them promptly, and that has
1922 not happened.

1923 You're talking about single digit instances. It's not
1924 happening. It simply is not happening. The mission of ORR is
1925 to house unaccompanied minors, not children who were separated
1926 from their parents at the border and as such there has been no
1927 plan for how these children should be reunited with their
1928 families.

1929 It's been three weeks since the president reversed his family
1930 separation policy, but despite the agency's efforts, thousands
1931 of children remain separated from their parents. That's a fact.

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1932 It's reported morning, noon, and night, every single day of the
1933 week since this disastrous policy was put into place.

1934 Now, last month the federal judge gave HHS a two-week
1935 deadline to reunite the 102 children in its care who are under
1936 the age of five. Yesterday, it missed that deadline, claiming
1937 logistical challenges such as DNA testing having delayed the
1938 release of the children.

1939 Now the government is facing a July 27th deadline to reunite
1940 the thousands of children that remain -- of remaining children
1941 with their families and it's unclear how it will do so in time.

1942 We have hearings on everything here -- on everything, from
1943 A to Z, and we should. Not on this. Not on this. Why? Why?
1944 Why?

1945 In his testimony to Congress on June 26th, Secretary Azar
1946 said, quote, "There is no reason why any parent should not know
1947 where their child is located and he claimed his department could
1948 immediately locate any child in an HHS facility."

1949 But when I traveled to the border and met with mothers, by
1950 the way in prison guard in an ICE detention facility whose children
1951 had been taken from them, none of them knew where their children
1952 were. Not a one, and they didn't have the money -- they said
1953 they could make telephone calls. We wanted to put money in the
1954 kitty but ICE said we couldn't even do that. So they couldn't
1955 make telephone calls to anyone.

1956 I also learned that all detained individuals including

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1957 children are given an A number -- an alien registration number.
1958 Yet, there is no interoperable system in place to link these
1959 numbers between children who are placed in the care of HHS and
1960 their families being held by ICE, creating widespread confusion
1961 between the agencies about their responsibilities, respect to
1962 these -- I mean, this is -- to call it a Rube Goldberg plan doesn't
1963 begin to describe it except these are human beings.

1964 These are human beings. It's a rotten policy that was put
1965 into place. I don't blame Secretary Azar. But you know what?
1966 It's not happening, and that's why this resolution and this
1967 committee and having a hearing is really absolutely necessary.

1968 I think that this is a -- I don't know whether some are in
1969 denial here, but this really does cry out and everyone should
1970 be crying out --

1971 Chairman Walden. The gentlelady's time --

1972 Ms. Eshoo. -- to find out what the heck is happening.

1973 Chairman Walden. The gentlelady's time --

1974 Ms. Eshoo. I wrote to the secretary about three weeks ago.

1975 Maybe you can help, Mr. Chairman. I've never heard from HHS
1976 --

1977 Chairman Walden. Happy to help.

1978 Ms. Eshoo. -- to find out if any children have been shipped
1979 into my district. So I support the resolution --

1980 Chairman Walden. The gentlelady's time --

1981 Ms. Eshoo. -- and I yield back the time that I don't have

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1982 anymore. Thank you.

1983 Chairman Walden. Other members seeking recognition?

1984 The gentleman from New York, Mr. Engel, is recognized for
1985 five minutes to speak on the resolution.

1986 Mr. Engel. Thank you, Mr. Chairman. I am proud to be a
1987 co-sponsor of Ranking Member Pallone's resolution of inquiry.

1988 I visited two New York facilities in my district that are
1989 housing children thousands of miles away from their parents and
1990 I can say from day one of President Trump's so-called zero
1991 tolerance policy we have had zero answers from this
1992 administration, only falsehoods.

1993 First they denied children were being ripped from their
1994 families, even when we saw kids in cages and heard their cries.

1995 Then they somehow claimed that the president's own policy is
1996 Democrats' fault and they refused to tell us where children were
1997 being held, how they were being cared for or how they planned
1998 to reunite them with their guardians.

1999 The court ordered deadline to reunite children under five
2000 with their families was two days ago and just over half of the
2001 children have been returned to their parents, not to mention the
2002 thousands of other minors who are still waiting.

2003 Calling this unacceptable does not begin to capture the
2004 gravity of the situation. Experts have told us that what the
2005 Trump administration has done will do irreversible harm to
2006 children.

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2007 According to the American Academy of Pediatrics, and I quote,
2008 "This type of highly stressful experience can disrupt the building
2009 of children's brain architecture. Prolonged exposure to serious
2010 stress, known as toxic stress, can lead to lifelong health
2011 consequences," unquote.

2012 It's clear that we cannot trust the administration to give
2013 us the facts about their barbaric policy and its devastating
2014 ramifications, and that's why this resolution of inquiry is
2015 necessary.

2016 We need -- we need every document, every record, and every
2017 other communication from the Department of Health and Human
2018 Services that concerns the health and welfare of children taken
2019 from their parents or guardians by the Trump administration.

2020 Only with that information can we even begin to address the
2021 crisis that this administration created.

2022 So I urge my colleagues to support this resolution, and if
2023 there is anyone who wants my time I am happy to yield it.

2024 Yes, Mr. Green.

2025 Mr. Green. I thank my colleague for yielding to me and I
2026 want to express my support for the H.R. 982 and resolution of
2027 inquiry directing HHS to deliver all documents relating the
2028 President Trump's zero tolerance policy to the House of
2029 Representatives.

2030 Mr. Chairman, I didn't know about the codel from the
2031 committee. I gave a week's notice to go to the facility in South

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2032 Padre Island in Brownsville and they said, no, you have to have
2033 two weeks notice, even though I said I am on the subcommittee
2034 overseeing the agency.

2035 And I was in south Texas but I gave them a week's notice,
2036 and when I saw on TV two weeks ago we had two U.S. citizens from
2037 Virginia refused to be able to go into a federal facility that
2038 was leased. But why would we ever have that and our committee
2039 needs to know why don't we have that ability to --

2040 Chairman Walden. Would the gentleman yield just on that
2041 point really quick? That's a policy that's been in place since
2042 2015. So it is -- they told us down there it's about safety of
2043 the kids. These kids are being kept -- you know, whether you
2044 just open the door -- who shows up. They need some lead time.
2045 We had that -- we had that through our code.

2046 Mr. Green. Well, I know members of Congress may not be,
2047 but I think to an extent maybe they ought to say give a week's
2048 notice. For some reason, we don't know what we are doing with
2049 two weeks.

2050 Chairman Walden. Sure.

2051 Mr. Green. And even though the policies -- in 2015, I was
2052 actually in McAllen and we visited a facility with both parents
2053 and children in the same facility.

2054 Chairman Walden. Yes.

2055 Mr. Green. But that's why our committee needs to have a
2056 hearing on this. I think that President Trump would come back

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2057 to our senses and end this forcible separation of babies and
2058 children from mothers.

2059 Taking children from families is not an American tradition.

2060 We don't do that, and I think our country's got such a bad black
2061 eye internationally on what we are doing and it makes me ill
2062 because I would not want to see my grandchildren separated from
2063 my children or even where I couldn't go see them.

2064 So that's why I think our committee needs to have a hearing
2065 and, Mr. Chairman, I ask unanimous consent to place my full
2066 statement in the record.

2067 Chairman Walden. Without objection, of course.

2068 [The prepared statement of Mr. Green follows:]

2069

2070 *****COMMITTEE INSERT 25*****

2071 Mr. Engel. I don't know if Ms. Clarke wanted some time.
2072 Ms. Clarke. Thank you. Let me just add my voice to say
2073 that it is imperative that we have the H.Res. 982 inquiry.

2074 When I think about the fact that we have more questions than
2075 we have answers at this stage, it is just horrendous that the
2076 nation is going through this very heart-wrenching issues.

2077 Now, we have heard that a certain amount of these children
2078 -- I believe you said it was over 50 -- are still -- these are
2079 the children who are five years or younger will not be returned
2080 to their parents.

2081 Well, I want to know what happens to these children. Are
2082 they becoming wards of the United States of America? What are
2083 we doing? This is just horrendous and it is -- speaks so horribly
2084 about this nation --

2085 Chairman Walden. The gentleman's --

2086 Ms. Clarke. -- and what we stand for. We must have an
2087 inquiry, Mr. Chairman, and it should be bipartisan. It is
2088 important that we get every answer to every question and we reunite
2089 these children with their parents.

2090 I yield back.

2091 Chairman Walden. The gentleman's time has expired. I
2092 believe those children, just for the record, stay in ORR's
2093 responsibility, custody, and care until such time as they find
2094 a sponsor.

2095 The chair recognizes -- they work to -- they work to find

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2096 -- regular order.

2097 The chair recognizes the gentlelady from Illinois for --
2098 to speak on the resolution for five minutes.

2099 Ms. Schakowsky. I am proud to support the resolution of
2100 Representative Pallone and I thank him for offering it.

2101 I think that this episode will go down in history and be
2102 viewed at a moment where the United States of America was engaged
2103 in state-sanctioned child abuse and kidnapping.

2104 And I want to say that in the statement that was released
2105 both by the attorney general and the secretary of HHS there are
2106 some quotes that say -- warning people from other countries, do
2107 not risk your own life or the lives of your children attempting
2108 to enter the United States illegally.

2109 I want to comment on that because until the policies were
2110 changed, it was perfectly legal. The Statue of Liberty had her
2111 arms out, saying to people who were seeking asylum in the United
2112 States of America, which most of these families are doing, if
2113 not all of these families who are crossing the border, that it
2114 was perfectly legal. You could come to the United States of
2115 America, seek asylum, and what happened is that these asylum
2116 seekers would often have a bracelet put on their leg while they
2117 are awaiting adjudication of their case to prove that they had
2118 credible fear if they went back to their country.

2119 So when we talk about law, that has been the law of the United
2120 States of America. Never a question about taking these children

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2121 away from these parents.

2122 Number two, I have a question about this report that we heard
2123 today about what has happened -- that only 57 of the 103 children
2124 under age five have been returned and a so-called detailed report
2125 of why the others can't be returned.

2126 I was told when I visited a shelter in my district -- this
2127 is a shelter that for 20 years has been taking children who are
2128 unaccompanied minors and now has children that have been separated
2129 from their parents as well that there were a number of children
2130 -- a number of parents who couldn't be identified because they
2131 had been deported, as mentioned here, and a number of children
2132 that couldn't be reunited with their parents because those parents
2133 had been released from custody and are somewhere in the United
2134 States of America.

2135 There is no mention of those parents right now. And I was
2136 told that both the deported and the released parents -- that that
2137 was a real challenge. That was a challenge to find them.

2138 I also know as of today there are still children in custody
2139 in these wonderful shelters run by the Heartland Institute that
2140 have not been reunited with their parents. They are being
2141 represented by counsel, and I doubt that they all fit into one
2142 of these categories that have been mentioned -- that somehow their
2143 lives would be put in danger because the parents or relatives
2144 were ineligible.

2145 So I question this report that we have gotten and I really

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2146 resent the notion that even the chairman has said that they are
2147 coming here illegally. Maybe as of the zero tolerance policy
2148 they are illegal, but this is an illegitimate policy that goes
2149 against 30 years of immigration law in our country.

2150 My own parents came here with their parents who were escaping
2151 the kind of discrimination and pogroms in Russia and sought refuge
2152 in the United States of America. That's what we do and that's
2153 why the Statue of Liberty welcomes those people to this country.

2154 And yes, there has to be a process and we have had a process
2155 that makes sure that people who risk their lives are able to stay
2156 here if they prove credible fear and never have their children
2157 -- this is brand new.

2158 This is child abuse, this is kidnapping, and it is being
2159 done in our name. And I say on behalf of the vast majority of
2160 Americans not in our name and that's why this resolution is
2161 important so that we resolve this issue --

2162 Chairman Walden. The gentlelady's time has expired.

2163 Ms. Schakowsky. -- and save the children. I yield back.

2164 Chairman Walden. Are there other members seeking
2165 recognition?

2166 The chair recognizes the gentleman from Maryland, Mr.
2167 Sarbanes, for five minutes to speak on the resolution.

2168 Mr. Sarbanes. Thank you, Mr. Chairman. Move to strike the
2169 last word.

2170 A number of my colleagues have alluded to this. But I am

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2171 just looking at this through the lens of our committee's
2172 responsibility and its jurisdiction.

2173 It's hard to imagine a topic that better warrants our having
2174 a hearing than this one. In other words, if you were -- if you
2175 were explaining to somebody the jurisdiction of this committee
2176 and you wanted to give them an example of the kind of topic or
2177 issue that would call for and justify having a hearing, you'd
2178 give them this example. This would be Exhibit A.

2179 So this really goes to the kind of legitimacy of the way
2180 the committee operates in its area of jurisdiction. This is --
2181 this is sort of a classic case of missing in action. It doesn't
2182 make any sense for us not to bring the head of HHS up here and
2183 other officials that are responsible for carrying out this policy
2184 and just ask them the questions that need to be asked.

2185 Yes, there will be -- some of those questions will be hard
2186 edged. But we bring people up here all the time and ask them
2187 tough questions about the areas of responsibility that they have.

2188 I can't explain it. I mean, I've got constituents out there
2189 saying well, what kind of hearings have you had and what did the
2190 head of HHS say when they came to talk about this issue in front
2191 of your committee, which is the Energy and Commerce Committee
2192 and has the Health Subcommittee jurisdiction within it and has
2193 jurisdiction over HHS -- what did the -- what did the secretary
2194 say about the policy when he came to testify.

2195 And my answer has to be, well, we haven't had that hearing,

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2196 and then we just -- the two of us just stand there and scratch
2197 our heads and try to figure out, well, how can that be.

2198 This falls squarely within the jurisdiction and
2199 responsibility and obligation of the committee. It's
2200 inexplicable that we won't notice a hearing on this topic at a
2201 time when it is the topic in the country -- the topic on the Hill.

2202 Bring the people who are responsible and ask them the questions.

2203 And then, you know, we can debate among each other whether
2204 one question is fair or not fair, whether we are overreaching,
2205 whether this document should be produced.

2206 We do that on other things. We do that on things, frankly,
2207 that are much further removed from the immediacy or the
2208 application of our jurisdiction and from the immediacy of being
2209 a national concern than this is, and yet we find the time and
2210 the wherewithal to convene hearings on those topics and bring
2211 people in there and ask them serious questions about these issues.

2212 So I can't explain it. So I am just going on the record
2213 for my constituents who keep asking --

2214 Chairman Walden. Gentleman yield?

2215 Mr. Sarbanes. -- why we haven't had these hearings that
2216 I can't explain that and I haven't heard a good explanation yet
2217 for why we haven't been able to have a hearing.

2218 And I yield back my time.

2219 Chairman Walden. I would think the toughest explanation
2220 is why you didn't join us on the bipartisan trip to the border.

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2221 Mr. Sarbanes. Oh, come on.

2222 Chairman Walden. That would be the toughest one.

2223 Are there other members seeking --

2224 Mr. Sarbanes. Many of us already went, Mr. Chairman.

2225 Chairman Walden. But under the -- -the committee offered
2226 the opportunity to everybody.

2227 The chair now recognizes the gentlelady from California,
2228 Ms. Matsui, for five minutes.

2229 Ms. Matsui. Thank you, Mr. Chairman. I move to strike the
2230 last word.

2231 I am a co-sponsor of Mr. Pallone's resolution of inquiry
2232 and I strongly support efforts to require the Trump administration
2233 to provide to Congress all documents and communications
2234 associated with the administration's so-called zero tolerance
2235 policy.

2236 We have all seen the consequences of this misguided policy.
2237 Children ripped out of their mothers' arms, babies being held
2238 in chain link cages, and sons and daughters who are so traumatized,
2239 so heartbreakingly, they can't even remember their parents upon
2240 reunification.

2241 You know, it's hard to believe that these harrowing stories
2242 are happening today in the United States of America. You know,
2243 it calls to mind mistakes from our nation's past that I thought
2244 we'd learned from, and what's almost more unbelievable is that
2245 all this tragedy was completely avoidable and unnecessary to begin

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2246 with.

2247 Asylum seekers from war-torn and violent countries with no
2248 other options will continue to flee their homes to protect their
2249 families regardless of this policy.

2250 The only thing that's resulted from the administration's
2251 zero tolerance policy is the dehumanization of immigrant
2252 families. The blame for the extreme mistreatment of these
2253 children and their parents lie squarely with President Trump and
2254 his administration.

2255 I've had the opportunity to visit a facility that ORR
2256 contracts with where separated and unaccompanied children are
2257 being housed. My experience reaffirm that we must reunite these
2258 children with their parents as quickly as possible.

2259 But it's also clear from my conversations with ORR and the
2260 facility staff there at HHS is not fully equipped to facilitate
2261 swift reunifications. While the agency faces some real obstacles
2262 that must be navigated carefully, the chaotic and disorganized
2263 process of these family separations has made reunification
2264 extremely challenging.

2265 The Department of Homeland Security tore many of these
2266 children from their parents without even documenting who their
2267 parents were or where they were being sent.

2268 The ORR-contracted facility that I visited with was actually
2269 told by DHS that some of the children were unaccompanied as they
2270 crossed the border when in fact they had been separated from their

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2271 parents.

2272 The facility has had to identify these children as separated
2273 on their own and report that back to the administration that it
2274 took them from the parents in the first place.

2275 This is completely unacceptable. How can we expect to solve
2276 this problem if the Trump administration can't even reliably
2277 identify which children need to be brought back to the parents
2278 in the first place.

2279 Congress has a responsibility to hold the president and the
2280 administration accountable for this disaster. And let me just
2281 say this. There are times in this country when Congress did not
2282 step up, did not have hearings, and did not take action or even
2283 listen.

2284 My parents were interned in a Japanese American internment
2285 camp. My father once said he believed that would not have
2286 happened if people in Congress stood up and said this was wrong
2287 -- we cannot let this happen.

2288 Now, this is not quite the same thing but I would say this.
2289 We owe a responsibility. The government did this. We have to
2290 find out why and where the children are going to be. That's up
2291 to us as Congress. We are elected. We are elected
2292 representatives of our constituents in this country and it's up
2293 to us to really learn what happened.

2294 So we must support Mr. Pallone's resolution as a first step
2295 and the resolution should be followed by genuine oversight by

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2296 this committee.

2297 Thank you. I urge my colleagues to support this resolution.

2298 Thank you, and I yield back.

2299 Mr. Pallone. Could I ask for the gentlewoman's time?

2300 Ms. Matsui. Yes.

2301 Mr. Pallone. Mr. Chairman, I just want to stress -- you

2302 know, I listened to what Ms. Matsui and Ms. Schakowsky said.

2303 The problem here is that we don't trust the government.

2304 I go home and people tell me, I don't trust the Trump

2305 administration -- I don't trust the HHS, and that's the basic

2306 problem here.

2307 The reason we need to have hearings and the reason we need

2308 this resolution of inquiry because people fundamentally have seen

2309 what the government of the United States has done in the past

2310 against the Japanese and the history of slavery.

2311 I mean, look, the bottom line is we need to challenge the

2312 administration because we don't trust them and that's the basic

2313 tenet here that I think maybe a lot of you on the other side don't

2314 understand is the lack of trust in the government.

2315 Chairman Walden. The gentlelady's expired -- time has

2316 expired.

2317 Are there other members seeking recognition?

2318 We will go now to the gentleman from California, Mr.

2319 McNerney, for five minutes to strike the last word.

2320 Mr. McNerney. I move to strike the last word.

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2321 I just want to follow up on Ms. Matsui's remarks on how this
2322 affects every family or almost every family. My wife's
2323 grandfather was a political refugee from Mexico in 1917. He was
2324 marked for death and his family was marked for death. My
2325 mother-in-law was marked for death.

2326 So they came to this country. They found refuge and they
2327 found a good job. He became a good American and now I think they
2328 are living good lives.

2329 And yet, today, thousands of children yet to be reunited
2330 with their families. This president and this administration have
2331 created his mess and it's our responsibility to hold them
2332 accountable.

2333 There is numerous questions that remain unanswered. For
2334 example, were there are good records on what child was with what
2335 parent -- what are did the child receive -- how many children
2336 have medical conditions -- what were the conditions and what were
2337 the treatments provided -- are there allegations of abuse, and
2338 how did this administration find a contractor to provide these
2339 kinds of services.

2340 I've sent numbers of letters to the Department of Health
2341 and Human Services and other agencies asking these questions and
2342 I haven't received a single response.

2343 I urge my colleagues to support H.R. -- H.Res. 982 so that
2344 we can get to the bottom of what has happened and fulfil our
2345 responsibilities as members of Congress.

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2346 I yield back.

2347 Ms. Eshoo. Would the gentleman yield?

2348 Mr. McNerney. Yes.

2349 Chairman Walden. The gentleman yields back.

2350 Are there other members seeking --

2351 Ms. Eshoo. I asked the gentleman if he would yield.

2352 Chairman Walden. Okay. I thought he yielded it back.

2353 Ms. Eshoo. I thank the gentleman.

2354 I would just like to add something else here, and that is
2355 that I try to get into elementary schools, visit with students
2356 on a regular basis. I think it's important to. Civics classes
2357 are no longer taught.

2358 And there was a little one, a 1st grader, that said, do you
2359 work for the president. And, you know, it was a profound
2360 question. And so to the best of my ability I brought it way down
2361 on the ground to the Constitution -- the flag is the symbol of
2362 our nation, the Constitution is the soul of our nation, and no,
2363 members of Congress do not work for the president. They do not
2364 work for the president, and I am thinking back over the years
2365 where there was bipartisanship. There was bipartisanship
2366 understanding the Constitution -- that neither side of the aisle
2367 works for the president, and I think at base the resolution that
2368 is before us really calls on members to be working for the people
2369 of the United States and not be working for the president.

2370 I don't think that there should be one Republican or Democrat

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2371 today that shouldn't be supporting this resolution to get to the
2372 bottom of this mess between agencies but, most importantly, the
2373 ones that we have jurisdiction over. This shouldn't be any
2374 partisan tug of war here.

2375 So, you know, I am thinking about that child that asked that
2376 question -- do you work for the president -- and I think that
2377 my colleagues on the other side of the aisle should very quietly
2378 be asking themselves, am I working for the president.

2379 I yield back and thank the gentleman.

2380 Mr. Rush. Mr. Chairman? Mr. Chairman?

2381 Mr. McNerney. I yield back.

2382 Chairman Walden. The gentleman yields back the balance of
2383 his time.

2384 The chair recognizes the gentleman from Illinois, the
2385 newlywed on the committee, Mr. Rush, for five minutes to speak
2386 on the resolution.

2387 Mr. Rush. I want to thank you, Mr. Chairman.

2388 Mr. Chairman, I am sitting here and really going through
2389 some emotional crisis because I am hearing a lot of pain from
2390 a number of members from this subcommittee and I can rightly
2391 identify what they're -- the pain and they are speaking to and
2392 they've given voice to because I empathize and share in that pain.

2393 Mr. Chairman, I want to remind us representatives on the
2394 committee that at one time in the history of our great nation
2395 I was not even a person. I was a commodity that this committee

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2396 had jurisdiction over. I was a part of the commerce of a nation,
2397 and now I sit as a member of Congress.

2398 Mr. Chairman, I say these things because we -- you and I
2399 and other members of this committee has to always remember that
2400 there are dark demons that have not been eviscerated, that are
2401 still present in the history of our nation and those demons right
2402 now are rearing their ugly demonic heads as we face this issue
2403 of how we are to deal with children of immigrants or those who
2404 aspire to be an American citizen.

2405 Mr. Chairman, I want to make note that I too am an immigrant
2406 but I am not a voluntary immigrant. I am a forced immigrant of
2407 this nation, the son and grandson -- the descendant of an ex-slave,
2408 and I can't -- no matter how I might want -- I don't even want
2409 to forget -- I always want to remember that that too is my American
2410 story.

2411 And when I see and hear of children being separated once
2412 again in the history of this nation I cannot sit silent and I
2413 speak up.

2414 Mr. Chairman, there are two enemies of the American people,
2415 and unless you and I and the rest of this committee and the rest
2416 of members of Congress understand that these two very serious
2417 threats to the well being of all of us and the people, then we
2418 can never attain the levels that we feel as though we were called
2419 to meet. And those two enemies -- one is silence.

2420 You and I, we cannot effort to be silent in the face of

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2421 injustice and this is -- the separation of these children is
2422 nothing more than gross injustice because it separates parents
2423 from families.

2424 The second enemy, Mr. Chairman, is inaction. Silence and
2425 inaction. We have to do something and we have to do it now.
2426 I remind individuals from a point of history that not too long
2427 ago there were lynching in our nation.

2428 Almost 4,500 people were lynched in our nation and the U.S.
2429 Congress tried over 200 times to pass laws outlawing lynching
2430 and they never could, after 200 times, pass not one single law
2431 outlawing lynching. Why? Because there were groups, or members
2432 of my party, Democrats, who represented the Deep South who refused
2433 to allow legislation -- let it pass the House and the Senate,
2434 to let it out of the Congress. Inaction, and that's what we are
2435 raising our voices against right now is inaction. We hear all
2436 the words and all the phrases --

2437 Mr. Shimkus. Regular order, Mr. Chairman.

2438 Mr. Rush. -- but what do we do?

2439 Chairman Walden. Gentleman's --

2440 Mr. Rush. What are we going to do -- -

2441 Chairman Walden. The gentleman's time has expired.

2442 Mr. Rush. Your words speak so loudly that I can hardly hear
2443 what you are saying, Mr. Chairman.

2444 Chairman Walden. The gentleman's time has expired.

2445 Other members seeking recognition?

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2446 Seeing -- oh, the gentleman from Vermont is recognized to
2447 strike the last word. Is that correct?

2448 Mr. Welch. Yes.

2449 Chairman Walden. Five minutes.

2450 Mr. Welch. It is. Thank you very much.

2451 It's quite moving to hear my colleagues with their stories
2452 -- Ms. Matsui and her family, Jan Schakowsky, and it's the American
2453 story. I happen to believe that we could be hearing from our
2454 Republican colleagues similar stories in their families.

2455 And Mr. Chairman, you indicated you took a bipartisan trip
2456 -- I thank you for doing that. Several of us went on other trips.

2457 And I don't think there is any question that everybody in this
2458 committee is appalled at the notion of children being separated
2459 from their parents.

2460 The real question for us, I think, is what Congresswoman
2461 Matsui said -- find out why. That's our job. And Mr. Sarbanes
2462 talked about that. It is our job.

2463 This Congress is failing because we are not acting like an
2464 independent branch of government that's responsible for doing
2465 its share of maintaining checks and balances.

2466 That's a mutual obligation that we have -- Republicans or
2467 Democrats, that it doesn't matter whether you're in the majority
2468 or the Democrats are in the majority. We have an independent
2469 Article I responsibility for oversight.

2470 And the question of why is a very valid essential question,

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2471 and the why begins at when and how this policy was implemented.

2472 I mean, this is a disgrace for me. The president, in the middle
2473 of April, made a decision for what was called zero tolerance.

2474 Now, that was a euphemism for taking kids from parents because
2475 that's what it meant, and his argument for that was that it was
2476 going to be a deterrent for families trying to escape violence
2477 and they would stay and it was going to be a signal to people
2478 in this body that they weren't going to get their way on
2479 immigration and have kids -- the Dreamers and these kids reunited
2480 with their families unless we gave them money for the wall.

2481 Now, number one, I think there is absolutely no
2482 justification, whatever your position is on immigration -- and
2483 there is contentious questions there -- hard questions there --
2484 it is not legitimate to inject into the debate the fate of innocent
2485 children, whether they were Dreamers brought here when they were
2486 six or seven and are now serving in the military, serving as first
2487 responders, or these children who are brought up just recently
2488 and then separated from their parents. That's off limits. The
2489 president put them in play, and we should ask why.

2490 The second thing is, and this is the other why issue -- if
2491 the president is going to implement this zero tolerance policy,
2492 does he not have some responsibility to coordinate activities
2493 with the governmental agencies that are charged with the execution
2494 of his policy?

2495 There was no opportunity for the men and women serving our

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2496 country in DHS or in HHS to have a plan so that when the president's
2497 zero tolerance policy was implemented we could track where this
2498 child was in relationship to his or her parent.

2499 There is no excuse for that, even if you say zero tolerance
2500 is something you can support, which I don't think anyone here
2501 really does.

2502 There is no excuse for the president who has executive
2503 responsibility not to do what an executive does -- plan, so the
2504 execution doesn't cause irreparable harm to kids.

2505 And the why question that Doris Matsui asked is the question
2506 the committee should be asking. That's the question.

2507 How is it that this policy was conceived and how is it that
2508 there was no plan to implement it in a way that inevitably caused
2509 immense cruelty and harm to innocent children. That's our job
2510 to find out the why.

2511 I yield back.

2512 Chairman Walden. The gentleman yields back.

2513 Other members seeking recognition?

2514 The gentleman from New Mexico, Mr. Lujan, is recognized for
2515 five minutes to strike the last word.

2516 Mr. Lujan. Thank you, Mr. Chairman.

2517 And Mr. Chairman, I, again, would join Mr. Welch in
2518 acknowledging the remarks of our colleagues -- Mr. Rush and Ms.
2519 Matsui and Ms. Schakowsky and Mr. McNerney -- for those very
2520 personal stories that they shared with us.

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2521 And Mr. Chairman, I would also join Mr. Welch in saying thank
2522 you to you and to our Republican colleagues that did go on that
2523 visit, and Mr. Schrader for joining that trip as well.

2524 But that shouldn't go in the face of not acknowledging that
2525 other colleagues have also gone on the trip -- the importance
2526 of our oversight responsibilities as well.

2527 I don't believe a slight was intended. I know of your good
2528 character, Mr. Chairman, and what we are hoping to do here is
2529 make sure that we are about to bring back all those findings,
2530 all the observations, the conversations that we had with HHS,
2531 the conversations that we had with ORR staff, within HHS, the
2532 children, the parents, the moms, the dads, and bring that back
2533 into the people's house and have a conversation and a hearing.

2534 And I don't know if -- has a hearing been scheduled. I would
2535 yield to the chair.

2536 Mr. Shimkus. [Presiding.] There is no -- there is no
2537 hearing being scheduled.

2538 Mr. Lujan. I appreciate that, Mr. --

2539 Mr. Green. Yield?

2540 Mr. Lujan. I would yield to Mr. Green.

2541 Mr. Green. I found out that an email for the trip was
2542 delivered on Sunday, July the 1st, to my office and that was the
2543 beginning of our week break.

2544 And, like I said, the week before, I called -- my office
2545 called and tried to get me to be able to get into the Brownsville

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2546 location and even the one that's in my district on Interstate
2547 10 we had to have two weeks notice, and I don't think the committee
2548 got two weeks notice when they went.

2549 So that's something I think I'd like to hear about at the
2550 hearing, whether we have these vague dates that they decide you
2551 can't come but two weeks.

2552 I yield back.

2553 Mr. Shimkus. If the gentleman just would yield on this --

2554 Just on the response -- I am being told by committee staff
2555 that the initial invitation was the Friday -- the Friday after
2556 we left on the Thursday evening.

2557 I mean, it's -- we are all going to debate the time and dates,
2558 but I think there was a little sooner notification.

2559 Mr. Lujan. To the point of Mr. Green's question as well,
2560 did the committee -- did the committee give the facilities two
2561 weeks notice?

2562 Mr. Shimkus. I am instructed that we did.

2563 Mr. Lujan. Appreciate that, Mr. Shimkus.

2564 Well, the other -- the other thing that I'd point out, Mr.
2565 Chairman, is the importance of the oversight hearings are to make
2566 sure that we are able to ask questions and ask questions about
2567 discrepancies.

2568 I think that the committee staff is fully aware because they
2569 are comprehensive in what they do and if you look at the report
2570 filed on the 10th of July that highlights what HHS said that they

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2571 were -- was their assessment and their analysis, if you look at
2572 Page 1 line 22 or 23, depending how this is printed, they talk
2573 about 102 children, and then they give other numbers in here
2574 associated with the report.

2575 When you look at the press release that came out on July
2576 12th, it says there were 103 children and then the numbers are
2577 different. Press release from HHS, the court document and the
2578 report submitted by HHS and the numbers don't match up.

2579 I think that's what we are trying to get to the bottom of
2580 here and make sure that we are asking these questions, and I just
2581 don't understand why after the progress that was made in a
2582 bipartisan way in this committee last week with the leadership
2583 of Mrs. Blackburn, which was an important amendment that the
2584 committee agreed to, why then the committee would reject the
2585 resolution that's being put forth by Mr. Pallone, which I think
2586 builds upon the importance of getting this information back.

2587 And the last thing that I would say, Mr. Chairman, is voting
2588 no on Mr. Pallone's resolution sends the signal to the American
2589 people that voting no means that the committee is satisfied with
2590 Secretary Azar's claims -- that the Trump administration's
2591 actions have been treating these kids fairly or comprehensively,
2592 and we all know that that's not the case.

2593 So I hope that we might be able to join Mr. Pallone in adopting
2594 this resolution and that this committee may be able to report
2595 to the American people and to each of us that a hearing has been

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2596 scheduled on this issue so that we can make sure that our calendars
2597 are free and available to be part of that important hearing.

2598 And I yield back.

2599 Mr. Shimkus. The gentleman yields back his time, and just
2600 in response, we will ask that question of the 102 and 103
2601 difference and that's why we have also asked for a trip to the
2602 special operations center, which is the tactical operations
2603 center up here in D.C.

2604 Mr. Lujan. Will the chairman yield?

2605 Mr. Shimkus. I will.

2606 Mr. Lujan. Mr. Chairman, why not have those questions asked
2607 right here in the committee? I think that would be great.

2608 Thank you, Mr. Chairman.

2609 Mr. Shimkus. Okay. The chair hears the gentleman's
2610 questions.

2611 Who seeks time?

2612 The gentleman from New York, what do you seek recognition
2613 for?

2614 Mr. Tonko. To strike the last word.

2615 Mr. Shimkus. The gentleman is recognized for five minutes.

2616 Mr. Tonko. Thank you, Mr. Chair.

2617 I rise in strong support of H.R. 982. This resolution would
2618 provide Congress with critically needed information regarding
2619 the irreparable harms currently being inflicted on children as
2620 a result of President Trump's cruel family separation policies.

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2621 President Trump manufactured this crisis when his
2622 administration forcibly separated at least 2,300-plus children
2623 from their parents.

2624 Many of the migrant population were pushed out of their
2625 homelands by violence and strife and sought shelter in the United
2626 States through the legal avenue of asylum.

2627 They were drawn north by the strength that defines America
2628 across the world. But instead of our strength we gave them our
2629 fear, we gave them our weakness, and we took their children.

2630 In response to this unimaginable cruelty, the American
2631 people have spoken loudly and made their voices heard. Through
2632 calls and emails to my office from individuals across the
2633 political spectrum, I've heard one resounding message over and
2634 over -- that we are not a nation that stands for this president's
2635 inhumane separation of families.

2636 Unfortunately, despite the public outcry, this tragedy
2637 continues. Too many children remain separated from their
2638 families with no end in sight. Neither the president nor this
2639 Republican Congress seem to have a sense of urgency to restore
2640 those children to their parents or to serve as a check and balance.

2641 These are not the actions of a great nation nor of a people
2642 who believe in strength of family. This must end and it must
2643 end now.

2644 A just society, a civil society, the American society doesn't
2645 do this to children and families. We can take action today to

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2646 keep this administration's feet to the fire, to do the right thing
2647 and swiftly reunite these families.

2648 If we vote no on this resolution today, we are choosing to
2649 bury our heads in the sand and ignore the grave injustice
2650 continuing to unfold before our very eyes.

2651 If we vote no today, we are choosing to ignore the tender
2652 cries of children -- children who yearn simply to be with their
2653 parents. If we fail to take action today we will be complicit
2654 in this heinous policy and this dark chapter in our American
2655 history.

2656 With that, I urge my colleagues to do the right thing, the
2657 just thing, and the moral thing by voting yes.

2658 With that, Mr. Chair, I yield back.

2659 Mr. Shimkus. The gentleman yields back his time.

2660 For what purpose does the chairman emeritus seek
2661 recognition?

2662 Mr. Barton. Strike the requisite number of words.

2663 Mr. Shimkus. The gentleman is recognized for five minutes.

2664 Mr. Barton. I just want to take time out of this and speak
2665 about something a little bit happier. We have a colleague here
2666 that got married about two weeks ago. He's, apparently, just
2667 gotten back from his honeymoon. You see him smiling. I'd like
2668 to congratulate the Honorable Bobby Rush of Chicago for his recent
2669 marriage and wish his wife condolences for having to put up with
2670 you --

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2671 [Laughter.]

2672 -- for the rest of your natural born life. So --

2673 [Applause.]

2674 I am engaged, but I haven't yet got my fiancé to commit to
2675 a specific date. But I am hoping to emulate the Honorable Rush
2676 sometime in the very foreseeable --

2677 Mr. Rush. And if I might, Mr. Chairman, I just want to say
2678 those remarks from my good friend from Texas, I've recorded them
2679 and I am going to replay them again as soon as you say "I do."

2680 [Laughter.]

2681 Mr. Barton. And on the issue at hand, Mr. Chairman, there
2682 are strong emotions on both sides on this. A number of the members
2683 of the committee just came back from the border. I believe
2684 Congressman Schrader was the only from the minority side that
2685 was able to make the trip.

2686 Those of us that saw first hand what's happening, I didn't
2687 see any personal -- personally, I didn't see any abuse of any
2688 children or family members. Doesn't mean it hadn't happened,
2689 but the Border Patrol people, the ICE people, the Customs people,
2690 you know, we are in a difficult situation because of this policy
2691 if they come across the border and they actually get onto American
2692 soil and they claim a credible fear, under our law and our
2693 precedence they are entitled to go before a federal magistrate
2694 or a hearing to determine the authenticity of that claim. Because
2695 of the backlog, it takes two to five years, and about half of

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2696 them don't show up for the hearing but those that do have a right
2697 to automatic appeal and then they can appeal the -- if they lose
2698 that.

2699 So totally legally, once they get physically present on the
2700 United States soil, even if they come across illegally and their
2701 claim is illegitimate they can stay in this country by making
2702 that claim up to 15 years, and if you're an adult male and have
2703 a biological child, because in the entirety of the United States
2704 we have 84 beds to handle adult males with children.

2705 There is an 84-bed facility in Pennsylvania. They are being
2706 led go on personal recognizance within an average of one or two
2707 days after they physically are present and it's been determined
2708 that the child with them is their child. So we are letting now
2709 300 people -- 300 men and their children a day into the country.

2710
2711 They've come illegally but they are being allowed legally
2712 and this policy -- you know, we want to protect the rights for
2713 people to seek asylum in the United States because of all -- we
2714 are the haven of the world, as the congresswoman from Illinois
2715 pointed out earlier.

2716 But we are allowing that legitimate principle to be
2717 manipulated by people that really don't have that kind of a case
2718 and that's something we need to address as a Congress -- if not
2719 in this Congress, then the next Congress.

2720 With that --

2721 Mr. Green. Mr. Chairman, will the gentleman yield?

2722 Mr. Barton. If I have time.

2723 Mr. Shimkus. The gentleman from Texas.

2724 Mr. Green. For 39 seconds?

2725 Mr. Barton. Sure.

2726 Mr. Green. So our committee -- we think we have broad
2727 jurisdiction but we really don't have jurisdiction over
2728 immigration policies. It's the Judiciary Committee.

2729 And but our jurisdiction does cover Health and Human
2730 Services.

2731 Mr. Barton. It does.

2732 Mr. Green. It's the agency that's overseeing these
2733 children.

2734 Mr. Barton. That's correct.

2735 Mr. Green. And that's why -- that's why it's a jurisdiction
2736 of our committee to see why are we in the middle of this -- it's
2737 a worldwide embarrassment. And, you know, we will let the
2738 Judiciary take care of the immigration law.

2739 Mr. Barton. I just simply -- you know, I support the
2740 concept. I will not vote for the gentleman from New Jersey's
2741 -- I don't know if it's a bill or a petition or what, but I support
2742 the --

2743 Mr. Shimkus. The gentleman's time has expired.

2744 Mr. Barton. With that, I yield back.

2745 Mr. Shimkus. Who seeks time?

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2746 The gentleman from Oregon is recognized for five minutes,
2747 striking the last word.

2748 Mr. Schrader. Thank you, Mr. Chairman.

2749 And I did get a chance to go to the border this past weekend
2750 and it was an eye opener, I think, for everybody on the trip.

2751 Many of us had not gone prior to this, and the -- it's a little
2752 jarring when you get down there.

2753 You know, despite the best intentions of our Border Patrol
2754 folks, port of entry folks, and the folks trying to take care
2755 of the kids, you know, it looked pretty bleak, seeing these kids
2756 in these big Cyclone cages in the middle of a warehouse. I mean,
2757 it's just not what I think of when I think of this country.

2758 Go to the port of entry and the folks there are struggling
2759 to find rooms -- very small rooms in this 1953 cinder block
2760 building. I mean, it's kind of tough and, you know, I think
2761 everyone wants that to change -- wants to do -- wants to do
2762 something different.

2763 It was clear in talking to the folks down there that they
2764 were caught pretty much unawares with a lot of the policies and
2765 a lot of the statements coming out of the administration and,
2766 you know, despite their ability or attempts to triage it, it was
2767 -- it's hard to put all that together kind of on the fly by running
2768 this whole operation almost by the seat of their pants, and they
2769 are facing overwhelming odds.

2770 The cartels profit off of these families and these children.

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2771 They encourage this stuff. We are missing the boat, I think,
2772 in terms of, you know, working with some of these countries trying
2773 to stop the problem before it gets here. We should be working
2774 with these families back in Guatemala, you know, and Honduras
2775 and El Salvador, and we are not doing that.

2776 I think that these are the types of things that we could
2777 be working on and making a significant difference in the lives
2778 of these individuals, going forward.

2779 We have some policies. I like to see Congress, you know,
2780 step up and begin to deal with -- there was some discussion about,
2781 you know, the ORR budget -- the CBP budget. You know, where is
2782 that money actually going.

2783 Frankly, we had several folks tell us they have less money
2784 now than they used to and that was -- that was surprising and
2785 I think pretty problematic from our standpoint.

2786 It was alluded to and talked about here that with the
2787 court-mandated time lines these families don't get due process.

2788 It does take years and years and years maybe for them to get
2789 resolution and that's not -- that's a horrible way to live, in
2790 that purgatory for that period of time.

2791 I just think, you know, again, we could probably step in
2792 and with some funds make a difference there. Those facility --
2793 you know, you get to the detention centers and it's not a prison,
2794 they tell you, but gosh, it sure looks kind of like one.

2795 And, you know, we met some of the women there and one woman

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2796 was -- actually been in America for quite a while and lost her
2797 children because she had an old DUI, and I don't think that's
2798 the intention of what we are trying to do here in this country
2799 and I am concerned the administration is turning a blind eye to
2800 this and actually going back and trying to denaturalize a lot
2801 of American citizens or American folks that have come here over
2802 a long period of time.

2803 So, you know, a criminal history -- criminal history could
2804 preclude that. So if there is not getting their children because
2805 of criminal history that might be what they are using.

2806 I'd just like to see us step up. I am tired of having the
2807 judges and the administrations of this country run amok when it's
2808 our duty to step in and fix this resettlement refugee program
2809 and make sure these children get a fair shake.

2810 I would hope that we'd actually have, you know, legislation
2811 and some hearings and move things forward and show America --
2812 show the rest of the world that we care -- that we actually care
2813 and put these children and these families in appropriate settings
2814 that as was talked about by my good friend from Texas. So they
2815 are in short supply and if we can do at least that, that would
2816 be a huge improvement.

2817 So I appreciate the opportunity to go on the trip, Mr.
2818 Chairman, and thank you very much and hopefully we can step up.

2819 Chairman Walden. [Presiding.] Would the gentleman yield?

2820 Mr. Schrader. Yes, sir.

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2821 Chairman Walden. I appreciated him going on the trip and
2822 a lot of what you've recounted there just was, I think, shocking
2823 to all of us, especially at that border crossing where they told
2824 us they -- well, it's a '53 building but last updated in 1983
2825 and they don't have enough electric current to have a magnetometer
2826 to -- or whatever it is to screen people for devices. Even if
2827 they had one, they don't have enough power in the building.

2828 So we got some -- that, by the way, that's outside of our
2829 jurisdiction but not outside of our jurisdiction as members of
2830 Congress. These are issues that we saw first hand that need to
2831 be addressed.

2832 I thank the gentleman for yielding.

2833 Are there members on this side of the aisle seeking
2834 recognition? The gentleman from Ohio is recognized for five
2835 minutes to strike the last word.

2836 Mr. Johnson. Move to strike the last word, Mr. Chairman.

2837 And, you know, I am a father of four, a grandfather of six.
2838 Prior to being elected to Congress, I worked down on the southern
2839 border in El Paso for a while.

2840 Now, obviously, the situation back then in 2006 was very
2841 different than it is today. I relate to many of the comments
2842 of our colleagues on the other side of the aisle the concern for
2843 the children. I share that.

2844 I think it's been mentioned several times on both sides no
2845 one -- and I think you said it earlier, Mr. Chairman -- no one

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2846 on this committee wants to see children separated from their
2847 family.

2848 But we have an immigration crisis. It's not just a children
2849 being separated from their family crisis. We have an immigration
2850 crisis and it starts with our inability to secure our border and
2851 handle these situations the right way, and it's a situation that
2852 is long overdue for a solution.

2853 But what we are hearing here today -- what concerns me is
2854 a very one-sided accusation that somehow this is a manufactured
2855 crisis and that we have not done our duty.

2856 Mr. Schrader just pointed out -- he said he was tired of
2857 having judges make these calls. I agree with that. I think
2858 Congress should act, and what frustrates me and what concerns
2859 me is that a couple weeks ago we started to try to act.

2860 We had two comprehensive immigration bills on the House floor
2861 and not one single member from the other side of the aisle
2862 supported nor came to the table for discussion --

2863 Mr. Lujan. Would the gentleman yield?

2864 Mr. Johnson. No, I will not. You guys have had plenty of
2865 time to chat already.

2866 Mr. Lujan. You all have a super majority, Mr. Johnson.
2867 You can -- -

2868 Mr. Johnson. No, I did not yield, Mr. Lujan. I did not
2869 yield.

2870 Chairman Walden. Regular order. We need to hear --

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2871 Mr. Johnson. So here's my -- here's my concern. It's easy
2872 to sit in the confines of a hearing room like this and point
2873 fingers, and we have been silent for the most part.

2874 But where were you guys two weeks ago when we tried to address
2875 comprehensive immigration reform? Nobody came to the table.

2876 So if you want to be serious rather than politicizing this
2877 issue, roll up your sleeves, come to the table, and let's have
2878 a substantive discussion about immigration reform that starts
2879 with securing the border, and then addressing those that have
2880 come here whether legally or illegally and address the problem
2881 in total context.

2882 I think it's disingenuous to make it a one-side argument
2883 that this is some kind of manufactured crisis. If you want to
2884 be a part of the solution, then come to the table.

2885 And, Mr. Chairman, I yield back.

2886 Chairman Walden. The gentleman yields back.

2887 Are there other members seeking recognition?

2888 The gentleman from Massachusetts I think is next. Mr.
2889 Kennedy is recognized for five minutes to strike the last word.

2890 Mr. Kennedy. Thank you, Mr. Chairman.

2891 I appreciate all the comments that have been made on both
2892 sides of the aisle. Let's try to get some facts straight.

2893 One, I do agree and I take everybody at their word that there
2894 is not a member of this dais that approves of a zero tolerance
2895 policy.

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2896 I also think we have to acknowledge the fact that the zero
2897 tolerance policy came from somewhere and that the Trump
2898 administration initially denied that there was a policy, finally
2899 conceded there was a policy, and members of the White House
2900 indicated that it was a policy meant for deterrence.

2901 So somebody thought this was a good idea. Somebody thought
2902 it up and they thought it was a good idea. So we can't whitewash
2903 that away. One.

2904 Two, there had been information that has come out. My
2905 colleagues have pointed out that that information has been the
2906 result of lawsuits that have come forward, not oversight in
2907 hearings.

2908 Three, there have been unifications. I met with a woman
2909 in Boston after, yes, I went down to El Paso Texas with some
2910 colleagues and I was denied entry. I met with a woman who
2911 presented himself at the border for asylum in Santa Teresa. She
2912 was separated from her child.

2913 Her claim was investigated. She was found to have a credible
2914 claim for asylum because of domestic violence back in Brazil.

2915 She was released. Her boy was not. They found out where her
2916 child was through a Facebook page. That child, after weeks and
2917 another lawsuit, was finally released by ORR to his mom's arms
2918 because of another lawsuit.

2919 So let's be clear here about what is the driving force around
2920 the reunification of these kids. It, clearly, is not Congress.

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To that end, a journalist just posted on social media that she asked HHS and ICE officials about info on a child under five in government custody who was separated from their parent over a year ago and authorities believe that both parent and child might be a U.S. citizen. Silence from administration officials.

I am not sure if this is right. She's not sure if this is right. But it is reason to ask questions and have some oversight as to what these policies are because, clearly, this policy was put in place before anybody ever thought for a second about how to reunify a family because they are making it up on the fly.

And for those of you that believe that comprehensive immigration reform is an issue and that we should be working on it, I wholeheartedly agree. Next time you want to try to do it, maybe you shouldn't try to do it inside a Republican caucus room.

Maybe invite us to the table. Maybe acknowledge the fact that in 2013 there was a veto-proof majority -- Democrats and Republicans -- that came out with an immigration bill out of the U.S. Senate and we couldn't get a vote on it on the floor in this chamber.

So let's be clear about what the driving issue on this policy is. Let's be clear if we want to actually separate it. A border wall isn't going to stop people fleeing destitution and poverty and gang violence from coming to our country.

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2946 When I was down on the border, I met with a person who runs
2947 a shelter who had been in contact with a grandmother from Guatemala
2948 who had fled to the border with her grandchild because her husband
2949 had been taken out of their home, had both of his legs cut off
2950 by a machete, and his body riddled with bullets.

2951 Her child and her child's spouse and their three kids were
2952 burned alive in a home. So she picked up a granddaughter and
2953 fled to our border.

2954 You're not going to solve that grandmother from fleeing with
2955 a grandchild because you build a border wall. You're going to
2956 solve it because you actually take these issues seriously, you
2957 see the humanity and people that are fleeing that violence, and
2958 you try to address those concerns in Guatemala, in Honduras, in
2959 El Salvador, in Mexico.

2960 And you know what the response of this administration has
2961 been, according to CRS? They've cut aid to Latin America by 20
2962 percent. So let's be very clear about how you actually try to
2963 solve this problem.

2964 Tearing parents -- babies from parents' arms ain't going
2965 to do it. Building a border wall ain't going to do it. Cutting
2966 aid to these countries ain't going to do it.

2967 You want to actually solve the problem? I am all in. But
2968 don't hide behind obfuscation and court orders and hearings to
2969 then say that we are actually trying to solve this when this is
2970 an issue that has stressed Democratic administrations and

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2971 Republican ones. This is a complex issue. I have traveled with
2972 my Republican colleagues down the Guatemala, Honduras, and El
2973 Salvador on a Republican-sponsored code.

2974 These are hard issues. But let's address them like this
2975 Congress should and not try to hid behind a policy that we are
2976 now trying to say wasn't put in the place in the first place.

2977 Yield back.

2978 Chairman Walden. Are there other members seeking
2979 recognition?

2980 The chair -- oh, I am sorry. We had to go back up here.

2981 The chair recognizes the gentleman from Texas, Mr. Green, for
2982 five minutes to strike the last word.

2983 Mr. Green. Thank you, Mr. Chairman, and I think I've said
2984 as much as I wanted to by using my colleagues' time. But Chairman
2985 Shimkus knows I'll get every minute I can get and maybe more.

2986 But, Congressman Johnson, I'd love to sit down and work out
2987 an immigration reform bill. But that's not in our committee.

2988 I want to serve on the Judiciary Committee.

2989 But to blame Democrats that the Republicans couldn't agree
2990 themselves to get a majority vote on their immigration bill is
2991 not our fault. It's not this committee's fault either.

2992 But I am just embarrassed because -- for our country and
2993 the -- what we see around the world is people being torn from
2994 their families, children taken from them, and it amazes me that
2995 a parent had been deported that they didn't know that there was

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2996 a child in custody -- if they are deported to Guatemala, Honduras,
2997 El Salvador, or even Mexico.

2998 It's our responsibility to get that parent back to be a
2999 custodial for that child. Somewhere along the way it looked like
3000 Keystone Kops was taking over our detention facilities and that's
3001 what -- when HHS comes in it is our jurisdiction. When they are
3002 required by law to take custody of those children there needs
3003 to be some kind of identifying relationship.

3004 And this is not new law. What's happened is that the current
3005 administration is not enforcing the law as it's supposed to be
3006 and it's cutting corners, and that's what's wrong.

3007 That's why I think we need to have a hearing with our Health
3008 and Human Services secretary. It's not his fault. They got it.
3009 Now let's see how we can fix it.

3010 Mr. Chairman, I'd like to yield the remainder of my time
3011 to my colleague from New Mexico.

3012 Mr. Lujan. Thank you, Mr. Chairman. Thank you, Mr. Green.

3013 Mr. Barton's observation -- I appreciate that with seeing
3014 the children. But I wanted to remark what health experts are
3015 saying across America, and the medical community including
3016 pediatricians, psychiatrists, public health experts, emergency
3017 physicians, and nurses all over the country have weighed in to
3018 see that these children are at risk for long-term health effects.

3019
3020 That includes mental health issues like depression, anxiety,

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3021 developmental delays, substance use disorder, and even physical
3022 illness. Even the State Department recently published a report
3023 and in that it said even at their best, residential institutions
3024 are unable to meet a child's need for emotional support. It is
3025 typically received from family members or consistent caretakers
3026 with whom the child can develop an attachment.

3027 It's not just what you see. It's what you don't, and we
3028 have a responsibility to make sure that we do bring in HHS and
3029 ORR into a committee hearing, Mr. Chairman.

3030 And, Mr. Chairman, I don't know if you might be able to tell
3031 us when we might be able to schedule that hearing, especially
3032 before the August recess.

3033 Chairman Walden. If the gentleman would yield. I would
3034 just -- I am sorry, it's actually the gentleman from Texas' time.

3035 Mr. Green. Mr. Chairman, I just would like to work with
3036 our colleagues on this side to solve this problem and that's what
3037 our committee does, particularly on our jurisdiction.

3038 And I'll yield back my time.

3039 Chairman Walden. The gentleman yields back the balance of
3040 time.

3041 Other members seeking recognition?

3042 The gentleman -- if not, the gentleman from California is
3043 recognized for five minutes to speak on the last word.

3044 Mr. Cardenas. Yes. On my time, Mr. Chairman, I'd like to
3045 repeat the question from my colleague from New Mexico regarding

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3046 when could we have a hearing and hopefully before the August break.

3047 Chairman Walden. If the gentleman would yield.

3048 Mr. Cardenas. Yes, to the chairman.

3049 Chairman Walden. We are in the process of doing the
3050 investigative work we do leading up to hearings that may or may
3051 not occur. Again, part of that involved a bipartisan trip to
3052 the border.

3053 I appreciate my colleague from Texas' comments about the
3054 jurisdiction of this committee because while we are all passionate
3055 about what's happened down there, we want these children reunited
3056 --

3057 Mr. Cardenas. Thank you, Mr. Chairman.

3058 Chairman Walden. -- the issue is we have this narrow slice
3059 of this HHS piece on ORR.

3060 Mr. Cardenas. Thank you. Reclaiming my time.

3061 Chairman Walden. Many of --

3062 Mr. Cardenas. I think I understand your answer, Mr.
3063 Chairman. I got the gist about when we may have that hearing.

3064 Thank you. Thank you so much, Mr. Chairman.

3065 With the remaining time that I have left, what I'd like to
3066 do for the benefit of the American public because what we are
3067 having here today is an open hearing of the Energy and Commerce
3068 Committee before the public of the world and certainly the
3069 American public.

3070 So I just want to read the resolution that the Ranking Member

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3071 Pallone has introduced and that you, Mr. Chairman, said that you
3072 do not support this resolution, H.R. 982.

3073 "Of inquiry requesting the president and directing the
3074 secretary of Health and Human Services to transmit, respectively,
3075 certain information to the House of Representatives referring
3076 to the separation of children from their parents or guardians
3077 as a result of the president's zero tolerance policy, resolved
3078 that the president is requested and the secretary of Health and
3079 Human Services is directed to transmit respectively to the House
3080 of Representatives not later than 14 days after the date of the
3081 adoption of this resolution copies of all documents, memoranda,
3082 advisory, legal opinions, notes from meetings, audio recordings,
3083 records, including telephone and electronic mail records,
3084 correspondence, and other communications or any portion and any
3085 such communications.

3086 To the extent that any such one or more items are within
3087 the possession of the president of the secretary, respectively,
3088 and refer to the following: one, the health and welfare of
3089 children forcibly separated from their parents or guardians as
3090 a result of the president's zero tolerance policy; two, the
3091 longer-term implications of the president's zero tolerance policy
3092 on the health of children described in paragraph one."

3093 I haven't heard anyone say that this is not within our
3094 jurisdiction. I think we can agree to that because this is all
3095 under HHS and the resolution speaks to what's within our

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3096 jurisdiction.

3097 That having been said, I will say that this -- Trump has
3098 caused this internment camp policy and he refuses to stop. Many
3099 of my colleagues have spoken to the checks and balances and the
3100 responsibility of Congress, and unless we have true and honest
3101 hearings before the public with the proper highest level officials
3102 that we can call forth before this committee, we are abdicating
3103 our duties and we are failing the American public.

3104 And I think it's important for everybody to understand that
3105 when the chairman described and colored his comment that too bad,
3106 that the Democrats didn't necessarily take up the chairman and
3107 this committee on going to one of the facilities in Texas just
3108 this past weekend, I want to remind all of us that dozens and
3109 dozens of Democrat members of Congress have gone to facilities
3110 both on the border and interior facilities as a result of this
3111 zero tolerance policy coming to our attention and to the attention
3112 of the American people.

3113 So I just want to state for the record, yes, one Democrat
3114 did go on a short notice event. Thank you very much, Mr. Chairman,
3115 for having approximately six members of the Republican caucus
3116 to go. That's nice.

3117 But at the same time, there has been much going on for months
3118 now that we were aware of and it's good to see that some members
3119 are finally acting on the opportunity to see for themselves.

3120 Speaking of seeing for themselves, I went to the border in

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3121 California, the border of California and Mexico, and saw some
3122 facilities for myself. My wife went with me and so did 13 other
3123 members of Congress -- all Democrats, by the way -- and we were
3124 received well by the officials who allowed us to see the
3125 facilities, et cetera.

3126 They did tell us, no, you can't talk to the children -- you
3127 can't talk to the adults, et cetera, and things of that nature.

3128 There were some things that we were able to clarify that they
3129 told us verbally that were not true and by the end of the trip
3130 they corrected themselves in some cases and told us that, yes,
3131 they were wrong and they corrected themselves.

3132 So that visit did have some -- not only for seeing for
3133 ourselves but actually getting some of the facts on the record.

3134 But the facts on the record should be brought before the public
3135 in front of this committee, I say.

3136 In addition to that, I want to thank my wife, who got inspired
3137 to go again and she said, let's go to Texas -- we are going to
3138 help Sister Norma, help some of the people who have been fortunate
3139 enough to be released in McAllen, Texas.

3140 I said, no, Norma -- my wife, Norma -- I said I have to go
3141 to do my work in Washington -- you go. So she went without me.

3142 So my point is this. It's great to see that some people
3143 have been inspired to see for themselves. But the fact of the
3144 matter it is only the members of Congress who have been elected
3145 -- duly elected to have hearings before the people or the public

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3146 and the only person who can make that happen is you, Mr. Chairman.

3147 I hope and pray that we have those hearings as soon as
3148 possible. I yield back.

3149 Mr. Shimkus. Mr. Chairman, I'd strike the last word.

3150 Chairman Walden. The gentleman is recognized.

3151 Mr. Shimkus. And I yield to the chair.

3152 Chairman Walden. I thank the gentleman.

3153 I just want to make sure it's well understood -- in terms
3154 of our official trip from this committee to the border, it was,
3155 I believe, open to anyone on the committee.

3156 Democrats made that choice. Your staff knew and could work
3157 that out with you, and we wish others could have come.

3158 Look, we understand, you know, there is notice issues in
3159 terms of timing and if people had other commitments in their lives.

3160

3161 But let me be clear, the choice on who came on the Democrat
3162 side was up to your leadership, and so I thought it was important
3163 to have a bipartisan, and it was, official trip of this committee,
3164 well organized where we could ask these questions and see the
3165 facilities firsthand, and I commend the members of the committee
3166 who have done this on their own. That's good. I do not think
3167 anything wrong with that -- I don't. I think that's healthy.

3168 I think it always helps to see first hand.

3169 Now, to the point we share many of these same concerns, if
3170 not all, and in fact the letter that we made available for both

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3171 sides of the aisle to sign that we sent to the secretary June
3172 9th from this committee and, again, only -- for whatever set of
3173 reasons the Democrats did not choose to sign this letter. That's
3174 your decision. You sent your own. That's fine.

3175 But let me go through the questions we have posed to the
3176 secretary. This is part of the fact finding process that we do
3177 on this committee, and letters matter. Letters are important.

3178 "To assist the committee in its efforts, please provide
3179 written answers to the following questions as well as the
3180 requested documents no later than July 20th, 2018.

3181 One, how many unaccompanied UACs -- children -- are in ORR
3182 custody as of June 29th, 2018; A, how many UACs have been placed
3183 in ORR custody as of June 29th as a result of being separated
3184 from their parents or families?

3185 What's the age range of UAC and ORR custody as of June 29th?
3186 What documentation or information does ORR receive when a UAC
3187 is transferred by DHS to ORR custody?

3188 Does that documentation or information change depending on
3189 whether the child was separated from a family or across the border
3190 alone?

3191 Is there a formal process to determine whether a UAC has
3192 been separated from someone who is legitimately their parent
3193 and/or reuniting parents and children who have been separated?

3194 If so, please describe the process. How many UACs have been
3195 placed into ORR custody have been reunited with a family member

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3196 from whom they were separated?

3197 What is the role of the task force established by ASPR?

3198 How is this task force working with other HHS agencies or other
3199 federal agencies?

3200 Five, what is the maximum number of UAC that ORR can have
3201 in custody at any given point? Please provide a break down of
3202 how much of that capacity is permanent, in flux, or temporary
3203 facilities?

3204 Does ORR have the resources to properly house and care for
3205 this high number of unaccompanied children being transferred to
3206 their custody?

3207 Six, how does ORR determine which facility a child is sent
3208 to upon entering ORR custody? Is age a factor? Are siblings
3209 kept together?

3210 Seven, what steps is ORR taking to track and address issues
3211 of abuse within HHS-funded facilities including but not limited
3212 to significant incident reports?

3213 What oversight does HHS or ORR conduct of HHS-funded
3214 facilities including but not limited to site visits, reviews,
3215 or audits of the facilities?

3216 Eight, what medical screening for communicable or other
3217 diseases does ORR or its grantees conduct?

3218 Nine, what types of medications is ORR authorized to
3219 administer or does ORR authorize grantee to administer to
3220 unaccompanied children including but not limited to antibiotics,

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3221 vaccinations, and psychotropic drugs?

3222 Ten, how does ORR identify an appropriate sponsor for a UAC?

3223 Eleven, since January 1 of 2014, how many unaccompanied
3224 children have been placed with a parent, relative, or unrelated
3225 adult? Please provide the number per category.

3226 How often is ORR unable to identify a category one, two,
3227 or three sponsor? What happens in those situations?

3228 B, under what circumstances would ORR remove an
3229 unaccompanied child from a sponsor? In those situations, what
3230 happens after an unaccompanied child is removed from a sponsor?

3231 Twelve, please provide all policies and procedures since
3232 January 1 of 2014 regarding the care of unaccompanied children
3233 while in ORR custody.

3234 Thirteen, please provide all policies and procedures since
3235 January 1, 2014 regarding the placement of an unaccompanied child
3236 with a sponsor, reunification of a UAC with a family if separated.

3237 Fourteen, please provide copies of all contracts or grant
3238 agreements since January 1, 2014 between the department of any
3239 of its divisions and private companies to house UAC.

3240 And finally, please provide all significant incident reports
3241 or other documents that relate to allegations of abuse of children
3242 in the care or custody of ORR from January 1, 2017 to the present."

3243 And I think that is the letter that we sent, the Republicans
3244 sent. You all could have signed it. You sent your own. That's
3245 fine. I think we are all after the same information and, believe

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3246 me, we share a common commitment that these children be safely
3247 cared for appropriately.

3248 With that, my time has expired.

3249 Mr. Shimkus. I guess my time has expired. But I just want
3250 to add that I am looking forward to the answers to that and proceed
3251 from there.

3252 Thank you.

3253 Chairman Walden. And we are due to get a response by July
3254 20th, according to the record.

3255 The chair recognizes the gentlelady from Florida, Ms. Castor
3256 --

3257 Ms. Castor. Thank you, Mr. Chairman. Thank you for --
3258 Chairman Walden. -- to speak on the resolution.

3259 Ms. Castor. Yes, thank you. And thank you for reading your
3260 letter. Thank you for taking the trip to the border.

3261 But it simply is not a substitute for hearings here where
3262 they are publicly televised and the American public can tune in
3263 and understand.

3264 Everything they say is on the record. If they are in the
3265 Oversight Subcommittee they are under oath. The committee has
3266 a very significant responsibility and you shouldn't shirk it.

3267 I don't know what you're afraid of. We should be working
3268 together on this, on this very serious horrendous policy of
3269 ripping children away from their parents.

3270 And at this time I'll yield the balance of the time to Mr.

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3271 Pallone.

3272 Mr. Pallone. I want to thank the gentlewoman for yielding
3273 and let me ask again, I urge all my colleagues to support the
3274 resolution both on the Democratic and the Republican side.

3275 I was glad that Mr. Cardenas actually read the resolution
3276 because if you see in the last two paragraphs, which are really
3277 the key to it, a lot of it refers specifically to the zero tolerance
3278 policy.

3279 And a lot of my Democratic colleagues today have pointed
3280 out that this is all the result of the zero tolerance policy by
3281 President Trump, and we need to get to the bottom of that policy
3282 as it affects these children and as it affects what HHS is doing.

3283 So I really want to make two points. One is we still need
3284 this resolution. Yes, the chairman asked some questions. Yes,
3285 we have asked a lot of questions.

3286 Yes, the secretary had a conference call and the secretary
3287 has talked to me privately as well. But in none of those things
3288 did we actually get answers -- meaningful answers -- as to what
3289 the zero tolerance policy was all about, why it resulted in the
3290 separation of children from their families, and what has happened
3291 to those children since and what's going to happen to them in
3292 the future.

3293 Because the fact of the matter is there was never a way to
3294 track these children. There was never a way to even find out
3295 whether -- who -- which parents they were associated with.

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3296 And that's the reason why it is so difficult now for the
3297 secretary, because I believe he's well intentioned, to bring these
3298 children back together with their parents.

3299 They didn't track them. They didn't have a means of
3300 communications. That's what happens when those of us who met
3301 with the families find that out.

3302 And, you know, that policy, in my opinion, stunk from the
3303 very beginning and there was no effort to really worry about the
3304 consequences for the kids and we certainly don't want it to happen
3305 again.

3306 And the second thing is I think my colleagues on the
3307 Democratic side brought up very effectively as to why we need
3308 hearings. It doesn't matter that the secretary is well
3309 intentioned. It doesn't matter that HHS has actually, you know,
3310 gotten back to us and talked to us and tried to answer our
3311 questions, because they haven't been able to do it and they need
3312 to be challenged at a hearing of this committee -- to say, why
3313 did this happen -- why haven't you done it -- what are you going
3314 to do to change things so these kids are put back in place with
3315 their families.

3316 So I just want to urge my colleagues. I know we have had
3317 a very good discussion here today. The bottom line is we still
3318 don't have the answers. We still don't have anything coming from
3319 the chairman of Republican side telling us how we are going to
3320 get these answers, and the only thing that's going to make that

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3321 happen is if we start down the road of demanding, you know, through
3322 formal action of this committee through this resolution that we
3323 find those answers and then have a hearing.

3324 And so, once again, Mr. Chairman, I did hear you say at one
3325 point -- I don't think I misunderstood -- I think you said that,
3326 you know, your questions might lead to a hearing -- that we might
3327 have a hearing down the road.

3328 I would ask that that hearing be done soon. I ask that it
3329 be done before the August recess while all this is very much fresh
3330 in our minds.

3331 I think there was a little effort on your part to suggest
3332 to that that might happen, although you didn't commit to it.
3333 But I would ask you again -- based on what happened today, based
3334 on our conversations, based on the comments that were made by
3335 my colleagues, it is clear to me that we need that hearing, and
3336 I don't think that we are going to get answers quickly enough
3337 from HHS unless we have the hearings.

3338 So, hopefully, you will follow through and we will have the
3339 hearing before this committee, and I yield back to my colleague
3340 from Florida.

3341 Mr. Rush. Mr. Chairman, I just have one question. Are you
3342 saying and making a firm statement before the committee this
3343 morning that if you don't get a response back July 20th that you
3344 will proceed to hold a hearing?

3345 Chairman Walden. No. No, you didn't hear that. Would the

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3346 gentleman yield?

3347 I don't recall saying that at all. The gentlelady, I think,
3348 actually controls the time. Is it okay yield? Yes.

3349 So what I said, Mr. Rush, is that our letter requested answers
3350 from the agency by July 20th, and I think in virtually every letter
3351 we send as a committee, whether it's partisan or bipartisan, we
3352 put a date when we want answers. We put that date and we expect
3353 to get answers from HHS by July 20th.

3354 In the meantime, we took the trip to the border, and other
3355 members have gone and so we are doing our work. And anybody on
3356 the Democrat side could have gone.

3357 So the gentlelady's time has expired.

3358 Mr. Rush. Mr. Chairman --

3359 Chairman Walden. Are there other members seeking
3360 recognition?

3361 The gentleman from Pennsylvania, Mr. Doyle, is recognized
3362 for five minutes to strike the last word on the resolution.

3363 Mr. Doyle. Thank you, Mr. Chairman. I'd like to yield my
3364 time to Ms. DeGette.

3365 Ms. DeGette. Thank you very much for yielding.

3366 Mr. Chairman, I just want to follow up on the conversations
3367 we have been having about this resolution and about this
3368 committee's jurisdiction because I think the reason why everyone
3369 on this side of the aisle is so impassioned about this and so
3370 concerned is because we are all, frankly, shocked at the fact

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3371 that apparently these children were taken from these parents,
3372 put into the custody of HHS under ORR, and then -- and then it's
3373 been virtually impossible to get these kids reunited with their
3374 parents.

3375 And the thing we are so concerned about and the reason why
3376 time is of the essence, as we know -- as we have seen from this
3377 last week, the longer time goes by, the harder it's going to be
3378 to achieve this reunification.

3379 And we find it, frankly, incredible that the greatest country
3380 in the world could take away, roughly, 3,000 -- could separately,
3381 roughly, 3,000 families and then HHS apparently could not figure
3382 out which children belonged with which parents, and that's why
3383 we are so concerned.

3384 And I just -- I just want to say I appreciate, Mr. Chairman,
3385 you writing the letter to the secretary -- to Secretary Azar asking
3386 all of those questions.

3387 A number of us have also written letters. There is a letter
3388 dated June 20th, June 28th, and July 6th -- all three letters
3389 that I have personally signed.

3390 There are also two other letters that Mr. Pallone has signed
3391 on behalf of the committee Democrats dated July 14 -- I am sorry,
3392 June 14th and June 26th.

3393 And Mr. Chairman, I would ask unanimous consent to put all
3394 of those letters in the record so that Mr. Azar can also answer
3395 those questions as we continue our committee's investigation.

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3396 Chairman Walden. Of course. Without any objection.

3397 [The information follows:]

3398

3399 *****COMMITTEE INSERT 26*****

3400 Ms. DeGette. Thank you very much.

3401 And then one last thing that I would just like to say and
3402 I say this with some pain, is I don't think it's fair, Mr. Chairman,
3403 to say to the Democrats on this committee that somehow we are
3404 not allowed -- or to imply that we are not allowed to have concern
3405 or objection if we didn't go on your codel down there to the border.

3406 Many of us went on other codels where we saw the exact same
3407 thing and where we have looked at it, and I did get a clean copy
3408 of the itinerary that I went on on Saturday June 23rd.

3409 As well as the things on that itinerary, several of us also
3410 went to one of the tender age facilities that is being administered
3411 by ORR and we also went to the border in Brownsville and we talked
3412 to the families there.

3413 So I'd like to ask unanimous consent to put that itinerary
3414 in the record as well.

3415 Chairman Walden. Absolutely. Without objection.

3416 [The information follows:]

3417

3418 *****COMMITTEE INSERT 27*****

3419 Ms. DeGette. Thank you.

3420 And again, you know, as somebody who has been a member of
3421 the Oversight and Investigations Subcommittee for 11 terms now
3422 and who is now the ranking Democrat, it's never been a barrier
3423 to having an investigation or a hearing to tell members that they
3424 had to go to the places that we are talking about and I don't
3425 think that that's a very fair argument to us.

3426 I think that what we should do --

3427 Chairman Walden. Would the gentlelady yield?

3428 Ms. DeGette. In a minute.

3429 I think that what we should do is that we should finish our
3430 investigation as quickly as we can because there are still
3431 thousands of kids who haven't been reunited with their families.
3432 We should have a hearing before the August recess and we can
3433 see what we can do to get HHS to actually take the actions to
3434 reunite these kids with their parents.

3435 And I believe it's Mr. Doyle's time. If he'd like to yield
3436 too, he can.

3437 Mr. Doyle. Yes, and I'll be glad to yield to the chair if
3438 he wants time.

3439 Chairman Walden. Thank you.

3440 I just want to clarify, because it was imputed that somehow
3441 I was trying to say that if you didn't go on the official trip
3442 from the committee you didn't have a voice.

3443 That is never anything I believe. I did not say that. I

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3444 do not believe that. My point in making the issue of the trip
3445 was that the committee is taking official action to go to the
3446 border and we wanted to make sure people had the opportunity to
3447 go because just as you went to the border, just as you've sent
3448 letters, others did.

3449 We are better informed whether we go individually or as a
3450 committee, and we wanted to make that available to people and
3451 that's why we did it as soon as we could possibly arrange it.

3452 Mr. Doyle. Okay. I yield back.

3453 Chairman Walden. Just for -- and I will go to the gentleman
3454 from -- just for purposes of committee functionality, they are
3455 going to have votes on the House floor at 1:05.

3456 With that, I'd recognize the gentleman from California, Dr.
3457 Ruiz, for five minutes to strike the last word.

3458 Mr. Ruiz. Thank you, Mr. Chairman.

3459 This is a new problem. We have never faced this as a country
3460 before. Children, families seeking asylum, however they have
3461 crossed the border, have never been separated from safe parents
3462 before.

3463 Families have been kept together. We have had alternative
3464 to detention programs where nearly 100 percent success rate for
3465 showing up for their court cases.

3466 The change is, one, that these alternatives to detentions
3467 were indiscriminately ended with no hearings or no discussion;
3468 two, the zero tolerance policy led to the separation for deferment

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3469 and intimidation reasons.

3470 So this administration's new cruel and inhumane policy and
3471 practice and separated over 2,000 children from their parents,
3472 causing children to suffer from long-term health effects such
3473 as toxic stress, psychological, and irreversible trauma.

3474 Toxic stress occurs when a child experiences strong and
3475 repetitive or prolonged adversity without the comfort of their
3476 mother or father calming them down or helping them cope with such
3477 stress.

3478 This can disrupt their brain development at a critical moment
3479 where their brain is still forming, increasing their future risk
3480 of emotional and physical health problems like heart disease,
3481 diabetes, depression, and suicide.

3482 These children may have difficulty learning in schools,
3483 severe separation anxiety, and have difficulty interpreting
3484 comforting actions because their brains aren't wired to accept
3485 them.

3486 They have difficulty forming and accepting long secure
3487 stable loving relationships and they will be now at risk for always
3488 having dysfunctional relationships.

3489 They will be at higher risk of depression, substance abuse,
3490 and will have a harder time being, as I mentioned, in stable loving
3491 relationships.

3492 And the scary part about this is that the more intense the
3493 traumatic experience or the longer this lasts, the more intense

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3494 their symptoms and the higher chances of them having a
3495 irreversible long-term problem increases.

3496 So this is a matter of urgency that we need to deal with
3497 today -- yesterday, in fact, and these are the three things that
3498 we as a committee need to really, really do and as individuals,
3499 as a country, in fact.

3500 The first thing we need to do is we need to end the stress.
3501 In other words, reunite the children with their parents safely
3502 so that the parents can comfort and start to build that parental
3503 relationship again to help the children cope.

3504 Two, get them out of cages and put them into a stable secure
3505 environment where a family can start to come back into a normal
3506 family routine.

3507 Three, provide the mental and medical care that the children
3508 need.

3509 I am so glad that you asked some questions in your letter,
3510 Mr. Chairman, that addresses that, and the further questions that
3511 I would like to ask in an open committee hearing is how many mental
3512 health providers are there per child's needs.

3513 Two is when these children were separated with haste from
3514 their mothers' arms, did they take a medical history? Do we know
3515 about any nutritional requirements? Do we know if there are any
3516 fatal allergic reactions to medications?

3517 Because without having that information, the providers can
3518 accidentally or give them an antibiotic that can kill the child.

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3519 The other thing that we need to do is to provide this --
3520 not only therapy for this child but that is that happening when
3521 these families are being reunited.

3522 I have about 30 seconds and I am sure you can address this
3523 soon afterwards. But my point is that we demand access to
3524 information related to the health and welfare of these children
3525 as well as the long-term care that they are going to require.

3526 And we can all agree -- listen, regardless of your political
3527 affiliation or opinion on immigration policy, we can all agree
3528 that the well being of a child is what is most important, and
3529 this is not about politics. This is about decency. This is about
3530 human dignity, and the administration must work harder to reunify
3531 these children with their parents and get them the medical,
3532 mental, and social services that they need to recover from this
3533 new severe psychological trauma.

3534 Chairman Walden. The gentleman's time has expired.

3535 Just for the record, we have 10 minutes left in the vote.
3536 Are there other members seeking recognition?

3537 Seeing none, the question now occurs on reporting H.R. 982
3538 to the House without recommendation.

3539 All those in favor will say aye.

3540 Those opposed, no.

3541 A roll call is requested. The clerk will call the roll.

3542 The Clerk. Mr. Barton.

3543 Mr. Barton. Aye.

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3544 The Clerk. Mr. Barton votes aye.
3545 Mr. Upton.
3546 Mr. Upton. Aye.
3547 The Clerk. Mr. Upton votes aye.
3548 Mr. Shimkus.
3549 Mr. Shimkus. Aye.
3550 The Clerk. Mr. Shimkus votes aye.
3551 Mr. Burgess.
3552 Mr. Burgess. Aye.
3553 The Clerk. Mr. Burgess votes aye.
3554 Mrs. Blackburn.
3555 Mrs. Blackburn. Aye.
3556 The Clerk. Mrs. Blackburn votes aye.
3557 Mr. Scalise.
3558 [No response.]
3559 Mr. Latta.
3560 Mr. Latta. Aye.
3561 The Clerk. Mr. Latta votes aye.
3562 Mrs. McMorris Rodgers.
3563 [No response.]
3564 Mr. Harper.
3565 [No response.]
3566 Mr. Lance.
3567 Mr. Lance. Aye.
3568 The Clerk. Mr. Lance votes aye.

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3569 Mr. Guthrie.
3570 Mr. Guthrie. Aye.
3571 The Clerk. Mr. Guthrie votes aye.
3572 Mr. Olson.
3573 Mr. Olson. Aye.
3574 The Clerk. Mr. Olson votes aye.
3575 Mr. McKinley.
3576 Mr. McKinley. Aye.
3577 The Clerk. Mr. McKinley votes aye.
3578 Mr. Kinzinger.
3579 Mr. Kinzinger. Aye.
3580 The Clerk. Mr. Kinzinger votes aye.
3581 Mr. Griffith.
3582 Mr. Griffith. Aye.
3583 The Clerk. Mr. Griffith votes aye.
3584 Mr. Bilirakis.
3585 Mr. Bilirakis. Aye.
3586 The Clerk. Mr. Bilirakis votes aye.
3587 Mr. Johnson.
3588 Mr. Johnson. Aye.
3589 The Clerk. Mr. Johnson votes aye.
3590 Mr. Long.
3591 Mr. Long. Aye.
3592 The Clerk. Mr. Long votes aye.
3593 Mr. Bucshon.

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3594 Mr. Bucshon. Aye.
3595 The Clerk. Mr. Bucshon votes aye.
3596 Mr. Flores.
3597 Mr. Flores. Aye.
3598 The Clerk. Mr. Flores votes aye.
3599 Mrs. Brooks.
3600 Mrs. Brooks. Aye.
3601 The Clerk. Mrs. Brooks votes aye.
3602 Mr. Mullin.
3603 Mr. Mullin. Aye.
3604 The Clerk. Mr. Mullin votes aye.
3605 Mr. Hudson.
3606 Mr. Hudson. Aye.
3607 The Clerk. Mr. Hudson votes aye.
3608 Mr. Collins.
3609 Mr. Collins. Aye.
3610 The Clerk. Mr. Collins votes aye.
3611 Mr. Cramer.
3612 Mr. Cramer. Aye.
3613 The Clerk. Mr. Cramer votes aye.
3614 Mr. Walberg.
3615 [No response.]
3616 Mrs. Walters.
3617 Mrs. Walters. Aye.
3618 The Clerk. Mrs. Walters votes aye.

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3619 Mr. Costello.

3620 Mr. Costello. Aye.

3621 The Clerk. Mr. Costello votes aye.

3622 Mr. Carter.

3623 Mr. Carter. Aye.

3624 The Clerk. Mr. Carter votes aye.

3625 Mr. Duncan.

3626 Mr. Duncan. Aye.

3627 The Clerk. Mr. Duncan votes aye.

3628 Mr. Pallone.

3629 Mr. Pallone. I would just like to remind my Democratic
3630 colleagues that the motion is a motion to table and so I would
3631 urge you to vote --

3632 Chairman Walden. It is to report the resolution without
3633 recommendation. It is not a motion to table.

3634 Mr. Pallone. Well, let me ask -- inquire, Mr. Chairman,
3635 before the vote continues.

3636 What is the -- what is it again? Would you explain what
3637 we are voting on?

3638 Chairman Walden. The motion I placed was to -- well, let
3639 me -- is to report the resolution --

3640 Mr. Barton. Parliamentary inquiry. How can you -- how can
3641 you --

3642 Chairman Walden. Stop, please.

3643 The question now -- here's what I said -- the question now

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3644 occurs on reporting H.R. 982 to the House without recommendation.

3645 That is the vote before us.

3646 Mr. Pallone. So that means that --

3647 Chairman Walden. That it's not -- this is not -- that is
3648 -- I've restated the resolution that we are voting on. That's
3649 what I put forward.

3650 Clerk will continue to call the roll.

3651 Mr. Pallone. Well, let me just ask, Mr. Chairman --

3652 Mr. Barton. You can't have debate in the middle of a roll
3653 call.

3654 Chairman Walden. The clerk will continue to call the roll.

3655 Mr. Pallone. Well, because I think it's unclear what we
3656 are voting on. What happens if this passes?

3657 Chairman Walden. It will be reported to the House for
3658 consideration. Clerk will continue to call the roll.

3659 Mr. Pallone. All right. Well, then under that
3660 circumstances, we -- I will vote yes.

3661 The Clerk. Mr. Pallone.

3662 Mr. Pallone. Yes.

3663 The Clerk. Mr. Pallone votes aye.

3664 Mr. Rush.

3665 Mr. Rush. Aye.

3666 The Clerk. Mr. Rush votes aye.

3667 Ms. Eshoo.

3668 Ms. Eshoo. Pass.

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3669 The Clerk. Ms. Eshoo passes.
3670 Mr. Engel.
3671 Mr. Engel. Aye.
3672 The Clerk. Mr. Engel votes aye.
3673 Mr. Green.
3674 Mr. Green. Aye.
3675 The Clerk. Mr. Green votes aye.
3676 Ms. DeGette.
3677 Ms. DeGette. Aye.
3678 The Clerk. Ms. DeGette votes aye.
3679 Mr. Doyle.
3680 Mr. Doyle. Aye.
3681 The Clerk. Mr. Doyle votes aye.
3682 Ms. Schakowsky.
3683 Ms. Schakowsky. Aye.
3684 The Clerk. Ms. Schakowsky votes aye.
3685 Mr. Butterfield.
3686 Mr. Butterfield. Aye.
3687 The Clerk. Mr. Butterfield votes aye.
3688 Ms. Matsui.
3689 Ms. Matsui. Aye.
3690 The Clerk. Ms. Matsui votes aye.
3691 Ms. Castor.
3692 Ms. Castor. Aye.
3693 The Clerk. Ms. Castor votes aye.

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3694 Mr. Sarbanes.
3695 [No response.]
3696 Mr. McNerney.
3697 Mr. McNerney. Aye.
3698 The Clerk. Mr. McNerney votes aye.
3699 Mr. Welch.
3700 Mr. Welch. Aye.
3701 The Clerk. Mr. Welch votes aye.
3702 Mr. Lujan.
3703 Mr. Lujan. Aye.
3704 The Clerk. Mr. Lujan votes aye.
3705 Mr. Tonko.
3706 Mr. Tonko. Aye.
3707 The Clerk. Mr. Tonko votes aye.
3708 Ms. Clarke.
3709 Ms. Clarke. Aye.
3710 The Clerk. Ms. Clarke votes aye.
3711 Mr. Loeb sack.
3712 Mr. Loeb sack. Aye.
3713 The Clerk. Mr. Loeb sack votes aye.
3714 Mr. Schrader.
3715 Mr. Schrader. Aye.
3716 The Clerk. Mr. Schrader votes aye.
3717 Mr. Kennedy. Mr. Kennedy.
3718 Mr. Kennedy. Aye.

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3719 The Clerk. Mr. Kennedy votes aye.
3720 Mr. Cardenas.
3721 Mr. Cardenas. Aye.
3722 The Clerk. Mr. Cardenas votes aye.
3723 Mr. Ruiz.
3724 Mr. Ruiz. Aye.
3725 The Clerk. Mr. Ruiz votes aye.
3726 Mr. Peters.
3727 Mr. Peters. Aye.
3728 The Clerk. Mr. Peters votes aye.
3729 Mrs. Dingell.
3730 Mrs. Dingell. Aye.
3731 The Clerk. Mrs. Dingell votes aye.
3732 Chairman Walden.
3733 Chairman Walden. Aye.
3734 The Clerk. Chairman Walden votes aye.
3735 Mr. Scalise.
3736 Mr. Scalise. Aye.
3737 The Clerk. Mr. Scalise votes aye.
3738 Mrs. McMorris Rodgers.
3739 Mrs. McMorris Rodgers. Aye.
3740 The Clerk. Mrs. McMorris Rodgers votes aye.
3741 Mr. Walberg.
3742 Mr. Walberg. Aye.
3743 The Clerk. Mr. Walberg votes aye.

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3744 Chairman Walden. Are there other members not recorded?

3745 And for the record, the clerk will report the tally.

3746 The Clerk. Mr. Chairman, on that vote, there were 52 ayes
3747 and zero nays.

3748 Chairman Walden. Fifty-two ayes, zero nays. The
3749 resolution is adopted and forwarded to the House without
3750 recommendation.

3751 There is five minutes left in the vote on the floor. We
3752 will return after this to complete our work on the
3753 telecommunications bills.

3754 The committee stands in recess.

3755 [Recess.]

3756 Chairman Walden. I'll call the committee back to order.

3757 The chair calls up H.R. 2345 -- Bill Number 11 on your list
3758 -- as forwarded by the Subcommittee on Communications and
3759 Technology on June 13th, 2018 and asks the clerk to report.

3760 [The Bill H.R. 2345 follows:]

3761

3762 *****INSERT 28*****

3763 The Clerk. H.R. 2345, to required the Federal
3764 Communications Commission to study the feasibility of designating
3765 a simple easy-to-remember dialing code to be used for the National
3766 Suicide Prevention and Mental Health Crisis Hotline System.

3767 Chairman Walden. Without objection, the first reading of
3768 the bill is dispensed with. The bill will be open for amendment
3769 at any point.

3770 Are there any bipartisan amendments?

3771 The gentleman from Florida is recognized for what purpose?

3772 Mr. Bilirakis. Thank you. To offer an amendment.

3773 Chairman Walden. The clerk will report the Bilirakis
3774 amendment.

3775 [The Amendment offered by Mr. Bilirakis follows:]

3776

3777 *****INSERT 29*****

3778 The Clerk. Amendment to H.R. 2345, offered by Mr.
3779 Bilirakis.

3780 Chairman Walden. Without objection, the reading of the
3781 amendment is dispensed with. The gentleman from Florida is
3782 recognized for five minutes to speak on his amendment.

3783 Mr. Bilirakis. Thank you, Mr. Chairman. I won't take the
3784 five minutes.

3785 I offer this simple amendment to ensure that both the House
3786 and the Senate Committees on Veterans Affairs also receive copies
3787 of the Commission report.

3788 Throughout this Congress, these committees have been at the
3789 forefront of reviewing and improving mental health and suicide
3790 prevention services for our veterans.

3791 This includes House passage of the Veteran Urgent Access
3792 to Mental Health Care Act and hearings on assessing PTS treatments
3793 at the VA.

3794 This amendment will ensure that all relevant committees
3795 timely receive the study report on veteran-specific suicide
3796 prevention hotline code.

3797 As the vice chairman of the Veterans Affairs Committee in
3798 the House, as a co-sponsor of the underlying bill, I stand ready
3799 to help again to inform the veterans population of this important
3800 change if the report yields a positive result and the new dialing
3801 code comes to fruition.

3802 So I am happy to yield any time to any other member.

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3803 Otherwise, I'll yield back, Mr. Chairman.

3804 Chairman Walden. The gentleman yields back the balance of
3805 his time. The chair thanks the gentleman for this very thoughtful
3806 amendment for his work to help our nation's veterans.

3807 Are there other members seeking recognition?

3808 If not, the question arises on a passage of the amendment.

3809 All those in favor will say aye.

3810 Those opposed, nay.

3811 The ayes appear to have it. The ayes have it. The amendment
3812 is adopted to.

3813 Are there any further amendments?

3814 Seeing none, the question now arises on favorably reporting
3815 H.R. 2345 as amended to the House.

3816 All those in favor will signify by saying aye.

3817 Those opposed, no.

3818 The ayes appear to have it. The ayes have it, and the bill
3819 is favorably reported.

3820 The chair now calls up H.R. 3994 -- that's number 12 on your
3821 list -- as forwarded by the Subcommittee on Communications and
3822 Technology on June 13th, 2018, and ask the clerk to report.

3823 [The Bill H.R. 3994 follows:]

3824

3825 *****INSERT 30*****

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3826 The Clerk. H.R. 3994, to establish the Office of Internet
3827 Connectivity and Growth, and for other purposes.

3828 Chairman Walden. Without objection, the first reading of
3829 the bill is dispensed with. The bill will be open for amendment
3830 at any point.

3831 Are there any bipartisan amendments?

3832 For what purpose does the gentleman from New York seek
3833 recognition?

3834 Mr. Tonko. Mr. Chair, I have an amendment at the desk.

3835 Chairman Walden. The clerk will report the Tonko amendment.

3836 [The Amendment offered by Mr. Tonko follows:]

3837

3838 *****INSERT 31*****

3839 The Clerk. The amendment to H.R. 3994, offered by Mr. Tonko.
3840 Chairman Walden. Without objection, further reading of the
3841 amendment is dispensed with. The gentleman from New York is
3842 recognized for five minutes to speak on his amendment.

3843 Mr. Tonko. Thank you. Thank you, Chair, and thank you to
3844 the chair and ranking member for moving this important legislation
3845 forward and I offer a special thanks to Representative Lance for
3846 partnering with me on this -- on this effort.

3847 Thanks also to the bipartisan group of members who have
3848 co-sponsored our legislation including 14 members of the Energy
3849 and Commerce Committee that have worked together with a shared
3850 belief that this is an issue worth addressing.

3851 I know from our conversations and my own experience that
3852 we are hearing from constituents across our districts on the need
3853 for basic broadband access.

3854 We know that advancing critical connectivity expands
3855 service, small business resources opportunities, access and
3856 database on assessed need and demand.

3857 As it happens, that is also the full name of our bill, H.R.
3858 3994, the ACCESS BROADBAND Act, which would establish a
3859 coordinating office for federal broadband resources.

3860 It would use existing assets to streamline management of
3861 federal broadband resources across multiple agencies and simplify
3862 the process for small businesses and local economic developers
3863 to leverage them.

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3864 Broadband internet access can be the difference between
3865 success and failure for students doing homework, job seekers
3866 training for a new career, doctors reading a medical scan, or
3867 entrepreneurs starting a small business.

3868 However, to date, the federal government has done a poor
3869 job tracking broadband deployment. Currently, there is no
3870 comprehensive system that tracks where federal dollars are going
3871 and how the funding is impacting communities.

3872 Investments are made with little accountability and
3873 oversight on behalf of the taxpayer. ACCESS BROADBAND would
3874 begin to address this issue.

3875 Our bill tracks federal broadband dollars, streamlines
3876 management of federal broadband resources across multiple
3877 agencies, and, most notably, it simplifies the process for small
3878 businesses and local economic developers to access them.

3879 We made two minor changes in this amendment, including more
3880 clearly defining broadband support in Section 6 and updating the
3881 IMLS programs to better reflect which programs offer broadband
3882 support.

3883 I thank everyone for their work on ACCESS BROADBAND and with
3884 that, urge members to support the amendment.

3885 Mr. Chair, I yield back.

3886 Chairman Walden. Is there further discussion on the Tonko
3887 amendment?

3888 If not -- oh, for what purpose does the gentleman from New

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3889 Jersey seek recognition?

3890 Mr. Lance. To strike the last word.

3891 Chairman Walden. The gentleman is recognized to speak on
3892 the amendment.

3893 Mr. Lance. Thank you. I thank Congressman Tonko for his
3894 leadership on this legislation.

3895 The amendments are technical in response to discussions with
3896 the Institute of Museum and Library Services, and this underlying
3897 bill will ensure that additional federal broadband support is
3898 being offered in a technologically neutral manner and that
3899 overbuilding of broadband is avoided.

3900 I urge adoption of Mr. Tonko's amendment and the underlying
3901 bill, and I yield back the balance of my time.

3902 Chairman Walden. The gentleman yields back the balance of
3903 his time.

3904 Other members seeking recognition on the amendment?

3905 Anyone else seeking recognition on the underlying bill?

3906 If not, the vote occurs on the amendment.

3907 Those in favor will say aye.

3908 Those opposed, nay.

3909 The ayes appear to have it. The ayes have it. The amendment
3910 is adopted.

3911 Any further discussion on the underlying bill as amended?

3912 Seeing none, the question now occurs on favorably reporting
3913 H.R. 2345 as amended to the House.

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3914 All those in favor shall signify by saying aye.
3915 Those opposed, no.
3916 The ayes appear to have it. The bill is favorably reported.
3917 The chair now calls up H.R. 4881 as forwarded by the
3918 Subcommittee on Communications and Technology on June 13th, 2018
3919 and ask the clerk to report.
3920 [The Bill H.R. 4881 follows:]
3921
3922 *****INSERT 32*****

3923 The Clerk. H.R. 4881, to require the Federal Communications
3924 Commission to establish a task force for meeting the connectivity
3925 and technology needs of precision agriculture in the United
3926 States.

3927 Chairman Walden. Without objection, the first reading of
3928 the bill is dispensed with. The bill will be open for amendment
3929 at any point.

3930 Are there any bipartisan amendments?

3931 Mr. Latta. Mr. Chairman?

3932 Chairman Walden. Who is seeking recognition?

3933 Mr. Latta. Mr. Chairman?

3934 Chairman Walden. Mr. Latta.

3935 Mr. Latta. Thank you.

3936 Chairman Walden. For what purpose do you seek recognition?

3937 Mr. Latta. I have a bipartisan amendment at the desk.

3938 Chairman Walden. The clerk will report the Latta amendment.

3939 [The Amendment offered by Mr. Latta follows:]

3940

3941 *****INSERT 33*****

3942 The Clerk. Amendment to H.R. 4881, offered by Mr. Latta.
3943 Chairman Walden. The chair now -- without further
3944 objection, further reading of the -- without objection, further
3945 reading of the amendment is dispensed with.

3946 The chair now recognizes Mr. Latta for purposes of speaking
3947 on his and Mr. Loeb sack's amendment.

3948 Mr. Latta. Thank you very much, Mr. Chairman.

3949 My amendment to H.R. 4881 as forwarded by the subcommittee
3950 adds the full definition of broadband internet access service
3951 as written in the federal code and allows the definition to that
3952 evolved based on findings at the Federal Communications
3953 Commission.

3954 Furthermore, the amendment adds representatives to the task
3955 force with expertise in broadband network data collection,
3956 geospatial analysis, and coverage mapping.

3957 We all know that current broadband maps are not fully
3958 reliable or accurate. But a key duty of the task force is to
3959 determine whether broadband access is lacking most -- where
3960 broadband access is lacking most.

3961 Therefore, we believe, including experts on the task force
3962 that can speak on the mapping data and standards will have a
3963 positive effect on achieving the bill's underlying goal of
3964 evaluating and expanding broadband to unserved agricultural
3965 areas.

3966 And with that, Mr. Chairman, I yield back the balance of

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3967 my time.

3968 Chairman Walden. The gentleman yields back.

3969 Other members seeking recognition?

3970 The gentleman from Iowa is recognized for five minutes to
3971 speak on the amendment.

3972 Mr. Loeb sack. I thank the chair and ranking member for
3973 having this markup today and bringing the Precision Agriculture
3974 Connectivity Act up for consideration.

3975 I am very proud. I've worked on this legislation with my
3976 good friend, Representative Latta, and I am hopeful that after
3977 committee passage today we can quickly move to bring this
3978 legislation to the House floor and pass this act.

3979 I have met with small businesses, farmers, and rural
3980 telecommunications companies across Iowa over the past several
3981 years and here in D.C., and the importance of expanding high-speed
3982 internet access to rural areas is consistently a top priority.

3983 That's because internet access is just as critical for
3984 economic development, job growth, businesses, farmers, and
3985 families in rural America as it is in big cities, and we in rural
3986 American often have to remind folks of that.

3987 Farming is an integral component, of course, of the rural
3988 economy and a source of pride for the rural community, and we
3989 need to be doing more to make sure that they have the tools to
3990 do their jobs and provide for the rest of us as well.

3991 The Precision Agriculture Connectivity Act will establish

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3992 a task force to examine the broadband needs of farmers and rural
3993 communities so they can take advantage of these new technological
3994 advances in order to increase crop yields.

3995 The amendment Mr. Latta and I are offering today -- and,
3996 again, I thank him for working with me on this issue -- will ensure
3997 that members of the task force have the necessary expertise in
3998 data collection, geospatial analysis, and coverage mapping to
3999 improve the maps and get broadband to where it is needed most.

4000 I like to say that garbage in is garbage out. Let's get
4001 the right things in before we get the right things out. It's the
4002 only way to do it when it comes to information.

4003 We must focus on giving family farmers the opportunity to
4004 continue the long tradition of family farming and ensuring they
4005 have access to precision agriculture technologies is one of the
4006 best ways to support that.

4007 With that, I encourage members to support this amendment
4008 and the Precision Agriculture Connectivity Act and America's
4009 farmers, and I yield back. Thank you.

4010 Chairman Walden. The gentleman yields back.

4011 Are there other members -- on the full bill? Okay.

4012 So we will get to that. Any other members wanting to speak
4013 on the amendment?

4014 If not, the question now arises on passing the Latta-Loebsack
4015 amendment.

4016 Mr. Loebsack. On the bill.

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4017 Chairman Walden. We have got to do the amendment first,
4018 then you can strike on the bill, right? Am I doing all right
4019 here?

4020 Let's vote on the amendment.

4021 All those in favor, say aye.

4022 Those opposed, nay.

4023 The ayes appear to have it. The ayes have it. The amendment
4024 is adopted.

4025 The chair recognizes the gentleman from Georgia, Mr. Carter,
4026 anchoring the important last seat on the committee, sort of.
4027 Next to last. That's right. We got a new -- that's right.
4028 You've moved up in seniority recently.

4029 Mr. Carter. Yes, sir. I have.

4030 Chairman Walden. I forget that.

4031 [Laughter.]

4032 Mr. Carter. Mr. Chairman, I move to strike the last word.

4033 Chairman Walden. Well, I think so. That would be a good
4034 idea. We will recognize you to strike the last word.

4035 Mr. Carter. Thank you, Mr. Chairman.

4036 Mr. Chairman, I speak today in support of Chairman Latta's
4037 bill, the Precision Agriculture Connectivity Act of 2018.

4038 This bill is a step forward in modernizing and maximizing
4039 the agricultural tools and output that is the livelihood of our
4040 country's agricultural communities.

4041 In my home state of Georgia, agriculture means one of the

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4042 top industries with incredible strides made in improving the crops
4043 and techniques of our ag industry.

4044 Chairman Latta's bill, which requires the FCC to establish
4045 a new task force for meeting connectivity and technology needs
4046 of precision agriculture, will help to identify shortfalls in
4047 rural broadband and how to overcome them.

4048 While the number of people who make their living off
4049 agriculture has fallen, our yields have increased thanks to
4050 technological improvements and the practices of the men and women
4051 who grow and produce our food stocks.

4052 Our farmers and ranchers face a different situation with
4053 overwhelming dedication towards what they do day in and day out.

4054 Improving the connectivity in these areas, allowing them to use
4055 more technology to improve their operations will help our rural
4056 communities and will increase our agricultural returns.

4057 I want to thank Chairman Latta for introducing this
4058 legislation and I urge my colleagues to support it, and I yield
4059 back.

4060 Chairman Walden. The gentleman yields back the balance of
4061 his time.

4062 Other members seeking recognition?

4063 Seeing none, I'd like to go now to the chairman of the DCCP
4064 Subcommittee, Mr. Latta, to speak on the bill for five minutes.

4065 Mr. Latta. Thank you, Mr. Chairman. I will be brief.

4066 But, again, I'd like to thank you for bringing up this bill

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4067 today for the full committee and I express my support again for
4068 H.R. 4881, Precision Agriculture Connectivity Act.

4069 I want to thank my colleague, the gentleman from Iowa, Mr.
4070 Loeb sack, for his work on this as we introduce this bill because
4071 we recognize the need for high speed broadband in rural
4072 agricultural land so that farmers can incorporate advanced
4073 technologies in their operations.

4074 Without broadband, farmers cannot utilize precision
4075 agriculture to help maximize resources to reduce costs, increase
4076 crop yields, and promote environmentally sustainable practices.

4077 And with that, Mr. Chairman, I urge my colleagues to support
4078 the measure and I thank you very much for bringing the bill up,
4079 and I yield back the balance of my time.

4080 Chairman Walden. The gentleman yields back the balance of
4081 his time.

4082 Other members seeking recognition to speak on this bill?

4083 Seeing none, the question now arises on favorably reporting
4084 H.R. 4881 as amended to the House.

4085 All those in favor shall say aye.

4086 Those opposed, no.

4087 The ayes appear to have it. The ayes have it. The bill
4088 as amended is adopted.

4089 Now, for record purposes, it's been brought to my attention
4090 I may have cited the wrong bill when we had a roll call vote before,
4091 and perhaps confused it with 2345. It should have been 3944 as

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4092 amended. 3944 as amended.

4093 So there was no opposition to it. I just read the wrong
4094 bill number, I am told. Grabbed the wrong sheet. So just for
4095 the record, I have 3944. Maybe that's -- oh, well, that explains
4096 a lot.

4097 The bill is actually 3994. The talking points says 3944.

4098 Yeah. I am not blaming it on the staff.

4099 [Laughter.]

4100 There, clearly, was an invasion in the computer system.

4101 It was hacked. All right.

4102 Moving right along, next, just wanted to thank you for
4103 bringing that to our attention. We want to be correct here.

4104 The chair now calls up H.R. 5709 -- on your program that
4105 would be number 14 -- as forwarded by the Committee on
4106 Communications and Technology on June 13th, 2018 and asks our
4107 clerk to report.

4108 [The Bill H.R. 5709 follows:]

4109

4110 *****INSERT 34*****

4111 The Clerk. H.R. 5709, the amend the Communications Act of
4112 1934 to provide for enhanced penalties for pirate radio and for
4113 other purposes.

4114 Chairman Walden. Without objection, the first reading of
4115 the bill is dispensed with. The bill will be open for amendment
4116 at any point.

4117 Are there any amendments?

4118 The chair recognizes the gentleman from New York for what
4119 purpose?

4120 Mr. Collins. Mr. Chairman, I have a bipartisan amendment
4121 at the desk.

4122 Chairman Walden. The clerk will report the amendment.

4123 [The Amendment offered by Mr. Collins follows:]

4124

4125 *****INSERT 35*****

4126 The Clerk. Amendment to H.R. 5709, offered by Mr. Collins.

4127 Chairman Walden. Without objection, further reading of the
4128 amendment is dispensed with. The chair recognizes the gentleman
4129 from New York for five minutes to speak on his amendment.

4130 Mr. Collins. Thank you, Mr. Chairman.

4131 This amendment makes changes to the underlying bill that
4132 will prevent pirates from wreaking havoc on our broadcast system.

4133 In terms of enforcement, this amendment requires annual
4134 enforcement sweeps with additional monitoring sweeps and gives
4135 the FCC the ability to swiftly initiate penalties on illegal
4136 operators.

4137 Additionally, this amendment requires the FCC to establish
4138 a pirate radio broadcasting database. This database will include
4139 a list of legally licensed stations and a list of known pirates
4140 or entities who have received notices of noncompliance by the
4141 FCC.

4142 The database will empower local ad purchasers to ensure they
4143 are purchasing time from legitimately licensed stations. The
4144 goal of this database is to deter local businesses and other ad
4145 purchasers from allowing their funds to prop up these bad actors.

4146 I thank Representative Lance for his leadership on this
4147 legislation. This is an issue that I have been involved in for
4148 many years and I am proud to be part of a resolution.

4149 I want to thank the chairman again for his support, urge
4150 adoption of my amendment, and yield the balance of my time to

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4151 Mr. Lance.

4152 Mr. Lance. Thank you, Mr. Collins, and I thank Mr. Collins
4153 for his amendment, which I support.

4154 I also thank Congressman Doyle for his leadership on this
4155 issue.

4156 A pirate radio is a public safety issue that affects
4157 broadcasters and consumers around the country. I am hopeful that
4158 providing the FCC with the additional enforcement tools in this
4159 bill will lead to meaningful results in combating pirate radio.

4160 I urge the adoption of the Collins amendment and I also urge
4161 adoption of the underlying bill that I am proud to support with
4162 Ranking Member Doyle of the subcommittee.

4163 And I yield back, Mr. Chairman.

4164 Chairman Walden. The time is controlled by the gentleman
4165 from New York.

4166 Mr. Lance. I yield to the gentleman from New York.

4167 Mr. Collins. Mr. Chairman, I yield back.

4168 Chairman Walden. The gentleman yields back.

4169 The chair recognizes the gentleman from Pennsylvania, Mr.
4170 Doyle, for five minutes to speak on the amendment.

4171 Mr. Doyle. Thank you, Mr. Chairman.

4172 I am pleased to be offering this amendment with Mr. Collins
4173 and happy that the co-sponsors of this bill, Mr. Lance and Mr.
4174 Tonko, as well as the majority, worked with us to address some
4175 of the concerns with this bill.

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4176 This amendment will help ensure that the FCC's enforcement
4177 bureau addresses the threats posed by pirate radio while not
4178 unduly taking away time and resources from other critical missions
4179 conducted by the bureau and the commission's field staff.

4180 I am pleased that we were able to strike this balance and
4181 look forward to continuing to work with the majority on this
4182 legislation.

4183 And with that, Mr. Chairman, I urge its adoption and yield
4184 back.

4185 Chairman Walden. The gentleman yields back.

4186 Other members seeking recognition?

4187 The gentleman from New York, Mr. Tonko, is recognized for
4188 five minutes to speak on the amendment.

4189 Mr. Tonko. Thank you, Mr. Chair, and I thank Representative
4190 Lance for all of his hard work on the important legislation.
4191 I thank the New York broadcasters for its dedication to this
4192 effort.

4193 For years now, I, along with many members of the New York
4194 and New Jersey delegations have voiced our concerns on the issue.

4195 Yet, pirate radio operators are as prevalent as ever and their
4196 actions have been met with few consequences.

4197 One of the most serious concerns is that pirate radio
4198 broadcasters interfere with the Emergency Alert Services, or EAS
4199 signal broadcasts, thereby threatening millions of Americans'
4200 ability to receive notification in the event of an emergency or

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4201 national crisis.

4202 This represents a growing threat, since climate change
4203 causes more and more extreme weather events. Pirates also
4204 interfere with airport communications. They do not comply with
4205 consumer protection laws or any FCC regulations, exposing
4206 consumers, especially those living in the most vulnerable
4207 communities, and in some cases causing very real hardships.

4208 This legislation comes in response to the growing number
4209 of pirate radio broadcasters in our nation that are harming
4210 consumers and public safety.

4211 The FCC has taken some positive steps to remedy this issue.

4212 But more needs to be done. The PIRATE Act would increase
4213 penalties and restrictions on pirate radio, whether a radio
4214 frequency is being used by first responders coordinating to save
4215 lives or parents who just want to keep obscenity and bigotry away
4216 from their children. Our communities are better served when
4217 broadcasters respect the rule of law.

4218 With that, I urge members -- all members -- to support the
4219 amendment and the PIRATE Act and yield back, Mr. Chair.

4220 Chairman Walden. The gentleman yields back.

4221 The chair would recognize himself for five minutes to speak
4222 on the amendment and the underlying bill.

4223 I want to commend my colleagues on both sides of the aisle.

4224 As many of you know, I was in the radio business for 21 years
4225 and played by the rules, and there are a lot of them, and the

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4226 things that these pirate radio stations do can be pretty vile
4227 and vulgar and also interfere with legitimate and legal
4228 communication.

4229 And so it is important that our committee take these steps.
4230 I commend members on both sides for helping move this effort
4231 forward, and I yield back the balance of my time.

4232 Are there other members seeking recognition?

4233 Seeing none, the question now arises on the Collins-Doyle
4234 amendment, I believe.

4235 All those in favor will say aye.

4236 Those opposed, nay.

4237 The ayes appear to have it. The ayes have it. The amendment
4238 is adopted.

4239 Are there other members seeking recognition to speak on the
4240 bill?

4241 If not, the question now arises on H.R. -- forwarding H.R.
4242 5709 as amended to the House floor due pass.

4243 Those in favor will say aye.

4244 Those opposed, nay.

4245 The ayes appear to have it. The ayes have it and H.R. 5709
4246 is, as amended, forwarded to the floor.

4247 Without objection, the staff is authorized to make technical
4248 and conforming changes to the legislation considered by the
4249 committee today. So ordered.

4250 And without objection, the --

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4251 Mr. Pallone. Mr. Chairman, I just -- if I could, House Rule
4252 11 Clause 2 allocates the committee minority two additional
4253 calendar days to file supplemental and dissenting views on
4254 legislation that is reported out and forwarded to the House.

4255 Pursuant to that rule and clause, I am giving notice of our
4256 intent to file such views, and I thank you.

4257 Chairman Walden. And the committee stands adjourned.

4258 Thank you, everyone.

4259 [Whereupon, at 2:09 p.m., the committee was adjourned.]

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