

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to mark this as an important day for this Congress taking real steps to lower the cost of drugs for Americans.

I am proud to have been the lead sponsor for H.R. 6733, the Know the Cost Act of 2018, a bill that includes the core elements of this bill and expands patient protections.

Currently, pharmacists are prevented from telling their patients about a lower cost out-of-pocket option rather than utilizing insurance coverage. These gag clause provisions are included in provider manuals and contracts that require broad confidentiality agreements for pharmacists.

Often, these contracts offered by the pharmacy benefit manager, the PBM, are a take-it-or-leave-it situation where the pharmacist doesn't have any other options. If they opt not to take the contract, they are often left out of servicing large segments of the patient market.

Gag clauses can come in many forms, such as confidentiality agreements between pharmacists and plan sponsors, nondisparagement clauses, and even prohibitions on contacting sponsors, the media, and elected officials. As a result, pharmacists cannot have a transparent relationship with their patients or provide them necessary information that could help guide their best treatment options.

Senator STABENOW's bill, the Know the Lowest Price Act of 2018, bans these types of gag clauses in Medicare Advantage drug plans. Although this bill does not contain requirements for beneficiary notification that my bill, the Know the Cost Act of 2018, included, it is still an important step forward.

Banning gag clauses has received national support from State legislatures, both Chambers of Congress, HHS, and the President.

As the only pharmacist currently serving in Congress, I know all too well about the constraints placed on pharmacists as part of the take-it-or-leave-it contracts, where the pharmacist has no other option if they want to continue providing care for their patients in their community.

Mr. Speaker, I thank all of my colleagues on both sides of the aisle for their help in bringing this legislation forward. I particularly thank Chairman BURGESS. Also, a shout-out to our staff, who has done an outstanding job of bringing this all together.

Mr. Speaker, I ask all my colleagues to vote in favor of this bill.

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

Mr. Speaker, in closing, I support these two bills, this one and the previous one. I do think that they are good, bipartisan measures. But I do want to repeat what Mr. DOGGETT said, that this Congress and the next have to do a lot more to deal with the issue of prescription drug prices. Probably the

most effective thing, which I support, is negotiated prices under Medicare, as well as trying to do more with generic drugs.

Mr. Speaker, I urge support for the bill, and I yield back the balance of my time.

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

Mr. Speaker, I urge Members to support this important legislation, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of S. 2553, the "Know the Lowest Price Act of 2018."

S. 2553 amends title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

A Prescription Drug Plan (PDP) sponsor and a Medicare Advantage (MA) organization shall ensure that each prescription drug plan or Medicare Advantage Prescription Drug (MA-PD) plan offered by the sponsor or organization does not restrict a pharmacy that dispenses a prescription drug or biological from informing, nor penalize such pharmacy for informing, an enrollee in such plan of any differential between the negotiated price of, or copayment or coinsurance for, the drug or biological to the enrollee under the plan and a lower price the individual would pay for the drug or biological if the enrollee obtained the drug without using any health insurance coverage.

The U.S. Department of Health and Human Services (HHS) calculated that if generic substitution worked program-wide, then Part D could potentially save \$5.9 billion a year.

Using generic drugs instead of their brand-name equivalents could have saved the Medicare Part D program approximately \$3 billion in 2016 alone.

In 2016, beneficiaries paid \$1.1 billion in out-of-pocket costs of brand-name drugs, which was almost twice as much as out-of-pocket costs for generics.

The high cost of prescriptions hits older Americans on fixed incomes particularly hard, especially for medications designed to treat serious or chronic conditions where the patient's cost-share can be expensive.

This bill prohibits these outrageous contract arrangements between Medicare private plans, PBMs and pharmacies and help seniors save money when they pick up their prescriptions.

Seniors should not have to choose between paying their bills and taking their medication.

We should make it our mission to put medicine within reach of patients.

I urge all of my colleagues to vote in favor of S. 2553.

The SPEAKER pro tempore (Mr. RUTHERFORD). The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, S. 2553.

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

A motion to reconsider was laid on the table.

RESPONSIBLE DISPOSAL REAUTHORIZATION ACT OF 2018

Mr. MCKINLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2278) to extend the authorization of the Uranium Mill Tailing Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 2278

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Responsible Disposal Reauthorization Act of 2018".

SEC. 2. AUTHORIZATION.

Section 112(a)(1)(B) of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7922(a)(1)(B)) is amended by striking "September 30, 2023" and inserting "September 30, 2030".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. MCKINLEY) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. MCKINLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

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

Mr. Speaker, H.R. 2278 was introduced by my Colorado colleague, SCOTT TIPTON, and cosponsored by my Energy and Commerce colleague from Colorado, DIANA DEGETTE.

H.R. 2278 extends the authorization of the Uranium Mill Tailing Radiation Control Act of 1978 as it relates to the disposal site in Mesa County, Colorado.

The legislation was considered by the Subcommittee on Environment and marked up through regular order. It was reported by the full committee with a bipartisan amendment and passed on a voice vote.

Mining and processing uranium generates a byproduct known as uranium mill tailings. Congress passed the Uranium Mill Tailings Radiation Control Act 40 years ago to establish the framework for DOE to dispose of mill tailings, which are left over from the nuclear defense activities and the development of our nuclear commercial industry.

The act also authorizes the Grand Junction, Colorado, site to serve as a disposal location.

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This is the only DOE uranium mill tailing disposal site remaining open in the Nation, and so it is necessary for the final disposition of mill tailings discovered throughout this country.

H.R. 2278 extends the site's current authorization until 2030. The extension will enable the site to plan long-term operations to protect the public health and the environment.

Mr. Speaker, I urge all Members to support this important legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 2278, the Responsible Disposal Reauthorization Act of 2018. H.R. 2278 is bipartisan legislation to address the safe disposal of uranium mill tailings, a sandy byproduct of the uranium milling process.

In Grand Junction, Colorado, uranium mill tailings were offered to the community as fill material before the health risks of the radioactive material were fully understood. The tailings were subsequently used in the construction of local homes, roads, sidewalks, parks, and schools.

The Uranium Mill Tailings Radiation Control Act provided for the cleanup of those tailings in 1978 and created 19 disposal cells for the radioactive waste. The last of the cells available to accept this material for disposal, the Cheney cell in Grand Junction, Colorado, is set to close in September 2023. This bill extends the cell's closure date to September 2030 or until the cell is filled, whichever day comes first.

Mr. Speaker, Congress has already extended the closure date of the disposal cell several times. I support this legislation to keep the site operational, and I reserve the balance of my time.

Mr. MCKINLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. TIPTON), who is the sponsor of the bill.

Mr. TIPTON. Mr. Speaker, I would like to thank my colleague from West Virginia for the time.

The Department of Energy's Cheney disposal cell in Mesa, Colorado, is a critical component of DOE legacy management's mission to be able to protect public health and the environment. The cell receives radioactive waste materials that were produced decades ago during the uranium milling process. The waste materials continue to be uncovered during road construction, bridge replacement, home foundation excavation, and other construction activities in several towns in western Colorado. Once the waste materials are discovered, they must be properly disposed of at the Cheney cell.

The authorization for the Cheney disposal cell expires at the end of 2023 or when the site is filled to capacity. Currently, the remaining capacity in the cell is approximately 234,000 cubic yards, and, therefore, an extended authorization is required. H.R. 2278 would extend that authorization until 2030.

The Colorado Department of Public Health and Environment supports extending the reauthorization for the Cheney cell and will remain a strong partner in DOE's legacy management program.

I would like to thank my colleague from Colorado, Ms. DIANA DEGETTE, for her support on this legislation. I would also like to thank the Energy and Commerce Environment Subcommittee chairman, JOHN SHIMKUS, and Ranking Member PAUL Tonko, as well as the full committee chairman, GREG WALDEN, and Ranking Member PALLONE for recognizing the importance of the Cheney disposal cell and working to bring this bill to the floor.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. PALLONE. Mr. Speaker, in closing, I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. MCKINLEY. Mr. Speaker, in closing, again, this is the last remaining disposal site that we need to keep open.

I appreciate the support, and I applaud the work of my colleague from Colorado (Mr. TIPTON) for his efforts and DIANA DEGETTE and the bipartisan nature of that cooperation between the two of them to get this done.

Mr. Speaker, I call upon the Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. MCKINLEY) that the House suspend the rules and pass the bill, H.R. 2278, as amended.

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

The title of the bill was amended so as to read: "A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado."

A motion to reconsider was laid on the table.

SMALL BUSINESS ACCESS TO CAPITAL AND EFFICIENCY ACT

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6348) to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6348

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Access to Capital and Efficiency Act" or the "Small Business ACE Act".

SEC. 2. APPRAISAL THRESHOLDS.

Section 502(3)(E)(ii) of the Small Business Investment Act of 1958 (15 U.S.C. 696(3)(E)(ii)) is amended—

(1) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and adjusting the margins of such items accordingly;

(2) by striking "With respect to" and inserting the following:

"(I) IN GENERAL.—With respect to";

(3) in item (aa), as so redesignated, by striking "is more than \$250,000" and inserting "is more than the Federal banking regulator appraisal threshold";

(4) in item (bb), as so redesignated, by striking "is \$250,000 or less" and inserting "is equal to or less than the Federal banking regulator appraisal threshold"; and

(5) by adding at the end the following:

"(II) FEDERAL BANKING REGULATOR APPRAISAL THRESHOLD DEFINED.—For purposes of this clause, the term 'Federal banking regulator appraisal threshold' means the lesser of the threshold amounts set by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation for when a federally related transaction that is a commercial real estate transaction requires an appraisal prepared by a State licensed or certified appraiser."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the House Small Business Committee strives to create an environment where small businesses can thrive and create jobs. Unfortunately, small businesses are often hampered by conflicting Federal rules and regulations. This is the case when it comes to the appraisal threshold for commercial real estate.

Earlier this year, Federal financial regulators, including the Federal Reserve, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency, increased the commercial real estate appraisal threshold from \$250,000 to \$500,000. Unfortunately, the Small Business Administration's threshold for the real estate-heavy 504/CDC loan program is set in statute at \$250,000. The conflicting numbers produce confusion for and burdens on small business owners and the organizations that strive to assist them.

H.R. 6348, the Small Business Access to Capital and Efficiency Act, also known as the Small Business ACE Act, modernizes and benchmarks the SBA's 504/CDC threshold value with the value set by the Federal financial regulators. This commonsense legislation will prevent future threshold changes from hampering small businesses that utilize SBA's many lending products.

I want to thank Mr. CURTIS of Utah for leading the efforts on this bill, as well as Ranking Member VELÁZQUEZ