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115TH CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

{ REPORT
115-1115

REPORT ON THE LEGISLATIVE AND OVERSIGHT ACTIVITIES

OF THE

COMMITTEE ON WAYS AND MEANS

DURING THE

115TH CONGRESS



JANUARY 2, 2019.—Committed to the Committee of the Whole House on
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COMMITTEE ON WAYS AND MEANS

ONE HUNDRED FIFTEENTH CONGRESS

KEVIN BRADY, Texas, *Chairman*

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JACKIE WALORSKI, Indiana	
CARLOS CURBELO, Florida	
MIKE BISHOP, Michigan*	
DARIN LAHOOD, Illinois**	
BRAD R. WENSTRUP, Ohio***	

*TOM PRICE, Georgia, resigned from the Committee on Ways and Means on February 10, 2017. MIKE BISHOP, Michigan, was elected to the Committee on Ways and Means on February 14, 2017.

**PAT TIBERI, Ohio, resigned from the Committee on Ways and Means on January 11, 2018. DARIN LAHOOD, Illinois, was elected to the Committee on Ways and Means on January 9, 2018.

***PATRICK MEEHAN, Pennsylvania, resigned from the Committee on Ways and Means on April 27, 2018. BRAD R. WENSTRUP, Ohio, was elected to the Committee on Ways and Means on May 16, 2018.

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, January 2, 2019.

Hon. KAREN HAAS,
Office of the Clerk,
House of Representatives, Washington, DC.

DEAR MS. HAAS: I am herewith transmitting, pursuant to House Rule XI, clause 1(d), the report of the Committee on Ways and Means on its legislative and oversight activities during the 115th Congress.

Sincerely,

KEVIN BRADY,
Chairman.

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FOREWORD

The Committee on Ways and Means submits its report on its legislative and oversight activities for the 115th Congress pursuant to the requirements of clause 1(d) of Rule XI of the Rules of the House. Section I of the report describes the Committee's legislative activities, divided into seven sections as follows: Legislative Review of Tax Issues; Legislative Review of Trade Issues; Legislative Review of Health Issues; Legislative Review of Human Resources Issues; Legislative Review of Social Security Issues; Legislative Review of Oversight Issues; and Legislative Review of Multi-Jurisdictional Issues.

Section II of the report describes the Committee's oversight activities. It includes a copy of the Committee's Oversight Agenda, adopted on February 14, 2017, along with a description of actions taken and recommendations made with respect to the oversight plan. The report then discusses additional Committee oversight activities, and any recommendations or actions taken as a result.

Finally, the report includes three appendices with Committee information. Appendix I is an expanded discussion of the Jurisdiction of the Committee on Ways and Means along with a revised listing and explanation of blue slip resolutions and points of order under House Rule XXI 5(a). Appendix II is a Statistical Review of the Activities of the Committee on Ways and Means. Appendix III is a listing of the Chairmen and membership of the Committee from the 1st through 115th Congress.

To carry out its work during the One Hundred Fifteenth Congress, the Committee on Ways and Means had six standing Subcommittees, listed below with membership:

SUBCOMMITTEE ON TAX POLICY

VERN BUCHANAN, Florida, *Chairman*

PETER ROSKAM, Illinois

DAVE REICHERT, Ohio

JIM RENACCI, OHIO

KRISTI NOEM, South Dakota

GEORGE HOLDING, North Carolina

JASON SMITH, Missouri

TOM RICE, South Carolina

DAVID SCHWEIKERT, Arizona

LLOYD DOGGETT, Texas

JOHN B. LARSON, Connecticut

LINDA SÁNCHEZ, California

MIKE THOMPSON, California

SUZAN DELBENE, Washington

EARL BLUMENAUER, Oregon

VIII

SUBCOMMITTEE ON TRADE

DAVID G. REICHERT, Washington, *Chairman*

DEVIN NUNES, California	BILL PASCRELL, New Jersey
ERIK PAULSEN, Minnesota	RON KIND, Wisconsin
MIKE KELLY, Pennsylvania	LLOYD DOGGETT, Texas
TOM REED, New York	SANDER M. LEVIN, Michigan
KRISTI NOEM, South Dakota	DANNY K. DAVIS, Illinois
GEORGE HOLDING, North Carolina	BRIAN HIGGINS, New York
TOM RICE, South Carolina	
KENNY MARCHANT, Texas	
JASON SMITH, Missouri	

SUBCOMMITTEE ON HEALTH

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DEVIN NUNES, California	MIKE THOMPSON, California
VERN BUCHANAN, Florida	RON KIND, Wisconsin
ADRIAN SMITH, Nebraska	EARL BLUMENAUER, Oregon
LYNN JENKINS, Kansas	BRIAN HIGGINS, New York
KENNY MARCHANT, Texas	TERRI A. SEWELL, Alabama
DIANE BLACK, Tennessee	JUDY CHU, California
ERIK PAULSEN, Minnesota	
TOM REED, New York	
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SUBCOMMITTEE ON HUMAN RESOURCES

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CARLOS CURBELO, Florida	LLOYD DOGGETT, Texas
DAVID SCHWEIKERT, Arizona	TERRI A. SEWELL, Alabama
DARIN LAHOOD, Illinois	JUDY CHU, California
BRAD WENSTRUP, Ohio	
DAVID G. REICHERT, Washington	

SUBCOMMITTEE ON SOCIAL SECURITY

SAM JOHNSON, Texas, *Chairman*

MIKE BISHOP, Michigan	JOHN B. LARSON, Connecticut
VERN BUCHANAN, Florida	BILL PASCRELL, New Jersey
MIKE KELLY, Pennsylvania	JOSEPH CROWLEY, New York
TOM RICE, South Carolina	LINDA SANCHEZ, California
DAVID SCHWEIKERT, Arizona	
DARIN LAHOOD, Illinois	

SUBCOMMITTEE ON OVERSIGHT

LYNN JENKINS, Kansas, *Chairman*

JACKIE WALORSKI, Indiana	JOHN LEWIS, Georgia
CARLOS CURBELO, Florida	JOSEPH CROWLEY, New York
MIKE BISHOP, Michigan	SUZAN DELBENE, Washington
DARIN LAHOOD, Illinois	EARL BLUMENAUER, Oregon
BRAD WENSTRUP, Ohio	
KENNY MARCHANT, Texas	

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115TH CONGRESS 2d Session	HOUSE OF REPRESENTATIVES	REPORT 115–1115
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REPORT ON THE LEGISLATIVE AND OVERSIGHT ACTIVITIES OF THE COMMITTEE ON WAYS AND MEANS DURING THE ONE HUNDRED FIFTEENTH CONGRESS

JANUARY 2, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BRADY of Texas, from the Committee on Ways and Means, submitted the following

R E P O R T

I. Legislative Activity Review

A. LEGISLATIVE REVIEW OF TAX ISSUES

1. BILLS ENACTED INTO LAW DURING THE 115TH CONGRESS

(a) *Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63)*

On September 25, 2017, the Chairman of the House Committee on Ways and Means, Kevin Brady, and two cosponsors introduced H.R. 3823, a bill to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to provide disaster tax relief, and for other purposes. On September 25, 2017 the House moved to suspend the rules and failed to pass the bill by the yeas and nays (2/3 required) 245–171. The House passed the bill by the yeas and nays: 264–155 (Roll no. 542) on September 28, 2017. On September 28, 2017, the bill passed in the Senate with an amendment by voice vote. On September 28, 2017, the House agreed to the Senate amendment without objection. On September 29, 2017, the bill was signed by the President and became Public Law No: 115–63.

P.L. 115–63 includes tax-related provisions that provide tax relief with respect to the federally declared disaster areas in connection with Hurricanes Harvey, Irma, and Maria and that extended the

funding and expenditure authority of the Airport and Airway Trust Fund through September 30, 2018.

(b) Tax Cuts and Jobs Act (P.L. 115–97)

On November 2, 2017, Chairman Kevin Brady and twenty-four cosponsors introduced a bill to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018. On November 6 through 9, 2017, the Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute (H. Rept. 115–409). On November 16, 2017, H.R. 1 was passed by the Yeas and Nays: 227–205 (Roll no. 637). The Senate passed the bill with an amendment on December 2, 2017, by the Yeas and Nays: 51–49 (Record Vote Number: 303). A Conference was held on December 13, 2017, and the Conference filed a report on December 15, 2017 (H. Rept. 115–466). The report was agreed to in the House on December 19, 2017 by the Yeas and Nays: 227–203 (Roll no. 692). The House agreed to the Senate amendment on December 20, 2017, by the Yeas and Nays: 224–201 (Roll no. 699). On December 22, 2017, H.R. 1 was signed by the President and became Public Law No: 115–97.

P.L. 115–97 makes comprehensive reforms to the Internal Revenue Code of 1986 that provide tax relief and simplification to American families and individuals so they can keep more of what they earn and devote less time and resources to filing their tax returns; provide tax relief to businesses of all sizes so that they can create jobs, increase paychecks, and invest in the American economy; and modernize the U.S. international tax system to unleash the global competitiveness of America and American businesses.

(c) To extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes (P.L. 115–250)

On September 26, 2018, the Chairman of the House Committee on Transportation and Infrastructure, Bill Shuster, introduced H.R. 6897, a bill to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes. On September 26, 2018, the House Committee on Transportation and Infrastructure and the House Committee on Ways and Means both discharged the bill. The bill was considered by unanimous consent and passed without objection on September 26, 2018. The bill was passed, without amendment, by unanimous consent in the Senate on September 28, 2018. On September 29, 2018, H.R. 6897 was signed by the President and became Public Law No: 115–250.

P.L. 115–250 includes tax-related provisions that extend the funding and expenditure authority of the Airport and Airway Trust Fund through September 30, 2023.

2. TAX RELIEF AND OTHER PROPOSALS DURING THE 115TH CONGRESS

(a) Retirement, Savings, and Other Tax Relief Act of 2018 and Taxpayer First Act of 2018

On January 3, 2017, Representative Marsha Blackburn introduced H.R. 88, Shiloh National Military Park Boundary Adjust-

ment and Parker's Crossroads Battlefield Designation Act. On February 27, 2017, H.R. 88 passed the House by a voice vote. On June 6, 2018, H.R. 88 passed the Senate with an amendment by unanimous consent. On December 20, 2018, the House passed a motion to concur in the Senate amendment with an amendment by the Yeas and Nays: 220–183 (Roll no. 470).

The bill as passed by the House includes disaster-related tax relief provisions, retirement and other family savings provisions, health tax provisions, permanent provisions related to tax extenders, and other tax provisions. The bill also includes a package of provisions to redesign the Internal Revenue Service.

(b) To Reduce Federal Spending and the deficit by terminating taxpayer financing of Presidential Elections

On January 3, 2017, Representative Tom Cole introduced H.R. 133, a bill to reduce Federal spending and the deficit by terminating taxpayer financing of Presidential election campaigns. The Committee on House Administration held a markup on February 7, 2017 and ordered the bill to be reported by the Yeas and Nays: 5–3.

(c) Protect Medical Innovation Act of 2018

On January 3, 2017, Representatives Erik Paulsen and Ron Kind, along with two hundred and seventy-eight cosponsors introduced H.R. 184, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices. On July 24, 2018, the House passed H.R. 184 by the Yeas and Nays: 283–132 (Roll no. 372).

(d) No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017

On January 13, 2017, the Chairman of the House Veterans Affairs Committee, Chris Smith, and one hundred and one cosponsors introduced H.R. 7, a bill to prohibit taxpayer funded abortions. On January 24, 2017, H.R. 7 passed the House by a recorded vote: 238–183 (Roll no. 65).

(e) Water and Agriculture Tax Reform Act of 2018

On January 13, 2017, Representative Ken Buck and fifteen cosponsors introduced H.R. 519, a bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency. On July 24, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute (H. Rept. 115–857). On July 24, 2018, the House suspended the rules and passed the bill as amended by voice vote.

The bill contains tax-related provisions that relate to the treatment of income received or accrued by a mutual ditch or irrigation company from non-member sources for purposes of determining whether the entity meets the qualifications for tax-exempt status and also that relate to the determination of a mutual ditch or irrigation company's corporate governance issues.

(f) *EACH Act*

On February 17, 2017, Representative Rodney Davis and twenty-two cosponsors introduced H.R. 1201, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes. The House agreed to suspend the rules and pass the bill as amended by voice vote on July 24, 2017.

(g) *Self-Insurance Protection Act*

On March 2, 2017, Representative David P. Roe and seven cosponsors introduced H.R. 1304, a bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans. On March 20, 2017, the House Committee on Education and the Workforce favorably reported the bill as amended. The House on April 5, 2017, passed the bill by the Yeas and Nays: 400–16 (Roll no. 220).

(h) *Native American Health Savings Improvement Act of 2018*

On March 9, 2017, Representatives John Moolenaar and Raul Ruiz introduced H.R. 1476, a bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts. The House suspended the rules and passed the bill as amended by voice vote on July 24, 2018.

(i) *Orrin G. Hatch Music Modernization Act*

On March 15, 2017, Representative Tom Rice and thirty-two cosponsors introduced H.R. 1551, a bill to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities. On June 5, 2017, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute (H. Rept. 115–183). The House suspended the rules and passed the bill as amended by voice vote on June 20, 2017. The Senate passed the bill as amended on September 25, 2018. The House agreed to the Senate amendment without objection on September 25, 2018. On October 11, 2018, H.R. 1551 was signed by the President and became Public Law No: 115–264.

The bill originally contained tax-related provisions modifying the credit for production from advanced nuclear power facilities to clarify the process for re-allocation of credits in the event any credits are unutilized and to add a new credit transfer provision with respect to certain public entities. These provisions were included in H.R. 1892, the Bipartisan Budget Act of 2018, which on February 9, 2018 was signed by the President and became Public Law No: 115–123.

(j) *Financial CHOICE Act of 2017*

On April 26, 2017, the Chairman of the House Financial Services Committee introduced H.R. 10, a bill to create hope and opportunity for investors, consumers, and entrepreneurs by ending bailouts and Too Big to Fail, holding Washington and Wall Street ac-

countable, eliminating red tape to increase access to capital and credit, and repealing the provisions of the Dodd-Frank Act that make America less prosperous, less stable, and less free, and for other purposes. On May 25, 2017, the Committee on Financial Services reported H.R. 10 as amended (H. Rept. 115–153, Part I). The Committees on Agriculture, Ways and Means, Judiciary, Oversight and Government Reform, Transportation and Infrastructure, Rules, the Budget, and Education and the Workforce discharged the bill on May 25, 2017. The Committee on Financial Services filed a supplemental report on June 2, 2017 (H. Rept. 115–153, Part II). The bill passed the House by the Yeas and Nays: 233–186 (Roll no. 299).

(k) *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017*

On April 27, 2017, Representative Christopher H. Smith and twenty-nine cosponsors introduced in H.R. 2200, a bill to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes. On July 12, 2017 the House agreed to suspend the rules and pass the bill as amended by voice vote. The Senate Committee on Foreign Relations ordered that the bill be favorably reported with an amendment in the nature of a substitute on September 26, 2018. (See also: Trade legislation page 20).

(l) *VETERAN Act*

On May 4, 2018, Representative Sam Johnson and thirty-eight cosponsors introduced H.R. 2372, a bill to amend the Internal Revenue Code of 1986 to clarify the rules relating to veteran health insurance and eligibility for the premium tax credit. The House Committee on Ways and Means held a markup on May 24, 2017, and favorably reported the bill as amended on June 2, 2017. The House agreed to suspend the rules and pass the bill by voice vote on June 15, 2017. (See also: Health legislation page 42).

(m) *Broader Options for Americans Act*

On May 19, 2017, Representative Patrick Tiberi introduced in House H.R. 2579, a bill to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage. On May 24, 2017, the House Committee on Ways and Means held a markup and reported the bill as amended favorably by the yeas and nays 23–15. The bill passed the House by the yeas and nays 267–144 (Roll no. 308) on June 15, 2017. (See also: Health legislation page 43).

(n) *Verify First Act*

On May 22, 2017, Representative Lou Barletta and fourteen cosponsors introduced H.R. 2581, a bill to amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit. On May 24, 2017, the House Committee on Ways and Means held a markup and reported the bill as amended favorably by the yeas and nays 22–16. The bill passed the House by the yeas and nays 238–184 (Roll no. 305) on June 13, 2017.

(o) Affordable Retirement Advice for Savers Act

On June 8, 2017, Representative David P. Roe and thirty cosponsors introduced H.R. 2823, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes. On July 19, 2017, the House Committee on Education and the Workforce held a markup and favorably reported the bill as amended by the yeas and nays 23–17. The House Committee on Ways and Means discharged the bill on March 5, 2018.

(p) Volunteer Income Tax Assistance Permanence Act of 2017

On June 15, 2017, Representative Carlos Curbelo and thirty-nine cosponsors introduced H.R. 2901, a bill to amend the Internal Revenue Code of 1986 to make permanent the Volunteer Income Tax Assistance matching grant program. The House suspended the rules passed the bill by voice vote on April 17, 2018. (See also: Oversight legislation page 78).

(q) Justice for Victims of IRS Scams and Identity Theft Act of 2018

On June 15, 2017, Representatives David Young and Kyrsten Sinema introduced H.R. 2905, a bill to require the Attorney General to establish procedures for expedited review of the case of any person who unlawfully solicits personal information for purposes of committing identity theft, while purporting to be acting on behalf of the IRS, and for other purposes. The House suspended the rules passed the bill as amended by the yeas and nays (2/3 required) 403–3 (Roll no. 147) on April 18, 2018. (See also: Oversight legislation page 78).

(r) Ensuring Integrity in the IRS Workforce Act of 2018

On July 27, 2017, Representative Kristi L. Noem and six cosponsors introduced H.R. 3500, a bill to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct. The House Committee on Ways and Means held a markup and favorably reported the bill by voice vote on June 22, 2018. On July 24, 2018, the House suspended the rules and passed the bill as amended by voice vote. (See also: Oversight legislation page 78).

(s) SHARE Act

On September 2, 2017, Representative Jeff Duncan and five cosponsors introduced H.R. 3668, a bill to provide for the preservation of sportsmen’s heritage and enhance recreation opportunities on Federal land, and for other purposes. On September 13, 2017, the House Committee on Natural Resources held a markup and favorably reported the bill, as amended, by the Yeas and Nays (H. Rept. 115–314). On September 18, 2017, the House Committee on Agriculture, the House Committee on the Judiciary, the House Committee on Energy and Commerce, the House Committee on Transportation, and the House Committee on Ways and Means discharged the bill.

(t) PASS Act of 2017

On September 27, 2017, Representative Ann Wagner and fifteen cosponsors introduced H.R. 3857, a bill to amend the Securities Exchange Act of 1934 to establish standards of conduct for brokers and dealers that are in the best interest of their retail customers. On August 10, 2018, the House Committee on Education and the Workforce granted an extension for further consideration ending not later than Nov. 16, 2018.

(u) AG Act

On October 23, 2017, the Chairman of House Committee on Judiciary, Bob Goodlatte, and thirteen cosponsors introduced H.R. 4092, a bill to create a nonimmigrant H-2C work visa program for agricultural workers, and for other purposes. The Committee held a markup favorably reported the bill by the yeas and nays 17–16 on October 25, 2017.

(v) Terrorist Screening and Targeting Review Act of 2017

On December, 5, 2017, Representative Thomas Garrett, Jr. and six cosponsors introduced H.R. 4553, a bill to require a review of the authorization, funding, management, and operation of the National Targeting Center and the Terrorist Screening Center, and for other purposes. The House Committee on Homeland Security held a markup and favorably reported the bill by unanimous consent.

(w) Employer Relief Act of 2018

On December, 5, 2017, Representative Devin Nunes and four cosponsors introduced H.R. 4616, a bill to amend the Patient Protection and Affordable Care Act to provide for a temporary moratorium on the employer mandate and to provide for a delay in the implementation of the excise tax on high cost employer-sponsored health coverage. The House Committee on Ways and Means held a markup and favorably reported the bill by the yeas and nays 22–15 on July 11, 2018. (See also: Health legislation page 48).

(x) Securing America's Future Act of 2018

On January 10, 2018, the Chairman of the House Committee on Judiciary, Bob Goodlatte, and ninety-nine cosponsors introduced H.R. 4760, a bill to amend the immigration laws and the homeland security laws, and for other purposes. The House failed to pass the bill by recorded vote 193–231 (Roll no. 281) on June 21, 2018.

(y) Congressional Accountability Act of 1995 Reform Act

On February 5, 2018, the Chairman of the House Committee on Administration, Gregg Harper, and thirty-eight cosponsors introduced H.R. 4924, a bill to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes. The House suspended the rules and passed the bill by voice vote on February 6, 2018.

- (z) *To amend the Internal Revenue Code of 1986 to allow officers and employees of the Department of the Treasury to provide to taxpayers information regarding low-income taxpayer clinics.*

On April 9, 2018, Representatives George Holding and John Lewis introduced H.R. 5438, a bill to amend the Internal Revenue Code of 1986 to allow officers and employees of the Department of the Treasury to provide to taxpayers information regarding low-income taxpayer clinics. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote on April 11, 2018. On April 17, 2018, the House suspended the rules and passed the bill as amended by voice vote. (See also: Oversight legislation page 79).

- (aa) *To provide for a single point of contact at the Internal Revenue Service for the taxpayers who are victims of tax-related identity theft.*

On April 9, 2018, Representatives James Renacci, John Lewis, and two cosponsors introduced H.R. 5439, a bill to provide for a single point of contact at the Internal Revenue Service for the taxpayers who are victims of tax-related identity theft. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote on April 11, 2018. On April 17, 2018, the House suspended the rules and passed the bill as amended by voice vote. (See also: Oversight legislation page 80).

- (bb) *To require notice from the Secretary of the treasury in the case of any closure of a Taxpayer Assistance Center*

On April 9, 2018, Representative Karen C. Handel and Tom O'Halleran introduced H.R. 5440, a bill to require notice from the Secretary of the Treasury in the case of any closure of a Taxpayer Assistance Center. On April 17, 2018, the House agreed to suspend the rules and pass the bill as amended by voice vote. (See also: Oversight legislation page 40).

- (cc) *To amend the Internal Revenue of 1986 to require electronic filing of the annual returns of exempt organizations and provide for making such returns available for public inspection*

On April 10, 2018, Representative Mike Kelly and Stephanie N. Murphy introduced H.R. 5443, a bill to amend the Internal Revenue Code of 1986 to require electronic filing of the annual returns of exempt organizations and provide for making such returns available for public inspection. The House agreed to suspend the rules and pass the bill as amended by voice vote on April 17, 2018. (See also: Oversight legislation page 80).

- (dd) *FAA Reauthorization Act of 2018*

On April 13, 2018, the Chairman of the House Committee on Transportation and Infrastructure, Bill Shuster, and fifteen cosponsors introduced a bill, H.R. 4, to reauthorize programs of the Federal Aviation Administration, and for other purposes. On April 27, 2018, H.R. 4 was passed by the Yeas and Nays: 393–13 (Roll no. 165).

The bill includes tax-related provisions that would modify and extend the funding and expenditure authority of the Airport and Airway Trust Fund.

(ee) Border Security and Immigration Reform Act of 2018

On June 19, 2018, the Chairman of the House Committee on the Judiciary, Bob Goodlatte, and eleven cosponsors introduced H.R. 6136, a bill to amend the immigration laws and provide for border security, and for other purposes. On June 27, 2018 the House failed to pass the bill by recorded vote: 121–301 (Roll no. 297).

(ff) Restoring Access to Medication and Modernizing Health Savings Accounts Act of 2018

On June 22, 2018, Representatives Lynn Jenkins, Ron Kind, Grace Meng, and Erik Paulsen introduced H.R. 6199, a bill to amend the Internal Revenue Code of 1986 to include certain over-the-counter medical products as qualified medical expenses. On July 11, 2018, The House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. On July 25, 2018, the House passed the bill by the Yeas and Nays: 277–142 (Roll no. 377). (See also: Health legislation page 60).

(gg) Promoting High-Value Health Care Through Flexibility for High Deductible Health Plans Act of 2018

On June 29, 2018, Representatives Peter J. Roskam, Mike Thompson, and Diane Black introduced H.R. 6301, a bill to amend the Internal Revenue Code of 1986 to provide high deductible health plans with first dollar coverage flexibility. On July 11, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. (See also: Health legislation page 61).

(hh) Bipartisan HSA Improvement Act of 2018

On July 3, 2018, Representative Mike Kelly and Earl Blumenauer introduced H.R. 6305, a bill to amend the Internal Revenue Code of 1986 to improve access to health care through modernized health savings accounts. On July 11, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. (See also: Health legislation page 61).

(ii) Health Care Security Act of 2018

On July 3, 2018, Representative Erik Paulsen introduced H.R. 6306, a bill to amend the Internal Revenue Code of 1986 to increase the contribution limitation for health savings accounts, and for other purposes. On July 11, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. (See also: Health legislation page 61).

(jj) Allowing Working Seniors to Keep Their Health Savings Accounts Act of 2018

On July 6, 2018, Representative Erik Paulsen introduced H.R. 6309, a bill to amend the Internal Revenue Code of 1986 to allow individuals entitled to Medicare Part A by reason of being over age 65 to contribute to health savings accounts. On July 11, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. (See also: Health legislation page 62).

(kk) Increasing Access to Lower Premium Plans and Expanding Health Savings Accounts Act of 2018

On July 6, 2018, Representative Peter J. Roskam and Michael C. Burgess introduced H.R. 6311, a bill to amend the Internal Revenue Code of 1986 and the Patient Protection and Affordable Care Act to modify the definition of qualified health plan for purposes of the health insurance premium tax credit and to allow individuals purchasing health insurance in the individual market to purchase a lower premium copper plan. On July 11, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. The House passed the bill by the Yeas and Nays: 242–176 (Roll no, 376). (See also: Health legislation page 62).

(ll) Personal Health Investment Today Act

On July 6, 2018, Representatives Jason Smith and Ron Kind, and one cosponsor introduced H.R. 6312, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care. On July 11, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 19, 2018. (See also: Health legislation page 62).

(mm) Responsible Additions and Increases to Sustain Employee Health Benefits Act of 2018

On July 6, 2018, Representative Steve Stivers and six cosponsors introduced H.R. 6313, a bill to amend the Internal Revenue Code to allow unused health flexible spending arrangement account balances (or a portion of the balances) to be carried forward into the next plan year. On July 11, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended (H. Rept. 115–853). (See also: Health legislation page 63).

(nn) Health Savings Act of 2018

On July 6, 2018, Representative Michael C. Burgess and two cosponsors introduced H.R. 6314, a bill to amend the Internal Revenue Code, with respect to health savings accounts (HSAs), to require the bronze and catastrophic health plans described in the Patient Protection and Affordable Care Act to be treated as high deductible health plans, which are required to participate in an HSA. On July 11, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended (H. Rept. 115–848). (See also: Health legislation page 63).

(oo) Primary Care Enhancement Act of 2018

On July 10, 2018, Representative Erik Paulsen and two cosponsors introduced H.R. 6317, a bill to amend the Internal Revenue Code of 1986 to provide that direct primary care service arrangements do not disqualify deductible health savings account contributions, and for other purposes. On July 11, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended (H. Rept. 115–852). (See also: Health legislation page 63).

(pp) Save Community Newspaper Act of 2018

On July 16, 2018, Representatives Erik Paulsen, Suzan DelBene, and five cosponsors introduced H.R. 6377, a bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to provide alternative minimum funding rules for certain single-employer plans maintained by a community newspaper. On July 18, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill as amended by the amendment in the nature of a substitute (H. Rept. 115–1011).

The bill includes tax-related provisions that would amend the required funding rules for certain community newspaper pension plans in order to give those employers more time to fund the plans.

(qq) American Innovation Act of 2018

On September 10, 2018, Representative Vern Buchanan and twenty-six cosponsors introduced H.R. 6756, a bill to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes. On September 13, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute (H. Rept. 115–957). On September 27, 2018, the House passed the bill by the Yeas and Nays: 260–156 (Roll no. 412).

The bill contains tax-related provisions on the treatment of start-up and organizational expenditures and on the treatment of start-up losses and credits.

(rr) Family Savings Act of 2018

On September 10, 2018, Representative Mike Kelly and twenty-nine cosponsors introduced H.R. 6757, a bill to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes. On September 13, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute (H. Rept. 115–959). On September 24, 2018, the House Committee on Education and the Workforce discharged the bill. On September 27, 2018, the House passed the bill by the Yeas and Nays: 240–177 (Roll no. 411).

The bill contains tax-related provisions to make it easier for employers to provide retirement plans to their employees and to make it easier for individuals to save for retirement and for other purposes.

(ss) Protecting Family and Small Business Tax Cuts Act of 2018

On September 10, 2018, Representative Rodney Davis and forty cosponsors introduced H.R. 6760, a bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses. On September 13, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute, (H. Rept. 115–958). On September 28, 2018, Representative John B. Larson's motion to recommit failed by the Yeas and Nays: 184–226 (Roll no. 413). On September 28, 2018, the House passed the bill by the Yeas and Nays: 220–191 (Roll no. 414).

The bill contains tax-related provisions to make permanent the comprehensive reforms to the Internal Revenue Code of 1986 that provide tax relief and simplification to American families, individuals, and small businesses that were enacted on a temporary basis by subtitles A and B of the Tax Cuts and Jobs Act (Public Law 115–97).

(*tt*) *H. Con. Res. 119*

On April 26, 2018, Representative Steve Scalise and forty-eight cosponsors introduced H. Con. Res. 119, a concurrent resolution to express the sense of Congress that a carbon tax would be detrimental to American families and businesses and is not in the best interest of the United States. On July 19, 2018, the concurrent resolution was agreed to in the House by the Yeas and Nays: 229–180 (Roll no. 363).

B. LEGISLATIVE REVIEW OF TRADE ISSUES

1. STANDALONE BILLS ENACTED INTO LAW DURING THE 115TH CONGRESS

(*a*) *H.R. 4318, Miscellaneous Tariff Bill Act of 2018 (P.L. 115–239)*

On October 25, 2018, the Subcommittee on Trade held a hearing on the Miscellaneous Tariff Bill. The purpose of the hearing was to investigate the U.S. manufacturing and economic benefits of providing temporary tariff relief on imported finished goods and raw materials not produced in the United States. The Subcommittee heard testimony from (i) Cindy Smith, Agriculture Relations Director—Gowan USA, (ii) Edward V. McAsey, Chief Operating Officer—Lasko Products LLC, and (iii) Michael Ratchford, Government Relations Associate—W.L. Gore & Associates.

On November 9, 2017, Chairman Kevin Brady, Ranking Member Richard Neal, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., and twenty-seven cosponsors introduced H.R. 4318, a bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty. The bill was referred to the Committee on Ways and Means.

The House suspended the rules and passed the bill on January 18, 2018, by a recorded vote of 402–0. On July 26, 2018, the Senate passed the bill with amendments by voice vote. On September 4, 2018, the House suspended the rules and agreed to the Senate amendments by voice vote. The bill was signed into law on September 13, 2018, and became Public Law 115–239.

(*b*) *H.R. 2200, Frederick Douglass Trafficking Victims Prevention Reauthorization Act of 2017*

On April 4, 2017, Representative Christopher Smith and twenty-nine cosponsors introduced H.R. 2200, a bill to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes. The bill was referred to the Committee on Foreign Affairs, and to the Committees on the Judiciary, Oversight and Government Reform, Ways and Means, Transportation and Infrastructure, Energy and Commerce, Armed Services, and Education and the Workforce. On May 16, 2017, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction

under Rule X of the House but agreed to waive formal consideration of the bill. On July 13, 2017, the House suspended the rules and passed the bill as amended by voice vote.

On September 26, 2018, the Senate Committee on Foreign Relations reported the bill favorably. On October 10, 2018, the bill was placed on the Senate Legislative calendar. On December 17, 2018, the Senate passed the bill with an amendment by voice vote. On December 21, 2018, the House passed the Senate amendment to the bill by a recorded vote of 368–7. The bill was presented to the President.

(c) & (d) *H.R. 3364, Countering America’s Adversaries Through Sanctions Act (P.L. 115–44)*

H.R. 3364, the “Countering America’s Adversaries Through Sanctions Act” was introduced on July 24, 2017, by House Committee on Foreign Affairs Chairman Ed Royce and five cosponsors and was referred to the Committee on Foreign Affairs and to the Committees on Ways and Means, Intelligence (Permanent Select), the Judiciary, Oversight and Government Reform, Armed Services, Financial Services, Rules, and Transportation and Infrastructure. The bill included H.R. 1644, the “Korean Interdiction and Modernization of Sanctions Act” which was referred to the Committee on Ways and Means.

The House passed the bill on July 25, 2017, by a recorded vote of 419–3. On July 27, 2017, the Senate passed the bill without amendment by a recorded vote of 98–2. The bill was signed into law on August 2, 2018 and became Public Law 115–44.

(e) & (f) *H.R. 3342, Sanctioning the Use of Civilians as Defenseless Shields Act.*

On July 20, 2017, Representative Mike Gallagher and twenty-six cosponsors introduced H.R. 3342, a bill to impose sanctions on foreign persons that are responsible for using civilians as human shields, and for other purposes. On October 23, 2017, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. The House Committee on Foreign Affairs reported the bill on October 24, 2017.

On October 25, 2017, the House suspended the rules and passed the bill by voice vote. On October 11, 2018, the Senate passed the bill with amendments by unanimous consent. On December 11, 2018, the House agreed to the Senate amendments without objection. The bill was signed into law on December 21, 2018.

(g) & (h) *H.R. 6400, United States Ports of Entry Threat and Operational Review Act*

On July 17, 2018, Representative Debbie Lesko and thirty-three cosponsors introduced H.R. 6400, a bill to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes. On July 17, 2018, the bill was referred to the Committee on Ways and Means, and to the Committee on Homeland Security. On September 4, 2018, the House suspended the rules and passed the bill as amended by voice vote. On December 19, 2018, the bill passed the Senate without amendment by voice vote. The bill was presented to the President.

(i) & (j) H.R. 6888, Asia Reassurance Initiative Act of 2018

H.R. 6888, the “Asia Reassurance Initiative Act of 2018” was introduced on September 25, 2018, by Majority Leader Kevin McCarthy and three cosponsors as a companion bill to S. 2736. The bill was referred to the Committee on Foreign Affairs and to the Committees on Ways and Means, Armed Services, Intelligence (Permanent Select), Judiciary, Financial Services, and Transportation and Infrastructure.

The Senate passed S. 2736 on December 4, 2018, by unanimous consent. On December 12, 2018, the House passed the bill as amended by voice vote. On December 19, 2018, the Senate agreed to the House amendment by unanimous consent. The bill was presented to the President.

3. & 4. BILLS INCORPORATED INTO LEGISLATION ENACTED INTO LAW

(a) H.R. 5788, STOP Act of 2018

On April 25, 2018, the Trade Subcommittee held a hearing entitled “The Opioid Crisis: Stopping the Flow of Synthetic Opioids in the International Mail System.” The hearing focused on efforts to improve the detection of synthetic opioids in the international mail system and prevent them from entering the United States as well as on bipartisan legislative solutions to address vulnerabilities in the international mail system that have allowed synthetic opioids to go undetected. Testimony was received from (i) Todd Owen, Executive Assistant Commissioner, Office of Field Operations—U.S. Customs and Border Protection, and (ii) Robert Cintron, Vice President, Network Operations—U.S. Postal Service. Written testimony was received from Gregory Thome, Director, Office of Specialized and Technical Agencies, Bureau of International Organization Affairs—Department of State.

On May 15, 2018, Representative Mike Bishop, Trade Subcommittee Ranking Member Bill Pascrell Jr., Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., and four cosponsors introduced H.R. 5788, the “Securing the International Mail Against Opioids Act,” later named the “Synthetics Trafficking and Overdose Prevention (STOP) Act of 2018,” to provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail, and for other purposes. The bill was referred to the Committee on Ways and Means and the Committees on Homeland Security and Oversight and Government Reform.

The Committee marked up H.R. 5788 on May 16, 2018, and ordered the bill, as amended, favorably reported. The Committee filed H. Rept. 115–722 on June 8, 2018. The House Committee on Homeland Security discharged the bill June 8, 2018, and the House Committee on Oversight and Government Reform discharged the bill on June 11, 2018. On June 14, 2018, the House passed the bill by a recorded vote of 353–52. H.R. 5788 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House

amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(b) *H.R. 4068, Competitive Need Limitations Modernization Act of 2017*

H.R. 4068, the “Competitive Need Limitations Modernization Act of 2017” was introduced on October 12, 2017, by Representative Jackie Walorski and four cosponsors. The bill was referred to the Committee on Ways and Means. Provisions of this bill were included in H.R. 4979, “To extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program.” Later H.R. 4068 was incorporated into H.R. 1625, the “Consolidated Appropriations Act, 2108, which was signed into law on March 23, 2018, and became Public Law 115–141.

(c) *H.R. 4979, To extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program*

On February 8, 2018, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., Chairman Kevin Brady, Ranking Member Richard Neal, Trade Subcommittee Ranking Member Bill Pascrell Jr., and eight cosponsors introduced H.R. 4979, to extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program. The bill was referred to the Committee on Ways and Means.

The House suspended the rules and passed the bill on February 13, 2018, by a recorded vote of 400–2. H.R. 4979 was later incorporated into H.R. 1625, the “Consolidated Appropriations Act of 2108,” which was signed into law on March 23, 2018, and became Public Law 115–141.

(d) *H.R. 1644, Korean Interdiction and Modernization of Sanctions Act*

On March 21, 2017, the Chairman of the House Committee on Foreign Affairs, Ed Royce, and twenty-three cosponsors introduced H.R. 1644, a bill to enhance sanctions with respect to transactions relating to North Korea, and for other purposes. The bill contained provisions within the Rule X jurisdiction of the Committee on Ways and Means, but the Committee did not receive a referral on the bill.

On April 25, 2017, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. The House Committee on Foreign Affairs favorably reported the bill on April 28, 2017. The House Committees on Ways and Means, Financial Services, Transportation and Infrastructure, Oversight and Government Reform, and the Judiciary discharged the bill on April 28, 2017. On May 4, 2017, the House suspended the rules and passed the bill by a recorded vote of 419–1. H.R. 1644 was later incorporated into H.R. 3364, the “Countering America’s Adversaries Through Sanctions Act.” H.R. 3364 passed the house on July 25, 2017, by a recorded vote of 419–3. On July 27, 2017, the bill passed the Senate without amendment by a recorded vote of 98–2. The bill

was signed into law on August 2, 2017 and became Public Law 115–44.

5. BILLS PASSED BY THE HOUSE ONLY

(a) *H.R. 70, Federal Advisory Committee Act of 2017*

On January 3, 2017, Representative Lacy Clay and three cosponsors introduced H.R. 70, a bill to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes. The bill was referred to the House Committee on Oversight and Government Reform, and to the Committee on Ways and Means.

On January 4, 2017, Chairman Brady and Chairman Chaffetz exchanged letters in which Chairman Brady asserted jurisdiction but agreed to discharge the bill. On January 4, 2017, the House suspended the rules and passed the bill by voice vote. On October 4, 2017, the Senate Committee on Homeland Security and Governmental Affairs ordered the bill to be reported without amendment favorably. On March 22, 2018, the bill was placed on the Senate Legislative Calendar.

(b) *H.R. 1677, Caesar Syria Civilian Protection Act of 2018*

On March 22, 2017, Representative Eliot Engel and one hundred and eight cosponsors introduced H.R. 1677, a bill to halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes. The bill was referred to the Committee on Foreign Affairs, and to the Committees on Financial Services and the Judiciary. The bill contained provisions within the Rule X jurisdiction of the Committee on Ways and Means, but the Committee did not receive a referral on the bill. On May 11, 2017, the bill was reported favorably by the Committee on Foreign Affairs. On May 16, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. On May 17, 2017, the House suspended the rules and passed the bill as amended by voice vote.

On September 6, 2018, the Senate Committee on Foreign Relations ordered the bill favorably reported with an amendment in the nature of a substitute. On October 3, 2018, Senator Corker reported with an amendment in the nature of a substitute, and the bill was placed on the Senate Legislative Calendar. There was no further action taken by the Senate.

(c) *H.R. 1698, Iran Ballistic Missiles and International Sanctions Enforcement Act*

On March 23, 2017, the Chairman of the House Committee on Foreign Affairs, Ed Royce, Ranking Member Eliot Engel, and three hundred and twenty-two cosponsors introduced H.R. 1698, a bill to expand sanctions against Iran with respect to the ballistic missile program of Iran, and for other purposes. On March 23, 2017, the bill was referred to the Committee on Foreign Affairs, and to the Committees on Financial Services, the Judiciary, Ways and Means, and Oversight and Government Reform.

On March 23, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction but agreed

to discharge the bill. On October 26, 2017, the House suspended the rules and passed the bill as amended by a recorded vote of 423–2. There was no action taken by the Senate.

(d) H.R. 2825, the Department of Homeland Security Authorization Act of 2017

On June 8, 2017, Representative Michael McCaul and eleven co-sponsors introduced H.R. 2825, a bill to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes. The bill was referred to the Committee on Homeland Security, and to the Committee on Transportation and Infrastructure. The bill contained provisions within the Rule X jurisdiction of the Committee on Ways and Means, but the Committee did not receive a referral on the bill.

On June 27, 2017, Chairman Brady and Chairman McCaul exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. On July 20, 2017, the House suspended the rules and passed the bill as amended by a vote of 386–41. On March 7, 2018, the Senate Committee on Homeland Security and Governmental Affairs favorably reported the bill with an amendment. The bill was placed on the Senate Legislative Calendar on April 16, 2018. There was no further action taken by the Senate.

(e) H.R. 3329, the Hizballah International Financing Prevention Amendments Act of 2017

On July 20, 2017, Chairman of the House Committee on Foreign Affairs Edward Royce, Ranking Member Eliot Engel, and one-hundred and thirteen cosponsors introduced H.R. 3329, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes. The bill was referred to the Committee on Foreign Affairs and to the Committees on Financial Services and the Judiciary. The bill contained provisions within the Rule X jurisdiction of the Committee on Ways and Means, but the Committee did not receive a referral on the bill.

On October 23, 2017, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. On October 24, 2017, the Committees Financial Services and the Judiciary discharged the bill. On October 25, 2017, the House suspended the rules and passed the bill as amended by voice vote. There was no action taken by the Senate.

(f) H.R. 3542, Hamas Human Shields Prevention Act

On July 28, 2017, Representative Joe Wilson and twenty-one co-sponsors introduced H.R. 3542, a bill to impose sanctions against Hamas for violating universally applicable international laws of armed conflict by intentionally using civilians and civilian property to shield military objectives from lawful attack, and for other purposes. The bill was referred to the Committee on Foreign Affairs and to the Committee on the Judiciary, and the Committee on Ways and Means asserted jurisdiction. On February 14, 2018, the

House suspended the rules and passed the bill as amended by a vote of 415–0. There was no action taken by the Senate.

(g) H.R. 3551, the C-TPAT Reauthorization Act of 2017

On July 28, 2017, Representative Martha McSally and six cosponsors introduced H.R. 355, a bill to amend the Security and Accountability for Every Port Act of 2006 to reauthorize the Customs-Trade Partnership Against Terrorism Program, and for other purposes. The bill was referred to the Committee on Homeland Security. The bill contained provisions within the Rule X jurisdiction of the Committee on Ways and Means, but the Committee did not receive a referral on the bill.

On October 23, 2017, Chairman Brady and Chairman McCaul exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. On October 23, 2017, the House suspended the rules and passed the bill as amended by a recorded vote of 402-01. There was no action taken by the Senate.

(h) H.R. 4403, Moving Americans Privacy Protection Act

On November 15, 2017, Representative Jeff Denham, Trade Subcommittee Ranking Bill Pascrell Jr., and fourteen cosponsors introduced H.R. 4403, a bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes. On November 15, 2017, the House referred the bill to the Committee on Ways and Means. On April 16, 2018, the Committee on Ways and Means held a markup and favorably reported the bill by voice vote. The Committee filed H. Rept. 115–639 on April 16, 2018. The House suspended the rules and passed the bill by voice vote on April 17, 2018. There was no action taken by the Senate.

(i) H.R. 4537, International Insurance Standards Act of 2018

On December 4, 2017, Representative Sean Duffy, Representative Denny Heck, and eleven cosponsors introduced H.R. 4537, a bill to preserve the state-based system of insurance regulation and provide greater oversight of and transparency on international insurance standards setting processes, and for other purposes. The bill was referred to the Committee on Financial Services, in addition to the Committee on Rules. The bill contained provisions within the Rule X jurisdiction of the Committee on Ways and Means, but the Committee did not receive a referral on the bill.

On June 22, 2018, Chairman Brady and Chairman Hensarling exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. On July 10, 2018, the House suspended the rules and passed the bill as amended by voice vote. There was no action taken by the Senate.

(j) H.R. 4744, Iran Human Rights and Hostage-Taking Accountability Act

On January 9, 2018, the Chairman of the House Committee on Homeland Security, Michael McCaul, and forty-six cosponsors introduced H.R. 4744, a bill to impose additional sanctions with respect to serious human rights abuses of the Government of Iran, and for other purposes. On January 9, 2018, the House referred the

bill to the Committee on Foreign Affairs, and to the Committees on the Judiciary, Financial Services, and Ways and Means.

The House Committee on Foreign Affairs favorably reported the bill by voice vote on March 15, 2018. On April 13, 2018, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction under House Rule X but agreed to waive formal consideration of the bill. The Committees on Ways and Means, Judiciary, and Financial Services discharged the bill on April 18, 2018. On April 24, 2018, the House suspended the rules and passed the bill as amended by a recorded vote of 410–2. There was no action taken by the Senate.

(k) H.R. 6219, the Georgia Support Act

On June 26, 2018, Representative Ted Poe and seven cosponsors introduced H.R. 6219, a bill to support the independence, sovereignty, and territorial integrity of Georgia, and for other purposes. The bill was referred to the Committee on Foreign Affairs, and to the Committees on the Judiciary and Ways and Means.

On December 12, 2018, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction under House Rule X but agreed to waive formal consideration of the bill. On December 12, 2018, the House passed the bill by unanimous consent. There was no action taken by the Senate.

(l) H.R. 6237, Intelligence Authorization Act for Fiscal Year 2018

On June 27, 2018, the Chairman of the Permanent Select Committee on Intelligence, Devin Nunes, introduced H.R. 6237, a bill to authorize appropriations for fiscal years 2018 and 2019 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. On June 27, 2018, the House referred the bill to the Permanent Select Committee on Intelligence, and to the Committee on Ways and Means. On July 3, 2018, the Committee on Ways and Means discharged the bill.

On July 3, 2018, the House Committee on Intelligence favorably reported the bill as amended by voice vote. On July 12, 2018, the House passed the bill by a recorded vote of 363–54. There was no action taken by the Senate.

(m) H.R. 6742, Secure Border Communications Act

On September 7, 2018, Representative Brian J. Mast and the Chairman of the House Committee on Homeland Security, Michael McCaul, introduced H.R. 6742, a bill to amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes. On September 9, 2018, the bill was referred to the Committee on Homeland Security, and to the Committee on Ways and Means. On September 13, 2018, the Committee on Homeland Security held a markup and favorably reported the bill by unanimous consent.

On September 24, 2018, Chairman Brady and Chairman McCaul exchanged letters in which Chairman Brady asserted jurisdiction under House Rule X but agreed to waive formal consideration of

the bill. On September 25, 2018, the Committee on Ways and Means discharged the bill, and the House suspended the rules and passed H.R. 6742 by voice vote. There was no action taken by the Senate.

- (n) *H. Res. 357, Reaffirming the strategic partnership between the United States and Canada, recognizing bilateral cooperation that advances United States national interests, and urging increased bilateral cooperation on security, economic issues, and energy, and for other purposes.*

On May 5, 2017, Representative Jeff Duncan and twenty-six cosponsors introduced H. Res. 357, a resolution reaffirming the strategic partnership between the United States and Canada, recognizing bilateral cooperation that advances United States national interests, and urging increased bilateral cooperation on security, economic issues, and energy, and for other purposes. The resolution was referred to the Committee on Foreign Affairs, and to the Committee on Ways and Means.

On December 11, 2017, Chairman Brady and Chairman Royce exchanged letters in which Chairman Brady asserted jurisdiction but agreed to waive formal consideration of the resolution. On December 12, 2017, the House agreed to suspend the rules and pass the resolution as amended by voice vote.

- (o) *H. Res. 990, Supporting the officers and personnel who carry out the important mission of the United States Immigration and Customs Enforcement.*

On July 11, 2018, Representative Clay Higgins and seventy-four cosponsors introduced H. Res. 990, a resolution supporting the officers and personnel who carry out the important mission of the United States Immigration and Customs Enforcement. The resolution was referred to the Committee on the Judiciary, and to the Committees on Ways and Means, Homeland Security, and Armed Services. On July 18, 2018, the House suspended the rules and passed the resolution as amended by a vote of 244–35 with 133 Members voting present.

6. OTHER BILLS AND RESOLUTIONS CONSIDERED BY THE COMMITTEE

- (a) *H.R. 3548, Border Security for America Act of 2017*

On July 28, 2017, Chairman of the House Committee on Homeland Security, Michael McCaul, and seventy-seven cosponsors introduced H.R. 3548, a bill to make certain improvements to the security of the international borders of the United States, and for other purposes. The bill was referred to the Committee on Homeland Security, and in addition to the Committees on Armed Services, Foreign Affairs, Natural Resources, Agriculture, Transportation and Infrastructure, Ways and Means, and Oversight and Government Reform.

On January 9, 2018, Chairman Brady and Chairman McCaul exchanged letters in which Chairman Brady asserted jurisdiction but agreed not to request a sequential referral on the bill. On January 10, 2018, the Committees on Foreign Affairs, Natural Resources, Agriculture, Oversight and Government Reform, and Ways and Means discharged the bill. On March 23, 2018, the House Com-

mittee on Armed Services discharged the bill and the bill was placed on the calendar. There was no action taken by the Senate.

(b) *H. Res. 1018, Requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China.*

On July 24, 2018, Trade Subcommittee Ranking Member Bill Pascrell Jr. and 7 cosponsors introduced H. Res. 1018, a resolution requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China. The resolution was referred to the Committee on Ways and Means. On September 5, 2018, the Committee held a markup and reported the bill without recommendation. On September 26, 2018, the Committee filed H. Rept. 115–979. No further action was taken in the House.

7. NEGOTIATIONS WITH CANADA AND MEXICO

On January 31, 2017, the House Advisory Group on Negotiations convened within 30 days of the convening of Congress as required by the Bipartisan Congressional Trade Priorities and Accountability (TPA) Act of 2015 to discuss the trade agenda during the 115th Congress, including consulting with USTR on the determination of appropriate negotiating partners; the formulation of specific objectives, negotiating strategies, and positions; and compliance and enforcement of the negotiated commitments under U.S. trade agreements.

On March 16, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 28, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 21, 2017, the House Advisory Group on Negotiations met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 28, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On May 17, 2017, the Committee met with the United States Trade Representative Robert Lighthizer and Secretary of Commerce Wilbur Ross as required by TPA prior to sending to Congress notification of intent to commence negotiations with Canada and Mexico regarding modernization of the North American Free Trade Agreement (NAFTA).

On May 17, 2017, the House Advisory Group on Negotiations met with U.S. Trade Representative Robert Lighthizer and Secretary of Commerce Wilbur Ross as required by TPA prior to sending to Congress notification of intent to initiate negotiations with Canada and Mexico regarding modernization of NAFTA.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were the structure, content, and prospect for NAFTA negotiations. Amba-

sador Robert Lighthizer testified before the Committee on the Administration's views.

On July 17, 2017, the United States Trade Representative sent to the Committee its summary of objectives for the NAFTA renegotiation, as required by TPA.

On July 18, 2017, the Subcommittee on Trade held a hearing on the Modernization of the North American Free Trade Agreement. The purpose of the hearing was to analyze whether NAFTA had been successful for the U.S. economy and job creation with a focus on the U.S. manufacturing, agriculture, and services sectors, and whether NAFTA could be renegotiated and modernized to better address issues affecting U.S. workers, business, and consumers. Testimony was received from (i) Tom Linebarger, Chairman and Chief Executive Officer—Cummins, Inc., (ii) Patrick J. Ottensmeyer, Chief Executive Officer—Kansas City Southern, (iii) Dennis Arriola, Executive Vice President—Corporate Strategy and External Affairs—Sempra Energy, (iv) Celeste Drake, Trade and Globalization Policy Specialist—AFL-CIO, (v) Jason Perdue, President—York County, Nebraska Farm Bureau, (vi) Christine Bliss, President—Coalition of Services Industries, (vii) Stan Ryan, Chief Executive Officer and President—Darigold, Inc., (viii) Althea Erickson, Senior Director—Global Advocacy and Policy—Etsy, Inc., and (ix) Susan Helper, Frank Tracy Carlton Professor of Economics—Case Western Reserve University.

On August 16–20, 2017, the Committee participated in the first round of negotiations with Mexico and Canada in Washington, D.C. Committee staff met with U.S. stakeholders and officials from USTR.

On September 2–5, 2017, the Committee conducted a bipartisan staff delegation to Mexico City, Mexico, to participate in the second round of negotiations with Mexico and Canada and to meet with officials from those countries, U.S. officials, and stakeholders.

On September 24–27, 2017, the Committee conducted a bipartisan staff delegation to Ottawa, Canada, to participate in the third round of negotiations and to meet with officials from those countries, U.S. officials, and stakeholders.

On October 13–17, 2017, the Committee participated in the fourth round of negotiations in Arlington, Virginia. Committee staff met with officials from Mexico and Canada, U.S. officials, and stakeholders.

On November 17, 2017, the United States Trade Representative sent to the Committee its updated summary of objectives for the NAFTA renegotiation, as required by TPA.

On November 18–21, 2017, the Committee conducted a bipartisan staff delegation to Mexico City, Mexico, to participate in the fifth round of negotiations and to meet with officials from those countries, U.S. officials, and stakeholders.

On January 26–29, 2018, Trade Subcommittee Chairman Dave Reichert led a bipartisan Congressional delegation to Montreal, Canada, to participate in the sixth round of negotiations and to meet with officials and stakeholders from the United States, Canada, and Mexico.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy including negotiations with Mexico and Canada.

On March 2–5, 2018, Chairman Kevin Brady led a bipartisan Congressional delegation to Mexico City, Mexico, to participate in the seventh round of negotiations and to meet with officials and stakeholders from the United States, Canada, and Mexico.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were the structure, content, and prospect for negotiations with Mexico and Canada. Ambassador Robert Lighthizer testified before the Committee on the Administration's views on these issues.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including progress on the negotiations with Canada and Mexico.

On August 31, 2018, Ambassador Lighthizer sent a letter under TPA notifying Congress of his intent to sign a trade agreement with Mexico, and Canada if it is willing, after 90 days.

On September 27, 2018, the Committee met with Ambassador Lighthizer to discuss the trade agenda, including Member views on the negotiations, as required by TPA prior to signing the agreement.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer to discuss the trade agenda, including Member views on the negotiations, as required by TPA prior to signing the agreement.

On September 30, 2018, the Administration posted the text of the United States—Mexico—Canada Agreement (USMCA) on a publicly-available website.

On October 2, 2018, the Committee had a bipartisan call with Ambassador Lighthizer to discuss the USMCA.

On November 30, 2018, the USMCA was signed.

Throughout the 115th Congress, Committee Members and staff held frequent consultations with USTR and other agencies to discuss ongoing progress in the negotiations and to provide Member views on the conduct and content of the negotiations.

8. UNITED STATES—KOREA FREE TRADE AGREEMENT AMENDMENTS AND MODIFICATIONS

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were modifications to the United States - Korea Free Trade Agreement. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On July 14, 2017, Chairman Kevin Brady and Ranking Member Richard Neal, along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden, sent a letter to Ambassador Lighthizer urging the Administration to consult closely with Congress before meeting with Korea regarding possible amendments and modifications to the United States—Korea Free Trade Agreement.

On October 11, 2017, the Trade Subcommittee held a hearing entitled "Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region." The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region, including Korea; explore how to expand and improve our access to the markets in the region through existing and new

trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics - Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator - Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations - Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On November 6–11, 2017, the Committee conducted a bipartisan staff delegation to the Asia-Pacific Economic Cooperation (APEC) Ministerial meeting in Da Nang, Vietnam to meet with officials from APEC countries (including Korea) and U.S. officials.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy agenda, including the United States—Korea Free Trade Agreement (KORUS).

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were modifications to KORUS. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On June 13, 2018, the United States Trade Representative sent to the Committee a report regarding certain proposed modifications to be made to the United States—Korea Free Trade Agreement. Sending this report commenced a 60-day Congressional consultation and layover period with respect to the modifications to the agreement, which ended on August 12, 2018.

On September 24, 2018, President Trump and Korean President Moon Jae-In signed the modifications to the agreement. The Korean National Assembly commenced its domestic procedures for consideration of the modifications.

On November 12–17, 2018, the Committee conducted a bipartisan staff delegation to the 2018 APEC Ministerial in Port Moresby, Papua New Guinea to meet with officials from APEC countries and U.S. officials.

9. TARIFF ACTIONS TAKEN UNDER SECTIONS 232 AND 301

On July 27, 2017, the Committee met with Secretary of Commerce Wilbur Ross to discuss the ongoing investigations into the national security impact of imports of steel and aluminum products under section 232 of the Trade Expansion Act of 1962.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy agenda, including the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered was the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On March 22, 2018, the Committee held a hearing with the Secretary of Commerce, Wilbur Ross. The hearing focused on trade matters within the Department of Commerce’s purview, particularly the section 232 determinations on steel and aluminum.

On April 12, 2018, the Committee held a hearing entitled “The Effects of Tariff Increases on the U.S. Economy and Jobs.” Testimony was received from (i) Kevin Kennedy, President—Kennedy Fabricating, (ii) John Wolfe, Chief Executive Officer—NW Seaport Alliance, (iii) Roger Newport, Chief Executive Officer—AK Steel Corporation, (iv) John Heisdorffer, President—American Soybean Association, (v) Calvin Dooley, President and Chief Executive Officer—American Chemistry Council, (vi) Ann Wilson, Senior Vice President—Motor and Equipment Manufacturers Association, and (vii) Scott Paul, President—Alliance for American Manufacturing.

On July 18, 2018, the Trade Subcommittee held a hearing entitled “The Effects of Tariffs on U.S. Agriculture and Rural Communities.” The purpose of the hearing was to examine the effects on American agriculture and rural communities of U.S. tariffs imposed under both Sections 232 and 301 as well as retaliation by other countries against U.S. exports. Testimony was received from (i) Cass Gebbers, President and CEO—Gebbers Farms, (ii) Russell Boening, Owner—Loma Vista Farms and Boening Bros. Dairy Inc.; President—Texas Farm Bureau (iii) Kevin Paap, President—Minnesota Farm Bureau, (iv) Scott VanderWal, Secretary and Treasurer—Vanderwal Farms; Vice President—American Farm Bureau Federation; President—South Dakota Farm Bureau, (v) Michelle Erickson-Jones, Co-owner—Gooseneck Land and Cattle; President—Montana Grain Growers Association, and (vi) Jared Bernstein, Senior Fellow—Center on Budget and Policy Priorities.

On July 24, 2018, the Trade Subcommittee held a hearing entitled “Product Exclusion Process for Section 232 Tariffs on Steel and Aluminum.” The purpose of the hearing was to examine the experiences of U.S. companies navigating the process for requesting product exclusions from Section 232 tariffs and quotas on steel and aluminum and to investigate the impact of the exclusion process on affected stakeholders. Testimony was received from (i) Brian Semcer, President—MICRO, (ii) Willie Chang, Executive Vice President, Chief Operating Officer, and Director—Plains All American GP LLC, (iii) Rick Huether, President, CEO, and Chairman—Independent Can Company, (iv) Todd Adams, President—Sanitube LLC; Vice President—Stainless Imports Inc., and (v) Roy Houseman, Legislative Representative—United Steelworkers.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including tariffs imposed on China under section 301 of the Trade Act of 1974 and China’s retaliatory tariffs.

10. OTHER REGIONAL ISSUES

Japan

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including Japan. Ambassador Robert Lighthizer testified before the Committee on the Administration’s views.

On October 11, 2017, the Trade Subcommittee held a hearing entitled “Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region.” The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to expand and improve our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On November 6–11, 2017, the Committee conducted a bipartisan staff delegation to the APEC Ministerial meeting in Da Nang, Vietnam, to meet with officials from APEC countries and U.S. officials.

On March 21, 2018, the Committee held a hearing on the U.S. trade policy agenda. Among the trade issues covered were potential new free trade agreement partners, including Japan. Ambassador Robert Lighthizer testified before the Committee on the Administration’s views.

On September 27, 2018, the Committee met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with Japan.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with Japan.

On October 16, 2018, Ambassador Lighthizer sent a letter as required by TPA notifying Congress of his intent to commence trade negotiations with Japan after 90 days.

On November 12–17, 2018, the Committee conducted a bipartisan staff delegation to the 2018 APEC Ministerial in Port Moresby, Papua New Guinea to meet with officials from APEC countries and U.S. officials.

On December 21, 2018, the United States Trade Representative sent to the Committee its summary of objectives for negotiations with Japan, as required by TPA.

Throughout the 115th Congress, Committee staff held consultations with USTR to discuss trade relations with Japan and to provide Member views.

United Kingdom

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the United Kingdom. Ambassador Robert Lighthizer testified before the Committee on the Administration’s views.

On February 17–20, 2018, the Committee conducted a bipartisan staff delegation to the United Kingdom to discuss the U.S.-U.K. trading relationship and Brexit issues with U.K. officials.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the United Kingdom. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On September 27, 2018, the Committee met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the United Kingdom.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the United Kingdom.

On October 16, 2018, Ambassador Lighthizer sent a letter as required by TPA notifying Congress of his intent to commence trade negotiations with the United Kingdom after 90 days.

Throughout the 115th Congress, Committee staff held consultations with USTR to discuss trade relations with the UK and to provide Member views.

European Union

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the European Union. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the European Union. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On September 27, 2018, the Committee met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the European Union.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the European Union.

On October 16, 2018, Ambassador Lighthizer sent a letter as required by TPA notifying Congress of his intent to commence trade negotiations with the European Union after 90 days.

Throughout the 115th Congress, Committee staff held consultations with USTR to discuss trade relations with the EU and to provide Member views.

China

On April 5, 2017, Chairman Kevin Brady and Ranking Member Richard Neal along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden sent a letter to President Trump ahead of President Xi's visit identifying several areas of concern in the U.S.-China trading relationship and urging President Trump to raise them with President Xi. These concerns included market distorting behavior harming American manufacturers, discriminatory and distortive technology policies, weak protection of intellectual property, barriers to U.S. agriculture exports, currency and ex-

change rate policies, retaliatory policies, and nontransparent legal regimes.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered was the U.S.-China trading relationship. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On July 27, 2017, the Committee met with Secretary of Commerce Wilbur Ross to discuss the ongoing investigations into the national security impact of imports of steel and aluminum products under section 232 of the Trade Expansion Act of 1962 and the impact of Chinese overcapacity of steel and aluminum on U.S. workers and companies.

On October 11, 2017, the Trade Subcommittee held a hearing entitled "Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region." The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to expand and improve our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy agenda, including the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered was the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On March 22, 2018, the Committee held a hearing with the Secretary of Commerce, Wilbur Ross. The hearing focused on trade matters within the Department of Commerce's purview, particularly the section 232 determinations on steel and aluminum.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including tariffs imposed on China under section 301 of the Trade Act of 1974 and China's retaliatory tariffs.

The Committee also engaged in frequent Member and staff consultations with USTR and the Department of Commerce regarding the Section 232 and 301 investigations and World Trade Organization (WTO) disputes with respect to China.

India

On June 23, 2017, Chairman Kevin Brady and Ranking Member Richard Neal along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden sent a letter to President Trump ahead of Prime Minister Modi's visit urging the President to prioritize the elimination of Indian trade and investment barriers that significantly harm American business and workers.

The Committee also engaged in frequent Member and staff consultations with USTR and ITC regarding ongoing U.S.-India trade issues.

Developing countries and trade preferences

On August 7–11, 2017, the Committee conducted a staff delegation to Lome, Togo, to participate in the 2017 AGOA Forum and to meet with officials from participating countries and U.S. officials.

On February 8, 2018, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., Chairman Kevin Brady, Ranking Member Richard Neal, Trade Subcommittee Ranking Member Bill Pascrell Jr. and eight cosponsors introduced H.R. 4979, to extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program. The bill was referred to the Committee on Ways and Means. The House suspended the rules and passed the bill on February 13, 2018 by a vote of 400–2. H.R. 4979 was later incorporated into H.R. 1625, the “Consolidated Appropriations Act of 2018,” which was signed into law on March 23, 2018 and became Public Law 115–141.

On July 12, 2018, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., Representative Erik Paulsen, Representative Suzan DelBene, Representative Terri Sewell, and committee staff participated in the 2018 AGOA Forum in Washington, D.C.

The Committee also engaged in frequent Member and staff consultations with USTR and other relevant agencies regarding all U.S. trade preference programs.

11. AGRICULTURE

On October 11, 2017, the Trade Subcommittee held a hearing entitled “Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region.” The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to strengthen the U.S. job market by expanding and improving our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustain-

ability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On April 12, 2018, the Committee held a hearing entitled “The Effects of Tariff Increases on the U.S. Economy and Jobs.” Testimony was received from (i) Kevin Kennedy, President—Kennedy Fabricating, (ii) John Wolfe, Chief Executive Officer—NW Seaport Alliance, (iii) Roger Newport, Chief Executive Officer—AK Steel Corporation, (iv) John Heisdorffer, President—American Soybean Association, (v) Calvin Dooley, President and Chief Executive Officer—American Chemistry Council, (vi) Ann Wilson, Senior Vice President—Motor and Equipment Manufacturers Association, and (vii) Scott Paul, President—Alliance for American Manufacturing.

On July 18, 2018, the Trade Subcommittee held a hearing entitled “The Effects of Tariffs on U.S. Agriculture and Rural Communities.” The purpose of the hearing was to examine the effects on American agriculture and rural communities of U.S. tariffs imposed under both Sections 232 and 301 as well as retaliation by other countries against U.S. exports. Testimony was received from (i) Cass Gebbers, President and CEO—Gebbers Farms, (ii) Russell Boening, Owner—Loma Vista Farms and Boening Bros. Dairy Inc.; President—Texas Farm Bureau (iii) Kevin Paap, President—Minnesota Farm Bureau, (iv) Scott VanderWal, Secretary and Treasurer—Vanderwal Farms; Vice President—American Farm Bureau Federation; President—South Dakota Farm Bureau, (v) Michelle Erickson-Jones, Co-owner—Gooseneck Land and Cattle; President—Montana Grain Growers Association, and (vi) Jared Bernstein, Senior Fellow—Center on Budget and Policy Priorities.

12. WORLD TRADE ORGANIZATION (WTO)

On December 9–14, 2017, the Committee conducted a bipartisan staff delegation to Buenos Aires, Argentina, to participate in the 11th WTO Ministerial Meeting and to meet with officials from other participating countries and U.S. officials.

On October 1–5, 2018, the Committee conducted a bipartisan staff delegation to Geneva, Switzerland, to participate in the WTO Public Forum and to meet with officials from other participating countries and U.S. officials.

The Committee held frequent Member and staff consultations with USTR concerning the ongoing negotiations, including negotiations on e-commerce and fish subsidies, as well as WTO reform. The Committee also held regular Member and staff consultations with USTR regarding ongoing disputes being adjudicated at the WTO.

13. MISCELLANEOUS TARIFF BILL (MTB)

On June 9, 2017, the Committee received from the U.S. International Trade Commission (ITC) the preliminary report on miscellaneous tariff petitions it received under the American Manufacturing Competitiveness Act of 2016.

On July 21, 2017, Chairman Kevin Brady and Ranking Member Richard Neal, along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden, sent a letter to the ITC providing comments on the MTB preliminary report in preparation for the issuance of the final report.

On August 8, 2017, the Committee received from the ITC the final report on miscellaneous tariff petitions it received under the American Manufacturing Competitiveness Act of 2016.

On October 25, 2018, the Subcommittee on Trade held a hearing on the MTB. The purpose of the hearing was to investigate the U.S. manufacturing and economic benefits of providing temporary tariff relief on imported finished goods and raw materials not produced in the United States. The Subcommittee heard testimony from (i) Cindy Smith, Agriculture Relations Director—Gowan USA, (ii) Edward V. McAsey, Chief Operating Officer—Lasko Products LLC, and (iii) Michael Ratchford, Government Relations Associate—W.L. Gore & Associates.

On November 9, 2017, Chairman Kevin Brady, Ranking Member Richard Neal, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr. and twenty-seven cosponsors introduced H.R. 4318, a bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty. The bill was referred to the Committee on Ways and Means.

The House suspended the rules and passed the bill on January 18, 2018, by a recorded vote of 402–0. On July 26, 2018, the Senate passed the bill with amendments by voice vote. On September 4, 2018, the House suspended the rules and agreed to the Senate amendments by voice vote. The bill was signed into law on September 13, 2018 and became Public Law 115–239.

The Committee consulted heavily with the U.S. International Trade Commission, the Department of Commerce, and U.S. Customs and Border Protection, as well as petitioners and other stakeholders, throughout the process.

C. LEGISLATIVE REVIEW OF HEALTH ISSUES

1. BILLS ENACTED INTO LAW DURING THE 115TH CONGRESS

a. Know the Lowest Price Act of 2018 (P.L. 115–262)

On March 14, 2018, Senator Debbie Stabenow and fifteen cosponsors introduced S. 2553, a bill to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals. On September 4, 2018, the Senate Committee on Finance discharged the bill by unanimous consent and the bill passed the Senate with an amendment and an amendment to the title by unanimous consent (CR: S6033). On September 5, 2018 the message on Senate action was sent and received in the House. On September 25, 2018, Representative Michael C. Burgess moved to suspend the rules and pass the bill. The bill was considered under suspension of the rules and was agreed to by a voice vote in the House on September 25, 2018 (CR H8799). On October 4, 2018, the bill was presented to the President. S. 2553 became Public Law No. 115–262 on October 10, 2018.

This bill prohibits a prescription drug plan under Medicare or Medicare Advantage from restricting a pharmacy from informing an enrollee of any difference between the price, copayment, or coinsurance of a drug under the plan and a lower price of the drug without health-insurance coverage.

b. SUPPORT for Patients and Communities Act (P.L. 115–271)

On June 13, 2018, the Chairman of the House Energy and Commerce Committee, Greg Walden, introduced H.R. 6, a bill to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes. On June 22, 2018 H.R. 6 passed the House by the Yeas and Nays: 396–14 (Roll no. 288). The senate passed H.R. 6 with an amendment by a Yea-Nay Vote: 99–1 (Record Vote Number: 21). The House agreed to the Senate amendment with an amendment pursuant to H. Res. 1099 on September 28, 2018. The Senate agreed on October 3, 2018, to the House amendment to the Senate amendment to H.R. 6. by Yea-Nay Vote. 98–1 (Record Vote Number: 221).

H.R. 6 includes Medicaid, Medicare, and public health reforms to combat the opioid crisis by advancing treatment and recovery initiatives, improving prevention, protecting communities, and bolstering efforts to combat illicit synthetic drugs like fentanyl.

c. Bipartisan Budget Act of 2018 (P.L. 115–123)

On April 4, 2017, Representative John Larson and ten cosponsors introduced H.R. 1892, the Bipartisan Budget Act of 2018. On May 15, 2017, the House Committee on Judiciary held a markup and favorably reported the bill as amended. On May 18, 2017, the House passed the bill by the Yeas and Nays: 411–1 (Roll no. 266). On November 28, 2017, the Senate passed the bill with an amendment by Unanimous Consent. On February 6, 2018, the House passed the bill with resolving differences on motion that the House agree with an amendment to the Senate amendment agreed to by the Yeas and Nays: 245–182 (Roll no. 60). On February 9, 2018, the Senate passed the bill with resolving differences to concur in the House amendment to the Senate amendment to H.R. 1892 with an amendment (SA 1930) by the Yeas and Nays: 71–28 (Record Vote Number: 31). On February 9, 2018, the House passed the bill with resolving differences on motion that the House agree to the Senate amendment to the House amendment to the Senate amendment agreed to by recorded vote: 240–186 (Roll no. 69). On February 9, 2018, the bill was presented to the President. H.R. 1892 became Public Law No. 115–123 on February 9, 2018. (See also: Human Resources legislation page 66).

The Bipartisan Budget Act of 2018 contains a number of common-sense Medicare policies that make a series of targeted improvements to Medicare Part B programs, including expanding access to in-home treatments for patients. The bill also contains Medicare extenders and other Medicare-related policies, including those in the CHRONIC Care Act.

d. Omnibus Appropriation (Pub. L. 115–245) and Related Action Under H.R. 5874, the Restoring Accountability in the Indian Health Service Act of 2018

On May 18, 2018, Rep. Kristi Noem introduced H.R. 5874, the Restoring Accountability in the Indian Health Service Act of 2018, to offer better tools for recruiting competent medical staff and leadership, improve care standards, and increase accountability of the Indian Health Service. On June 4, 2018, it was referred to the Ways and Means Subcommittee on Health. On June 13, 2018, it

was marked up and passed by voice vote under the Committee on Natural Resources.

Under section 110 of H.R. 5874, certain (non-Indian Health Service) hospitals were erroneously approved for Medicare inpatient hospital low-volume payment adjustment (LVA) status by the hospital's respective Medicare Administrative Contractor beginning in FY2011 due to their proximity to a neighboring Indian Health Service (IHS) hospital. This includes two hospitals located in Mississippi and Alaska that owe CMS about \$4 million. Under the statute, to be eligible for LVA status, a hospital must have fewer than 1,600 Medicare discharges during a fiscal year and be more than 15 miles from the nearest "like" subsection (d) hospital. In the latest FY2018 IPPS payment rule, CMS changed its regulations surrounding the 15-mile criteria for proximate IHS and non-IHS hospitals. This regulatory change fixed the problem for both hospitals prospectively. However, a provision was included in the FY 2019 Omnibus that would apply CMS's new regulation retroactively, in order to restore all LVA payments to these two hospitals dating back to 2011. Thus, section 110 of H.R. 5874 was passed into law under Pub. L. 115–245. The FY 2019 Omnibus, H.R. 6157, passed the House by the Yeas and Nays: 361–61 (Roll no. 405) on September 26, 2018.

2. HEALTH CARE PROPOSALS DURING THE 115TH CONGRESS

(a) *H.R. 849, Protecting Seniors Access to Medicare Act*

On February 3, 2017, Representative David P. Roe and two hundred and seventy cosponsors introduced H.R. 849, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board. On October 31, 2017, the Committee held a markup and favorably reported the bill as amended (H. Rept. 115–373). The House Committee on Energy and Commerce and Committee on Rules discharged H.R. 849 on October 31, 2017. On November 2, 2017, the House passed the bill by the Yeas and Nays: 307–111 (Roll no. 604). The bill was referred to the Senate on November 6, 2017.

H.R. 849, as amended, would repeal section 3403 and 10320 of the ACA, including the amendments made by these sections. Beginning in 2014, the IPAB is tasked with making recommendations to cut per capita Medicare spending if such spending exceeds certain economic growth targets. The Secretary of HHS is directed to implement the Board's proposals automatically unless Congress affirmatively acts to alter the Board's proposals or to discontinue the automatic implementation of such proposals. Under the proposed legislation, the IPAB would be repealed.

(c) *H.R. 1148, Furthering Access to Stroke Telemedicine (FAST) Act of 2017*

On February 16, 2017, Representative Morgan Griffith and one hundred and seventy-seven cosponsors introduced H.R. 1148, a bill to amend title XVIII of the Social Security Act to expand access to telehealth-eligible stroke services under the Medicare program. On December 6, 2017, the House Committee on Energy and Commerce favorably reported the bill as amended and the House Committee on Ways and Means discharged the bill.

H.R. 1148 would expand the ability of patients presenting at hospitals or at mobile stroke units to receive a Medicare reimbursed neurological consultation via telemedicine. H.R. 1148 would expand the use of remote (telehealth) services for Medicare stroke patients located in non-rural areas. CBO estimates that enacting H.R. 1148 would increase direct spending by \$180 million over the 2018-2027 period.

(d) H.R. 1313, Preserving Employee Wellness Programs Act

On March 2, 2017, the Chairman of the House Committee on Education and the Workforce, Virginia Foxx, and seven cosponsors introduced H.R. 1313. The House Committee on Education and the Workforce favorably reported the bill as amended on December 11, 2017. The House Committee on Energy and Commerce and the House Committee on Ways and Means discharged the bill on December 11, 2017.

H.R. 1313, the Preserving Employee Wellness Programs Act, clarifies that if an employer-sponsored wellness program complies with the Patient Protection and Affordable Care Act (ACA) and its regulations, the program will be considered to comply with the applicable sections of the Americans with Disabilities Act of 1990 (ADA) or the Genetic Information Nondiscrimination Act of 2008 (GINA) relating to wellness programs. The bill also clarifies that offering an incentive to provide medical information for an employee's family member who is voluntarily participating in the wellness program does not violate GINA.

(e) H.R. 1628, American Health Care Act of 2017

On March 8, 2017, the House Committee on Ways and Means favorably reported budget reconciliation recommendations to repeal and replace Obamacare. On March 20, 2017, Representative Diane Black introduced the American Health Care Act of 2017. On March 20, 2017, the House Committee on Budget favorably reported an original measure. On May 4, 2017, the House passed the bill by the Yeas and Nays: 217–213 (Roll no. 256).

(f) H.R. 2372, VETERAN Act

On May 4, 2017, Representative Sam Johnson and ten cosponsors introduced H.R. 2372, a bill to amend the Internal Revenue Code of 1986 to clarify the rules relating to veteran health insurance and eligibility for the premium tax credit. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote June 2, 2017. The House passed the bill as amended by voice vote on June 15, 2017. (See also: Tax legislation page 11).

H.R. 2372 codifies a Treasury regulation, under which, for purposes of eligibility for the premium tax credit under section 36B of the Internal Revenue Code, an individual is not considered eligible for certain health care programs of the United States Department of Veterans Affairs unless enrolled in the program. In addition, H.R. 2372, as reported by the Committee on Ways and Means, amends H.R. 1628, the American Health Care Act of 2017, as passed by the House of Representatives on May 4, 2017, to provide a similar rule with respect to a new credit for the purchase of

health insurance (effective for months beginning after December 31, 2019, in taxable years ending after that date).

(g) H.R. 2465, Steve Gleason Enduring Voices Act of 2017

On May 16, 2017, Representative Cathy McMorris Rodgers and ninety-one cosponsors introduced H.R. 2465, a bill to mend title XVIII of the Social Security Act to make permanent the removal of the rental cap for durable medical equipment under the Medicare program with respect to speech generating devices. On December 18, 2017, the House Committee on Energy and Commerce favorably reported the bill and the House Committee on Ways and Means discharged the bill.

H.R. 2465 would make coverage of speech generating devices under “routinely purchased durable medical equipment” permanent under the Medicare program.

(h) H.R. 2557, Prostate Cancer Misdiagnosis Elimination Act of 2017

On May 19, 2017, Representative Larry Bucshon and six cosponsors introduced H.R. 2557, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of certain DNA Specimen Provenance Assay clinical diagnostic laboratory tests. On December 6, 2017, the House Committee on Energy and Commerce favorably reported the bill as amended and the House Committee on Ways and Means discharged the bill.

H.R. 2557 would provide Medicare coverage of DNA Specimen Provenance Assay (DPSA) testing for positive prostate biopsy tests to ensure that there are no specimen provenance complications.

(i) H.R. 2579, Broader Options for Americans Act

On May 19, 2017, Representative Patrick J. Tiberi introduced H.R. 2579, a bill to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage. The House Committee on Ways and Means held a markup and favorably reported the bill as amended June 2, 2017. The House passed the bill by the Yeas and Nays: 267–144 (Roll no. 308) on June 13, 2017. (See also: Tax legislation page 11).

H.R. 2579 amends section 214 of H.R. 1628, the American Health Care Act of 2017, as passed by the House of Representatives on May 4, 2017, which provides a tax credit under the Internal Revenue Code for the purchase of health insurance in the individual market, so that the credit is available also with respect to unsubsidized COBRA continuation coverage under an employer-sponsored health plan.

(j) H.R. 2581, Verify First Act

On May 22, 2017, Representative Lou Barletta and eight cosponsors introduced H.R. 2581, a bill to amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit. The House Committee on Ways and Means held a markup and favorably reported the bill as amended June 2, 2017. On June 2, 2017, the House Committee on Energy and Commerce discharged the bill. The House passed the bill by the Yeas and Nays: 238–184 (Roll no. 306) on June 13, 2017.

H.R. 2581 amends the premium tax credit under section 36B of the Internal Revenue Code, to specify that advance payments of the credit are not to be made with respect to an individual unless the Secretary of the Treasury has confirmed with the Secretary of Health and Human Services that the individual's status as a citizen or national of the United States, or as lawfully present in the United States, has been verified. In addition, H.R. 2581, as reported by the Committee on Ways and Means, amends H.R. 1628, the American Health Care Act of 2017, as passed by the House of Representatives on May 4, 2017, to provide a similar rule with respect to advance payments of a new credit for the purchase of health insurance (effective for months beginning after December 31, 2019, in taxable years ending after that date).

- (k) *H.R. 3120, To amend title XVIII of the Social Security Act to reduce the volume of future electronic health record-related significant hardship requests*

On June 29, 2017, Representative Michael C. Burgess and seven cosponsors introduced H.R. 3120, a bill to amend title XVIII of the Social Security Act to reduce the volume of future electronic health record-related significant hardship requests. The House Committee on Energy and Commerce held a markup and favorably reported the bill by voice vote October 4, 2017.

H.R. 3120 would remove a requirement that requires the Secretary of Health and Human Services to continue to make meaningful use standards more stringent over time.

- (l) *H.R. 3168, SNP Reauthorization Act of 2017*

On July 6, 2017, Representatives Patrick J. Tiberi and Sander M. Levin introduced H.R. 3168, a bill to amend title XVIII of the Social Security Act to provide continued access to specialized Medicare Advantage (MA) plans for special needs individuals, and for other purposes. The House Committee on Ways and Means held a markup and favorably reported on July 13, 2017. The House Committee on Energy and Commerce discharged the bill on December 21, 2017.

H.R. 3168 would provide continued access to Medicare Advantage (MA) Special Needs Plans ("SNPs") for Medicare beneficiaries with specific circumstances benefiting from specialized plan designs. The bill reauthorizes Chronic Condition SNPs (C-SNPs) and Dual-Eligible SNPs (D-SNPs) for 5 years, and permanently authorizes Institutional SNPs (I-SNPs) with policy enhancements consistent with recommendations by the Medicare Payment Advisory Commission. The bill makes improvements to D-SNPs and C-SNPs by increasing the integration of benefits for dual eligible beneficiaries and requiring improvements to the care coordination model of C-SNPs. Additionally, the bill directs the Secretary of Health and Human Services to establish and consult a panel of clinical advisors to develop and update the list of conditions that qualify for C-SNPs. Lastly, this legislation strengthens access to meaningful supplemental benefits by allowing Medicare Advantage (MA) plans to tailor and expand the type of supplemental benefits offered to meet the individual needs of patients with chronic illnesses.

(m) *H.R. 3178, Medicare Part B Improvement Act of 2017*

On July 11, 2017, the Chairman of the House Committee on Ways and Means, Kevin Brady and Ranking Member Richard Neal, along with 9 cosponsors introduced H.R. 3178, a bill to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote July 13, 2017. The House passed the bill as amended by voice vote on July 25, 2017.

H.R. 3178 would improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program. H.R. 3178 includes bipartisan policies sponsored by several Committee Members aimed at improving both the program and beneficiary experience that would:

- Create a transitional Medicare payment for home infusion services to expand access and ensure beneficiaries do not experience a gap in care before the permanent home infusion benefit takes effect in 2021;
- Extend an ongoing intravenous immunoglobulin (IVIG) demonstration program to increase patient education and appropriate utilization of infusion services;
- Streamline rules to preserve access to orthotics and prosthetics for patients in need;
- Allow telehealth technologies to monitor patients receiving dialysis in their home;
- Expedite accreditation of dialysis facilities for Medicare billing purposes by allowing private organizations to accredit new facilities; and
- Modify Medicare's physician self-referral laws to clarify rules for providers.

(n) *H.R. 3245, Medicare Civil and Criminal Penalties Update Act*

On July 14, 2017, Representatives Gus M. Bilirakis and Kathy Castor introduced H.R. 3245, a bill to amend title XI of the Social Security Act to increase civil money penalties and criminal fines for Federal health care program fraud and abuse, and for other purposes. The House Committee on Energy and Commerce held a markup and favorably reported the bill by voice vote October 4, 2017. On December 6, 2017, the House Committee on Ways and Means discharged the bill.

H.R. 3245 would update both civil and criminal penalties in the Medicare program. Many of these penalties were last updated 20 years ago.

(o) *H.R. 3263, Independence at Home Demonstration Improvement and Extension Act of 2017*

On July 17, 2017, Representative Michael C. Burgess and fourteen cosponsors introduced H.R. 3263, a bill to amend title XVIII of the Social Security Act to extend the Medicare independence at home medical practice demonstration program. The House Committee on Energy and Commerce held a markup and favorably reported the bill by voice vote October 4, 2017.

H.R. 3263 would extend the Independence at Home Medical Practice Demonstration Program (IAH), which provides a home-based primary care benefit to high-need Medicare beneficiaries with multiple chronic conditions. The program is designed to allow beneficiaries to stay in their homes instead of institutionalized settings, avoiding unnecessary hospitalizations, ER visits, and nursing home use. H.R. 3263 would extend the program for two additional years.

(p) H.R. 3271, Protecting Access to Diabetes Supplies Act of 2017

On July 17, 2017, Representative Diana DeGette and twelve cosponsors introduced H.R. 3271, a bill to amend title XVIII of the Social Security Act in order to strengthen rules in case of competition for diabetic testing strips, and for other purposes. The House Committee on Energy and Commerce held a markup and favorably reported the bill as amended by voice vote September 13, 2017. On December 6, 2017, the House Committee on Ways and Means discharged the bill.

H.R. 3271 would address several issues beneficiaries have reported facing under the competitive bidding program regarding Diabetes Test Strips. Many of these issues stem from how the Centers for Medicare and Medicaid Services has enforced certain beneficiary protections.

(q) H.R. 3331, To amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology

On July 20, 2017, Representative Lynn Jenkins and thirteen cosponsors introduced H.R. 3331, a bill to amend title XI of the Cybersecurity Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology. The House Committee on Energy and Commerce held a markup and favorably reported the bill as amended by voice vote on May 9, 2018. The House Committee on Ways and Means discharged the bill on June 8, 2018. On June 12, 2018, the House suspended the rules and passed the bill as amended by voice vote.

H.R. 3331 promotes the testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

(r) H.R. 3528, Every Prescription Conveyed Security Act

On July 28, 2017, Representative Katherine M. Clark and fifty-one cosponsors introduced H.R. 3528, a bill to amend title XVIII of the Social Security Act to require e-prescribing for coverage under part D of the Medicare program of prescription drugs that are controlled substances. On April 25, 2018, the House Committee on Energy and Commerce held a markup and favorably reported the bill, as amended, by a voice vote (H. Rept. 115-748). On June 12, 2018, the House Committee on Ways and Means discharged the bill.

H.R. 3528 requires e-prescribing for coverage of prescribed controlled substances under the Medicare Part D program. H.R. 3528 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by

a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(s) *H.R. 3635, Local Coverage Determination Clarification (LCDC) Act of 2018*

On August 1, 2017, Representatives Lynn Jenkins and Ron Kind, along with eighty cosponsors introduced H.R. 3635, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes. On September 5, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute, by voice vote (H. Rept. 115–933). On September 10, 2018, the House Committee on Energy and Commerce discharged the bill. On September 12, 2018, the motion to suspend the rules and pass the bill, as amended, was agreed to by a voice vote.

H.R. 3635 would establish transparency, certainty, and consistency for Medicare beneficiaries and providers through codifying and improving the process through which Medicare Administrative Contractors (MACs) make local coverage determinations (LCDs). The bill would require MACs to institute an open process for developing LCDs, including publicly posting online proposed LCDs and the rationale and evidence relied on for making such determinations; convene open public meetings; solicit input from the public, including an expert panel; and establish a public comment period for developing draft policies and posting responses to comments received. H.R. 3635 would offer beneficiaries, providers, and suppliers a meaningful reconsideration process. Finally, H.R. 3635 would require the Secretary of Health and Human Services to provide an annual report detailing the LCD process including the amount of applications and actions taken with respect to reconsideration.

(t) *H.R. 3726, Stark Administrative Simplification Act of 2017*

On September 11, 2017, Representatives Kenny Marchant and Ron Kind, along with two cosponsors introduced H.R. 3726, a bill to amend title XVIII of the Social Security Act to create alternative sanctions for technical noncompliance with the Stark rule under Medicare, and for other purposes. On September 13, 2017, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute, by voice vote (H. Rept. 115–479). On December 21, 2017, the House Committee on Energy and Commerce discharged the bill.

H.R. 3726 would create an alternative pathway to resolve inadvertent technical violations of the “Stark Laws,” that prevent financial interests from interfering with clinical decisions.

(u) *H.R. 3727, Increasing Telehealth Access in Medicare Act*

On September 11, 2017, Representatives Diane Black and Mike Thompson, along with five cosponsors introduced in the House H.R.

3727, a bill to amend title XVIII of the Social Security Act to include additional telehealth services for purposes of MA organization bids, and for other purposes. On September 13, 2017, the House Committee on Ways and Means held a markup and reported the bill as amended favorably by voice vote.

H.R. 3727 would allow Medicare Advantage plans to include the cost of providing telehealth services in their bids and increase funding in the Medicare Improvement Fund. CBO estimates that enacting H.R. 3727 would increase direct spending by \$46 million over the 2018–2022 period and decrease direct spending by \$4 million over the 2018–2027 period.

(v) *H.R. 3729, Comprehensive Operations, Sustainability, and Transport (COST) Act of 2017*

On September 11, 2017, Representatives Devin Nunes and Terri Sewell, along with three cosponsors introduced H.R. 3729, a bill to amend titles XI and XVIII of the Social Security Act to facilitate provider and supplier cost reporting of ambulance services under the Medicare program, and for other purposes. On September 13, 2017, the Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote.

H.R. 3729 focuses on accurately reimbursing and sustaining access to ground ambulance transports in the Medicare program. The bill would achieve two primary objectives: (1) required submission of annual cost report data by Medicare ambulance suppliers and providers to better understand the cost of furnishing ground ambulance services; and (2) extension of the current law add-on reimbursement for ground ambulance services that would otherwise expire on December 31, 2017.

(w) *H.R. 3921, HEALTHY KIDS Act*

On October 3, 2017, Representative Michael Burgess introduced H.R. 3921, a bill to extend funding for the Children’s Health Insurance Program, and for other purposes. The House Committee on Energy and Commerce held a markup and favorably reported the bill as amended by the yeas and nays 28–23 on October 4, 2017. The House Committee on Ways and Means discharged the bill on October 23, 2017.

H.R. 3921 extends federal funding for the Children’s Health Insurance Program (CHIP) for fiscal year (FY) 2018 through FY 2022, eliminates the FY 2018 reductions in Medicaid Disproportionate Share Hospital allotments, and provides funding for Puerto Rico’s Medicaid program for FY 2018 through the end of calendar year 2019.

(x) *H.R. 4616, Employer Relief Act of 2018*

On December 12, 2017, Representative Devin Nunes and one cosponsor introduced H.R. 4616, a bill to amend the Patient Protection and Affordable Care Act to provide for a temporary moratorium on the employer mandate and to provide for a delay in the implementation of the excise tax on high cost employer-sponsored health coverage. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by the yeas and nays 22–15 on July 11, 2018. (See also: Tax legislation page 13).

(y) *H.R. 4841, Standardizing Electronic Prior Authorization for Safe Prescribing Act of 2018*

On January 18, 2018, Representatives David Schweikert and Mike Thompson, along with twenty-five cosponsors introduced H.R. 4841, a bill to amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes. The House Committee on Energy and Commerce held a markup and favorably reported the bill by voice vote on May 9, 2018. The House Committee on Ways and Means discharged the bill on June 12, 2018.

H.R. 4841 requires the Secretary to standardize electronic prior authorization for prescription drugs under Medicare Part D.

(z) *H.R. 4952, Improving Seniors Access to Quality Benefits Act*

On February 6, 2018, Representatives Mike Kelly and Ron Kind, along with two cosponsors introduced H.R. 4952, a bill to direct the Secretary of Health and Human Services to conduct a study and submit a report on the effects of the inclusion of quality increases in the determination of blended benchmark amounts under part C of the Medicare program. The House Committee on Ways and Means held a markup and favorably reported the bill by voice vote on June 21, 2018. The House Committee on Energy and Commerce discharged the bill on July 17, 2018. On July 24, 2018, the House suspended the rules and passed the bill by voice vote.

H.R. 4952 requires the Secretary to study and report to Congress on the effects of including quality bonus payments under the benchmark cap on Medicare Advantage (MA) plans and enrollees, among other things. The study is required to include an analysis of the following: (1) the authority of the Secretary to remove quality bonus payments from the MA benchmark; (2) the effects of including quality bonus payments in the MA benchmark; (3) the financial impact of including quality bonus payments in the determination of the MA benchmark by county; and (4) the effects of including quality bonus payments in the MA benchmark on plan enrollees.

(aa) *H.R. 5582, Abuse Deterrent Access Act of 2018*

On April 23, 2018, Representative Earl L. “Buddy” Carter and six cosponsors introduced H.R. 5582, a bill to direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program. On June 8, 2018, the House Committee on Energy and Commerce favorably reported the bill as amended and the House Committee on Ways and Means discharged the bill. The House agreed to suspend the rules and pass the bill as amended by voice vote on June 12, 2018.

H.R. 5582 directs the Centers for Medicare and Medicaid Services (CMS) to evaluate the use of abuse-deterrent opioid formulations in Medicare Part C or D plans. H.R. 5582 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the

House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(bb) H.R. 5590, Opioid Addiction Action Plan Act

On April 24, 2018, Representatives Adam Kinzinger and Danny Davis, along with five cosponsors introduced H.R. 5590, a bill to require the Secretary of Health and Human Services to provide for an action plan on recommendations for changes under Medicare and Medicaid to prevent opioids addictions and enhance access to medication-assisted treatment, and for other purposes. On June 12, 2018, the House Committee on Energy and Commerce favorably reported the bill as amended and the House Committee on Ways and Means discharged the bill. The House agreed to suspend the rules and pass the bill as amended by voice vote on June 19, 2018.

H.R. 5590 establishes an action plan, including studies, and reports to Congress authored by Department of Health and Human Services (HHS), as well as to hold meetings with stakeholders, for the purpose of addressing the opioid crisis. H.R. 5590 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(cc) H.R. 5603, Access to Telehealth Services for Substance Use Disorders Act

On April 24, 2018, Representative Doris O. Matsui and eight cosponsors introduced H.R. 5603, a bill to amend title XVIII of the Social Security Act to provide the Secretary of Health and Human Services authority to waive certain Medicare telehealth requirements in the case of certain treatment of an opioid use disorder or co-occurring mental health disorder. On June 12, 2018, the House Committee on Energy and Commerce favorably reported the bill as amended and the House Committee on Ways and Means discharged the bill.

H.R. 5603 would require the Centers for Medicare and Medicaid Services to expand the use of telehealth services in treating substance use disorder in the Medicare program. H.R. 5603 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(dd) H.R. 5605, Advancing High Quality Treatment for Opioid Use Disorders in Medicare Act

On April 24, 2018, Representative Raul Ruiz and two cosponsors introduced H.R. 5605, a bill to amend title XVIII of the Social Security Act to provide for an opioid use disorder treatment demonstration program. On June 12, 2018, the House Committee on Energy and Commerce favorably reported the bill as amended and the

House Committee on Ways and Means discharged the bill. The House agreed to suspend the rules and pass the bill as amended by voice vote on June 19, 2018.

H.R. 5605 creates a demonstration project to test new ways to treat opioid use disorder among the Medicare population. This model includes the development of measures to evaluate the quality and outcomes of treatment. H.R. 5605 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(ee) *H.R. 5675, To amend title XVIII of the Social Security Act to require prescription drug plan sponsors under the Medicare program to establish drug management programs for at-risk beneficiaries.*

On May 3, 2018, Representatives Gus M. Bilirakis and six cosponsors introduced H.R. 5675, a bill to amend title XVIII of the Social Security Act to require prescription drug plan sponsors under the Medicare program to establish drug management programs for at-risk beneficiaries. On June 12, 2018, the House Committee on Energy and Commerce reported the bill as amended and the House Committee on Ways and Means discharged the bill.

H.R. 5675 will require prescription drug plan sponsors under the Medicare program to establish drug management programs, commonly referred to as “lock-in programs”, for at-risk beneficiaries. Under CARA, prescription drug plan sponsors had the option to establish lock-in programs. H.R. 5675 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(ff) *H.R. 5676, Stop Excessive Narcotics in our Retirement Communities Protection (SENIOR) Communities Protection Act of 2018*

On May 3, 2018, Representatives Thomas MacArthur and Earl Blumenauer along with four cosponsors introduced H.R. 5676, a bill to amend title XVIII of the Social Security Act to authorize the suspension of payments by Medicare prescription drug plans (PD) and Medicare Advantage plans with prescription drug benefits (MA–PD) pending investigations of credible allegations of fraud by pharmacies. The House Committee on Ways and Means held a markup on May 16, 2018, and favorably reported the bill as amended on May 19, 2018. On May 19, 2018, the House agreed to suspend the rules and pass the bill by the Yeas and Nays: 256–3 (Roll no. 270).

H.R. 5676 grants prescription drug plans the authority to suspend payments to a provider or supplier pending an investigation of a credible allegation of fraud against the provider or supplier.

H.R. 5676 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(gg) H.R. 5684, Protecting Seniors From Opioid Abuse Act

On May 7, 2018, Representatives Mike Kelly and Mike Thompson, along with seven cosponsors introduced H.R. 5684, a bill to amend title XVIII of the Social Security Act to expand eligibility for medication therapy management programs established under part D of the Medicare program to include certain individuals who are at risk for prescription drug abuse. On June 12, 2018, the House Committee on Energy and Commerce reported the bill, and the House Committee on Ways and Means discharged the bill.

H.R. 5684 adds beneficiaries at risk for prescription drug abuse to the list of targeted beneficiaries eligible for Medication Therapy Management programs under Medicare Part D. H.R. 5684 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(hh) H.R. 5685, Medicare Opioid Safety Education Act of 2018

On May 7, 2018, Representative John J. Faso and six cosponsors introduced H.R. 5685, a bill to amend title XVIII of the Social Security Act to provide educational resources regarding opioid use and pain management as part of the Medicare & You handbook. The House Committee on Energy and Commerce reported the bill. The House agreed to suspend the rules and pass the bill by voice vote on June 12, 2018.

H.R. 5685 directs the Centers for Medicare and Medicaid Services (CMS) to compile education resources for beneficiaries regarding opioid use, pain management, and alternative pain management treatments, and to include these resources in the “Medicare and You” handbook. H.R. 5685 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(ii) H.R. 5686, Medicare Clear Health Options in Care for Enrollees (CHOICE) Act of 2018

On May 7, 2018, Representatives Erik Paulsen and Ron Kind along with five cosponsors introduced H.R. 5686, a bill to amend

title XVIII of the Social Security Act to require prescription drug plans under Medicare part D to include information on the adverse effects of opioid overutilization and of coverage of nonpharmacological therapies and nonopioid medications or devices used to treat pain. On June 12, 2018, the bill was reported by the House Committee on Energy and Commerce and the House Committee on Ways and Means discharged the bill.

H.R. 5686 requires prescription drug plans under Medicare Part D to include information on the effects of opioid overutilization and coverage of non-pharmacological therapies and non-opioid medications or devices used to treat pain. H.R. 5686 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(jj) H.R. 5715, Strengthening Partnerships to Prevent Opioid Act

On May 9, 2018, Representatives James B. Renacci and Terri Sewell, along with eight cosponsors introduced H.R. 5715, a bill to amend title XVIII of the Social Security Act to provide for certain program integrity transparency measures under Medicare parts C and D. On June 12, 2018, the House Committee on Energy and Commerce reported the bill as amended.

H.R. 5715 helps facilitate communication among Medicare Advantage (MA) organizations, Part D plan sponsors, and the Centers for Medicare and Medicaid Services (CMS) relating to substantiated fraud, waste, and abuse investigations. H.R. 5715 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(kk) H.R. 5716, Commit to Opioid Medical Prescriber Accountability and Safety for Seniors (COMPASS) Act

On May 9, 2018, Representatives Peter J. Roskam and John Larson, along with four cosponsors introduced H.R. 5716, a bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to provide notifications under the Medicare program to outlier prescribers of opioids. On June 12, 2018, the House Committee on Energy and Commerce reported the bill, and the House Committee on Ways and Means discharged the bill.

H.R. 5716 requires the Centers for Medicare and Medicaid Services (CMS) to establish a prescriber threshold based on specialty and geographic area, which could designate a prescriber as an outlier opioid prescriber. CMS would then be responsible for notifying prescribers identified as outliers of their status. H.R. 5716 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by

a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(ll) H.R. 5723, Expanding Oversight of Opioid Prescribing and Payment Act of 2018

On May 9, 2018, Representatives Claudia Tenney and Susan DelBene, along with three cosponsors introduced H.R. 5723, a bill to require the Medicare Payment Advisory Commission to report on how the Medicare Program pays for pain management treatment options in a hospital setting, including adverse incentives to prescribing opioids relative to non-opioid alternatives, and how to improve data on opioid use under the Medicare program. The House Committee on Ways and Means held a markup on May 16, 2018, and favorably reported the bill as amended on May 19, 2018. The House Committee on Energy and Commerce discharged the bill on May 19, 2018. The House agreed to suspend the rules and pass the bill by voice vote on May 19, 2018.

H.R. 5723 requires that by March 15, 2019, the Medicare Payment Advisory Commission (MedPAC) submit a report to Congress that describes: (1) how the Medicare Program pays for pain management treatment options in a hospital setting; (2) incentives under Medicare hospital payments for prescribing opioids relative to non-opioid alternatives; and (3) how opioid use may be tracked through Medicare claims data. MedPAC will also identify areas in which further data/methods are needed to fully understand opioid utilization patterns in Medicare. If appropriate, MedPAC will issue recommendations for addressing any adverse incentives in the hospital payment system related to opioid vs. non-opioid prescribing. H.R. 5723 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(mm) H.R. 5773, Promoting Academic Success Sustainably (PASS) Act of 2018

On May 11, 2018, Representatives Peter J. Roskam and Terri Sewell, along with six cosponsors introduced H.R. 5773, a bill to amend title XVIII of the Social Security Act to require Medicare prescription drug plans to establish drug management programs for at-risk beneficiaries, require electronic prior authorization for covered part D drugs, and to provide for other program integrity measures under parts C and D of the Medicare program. On May 16, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on May 19, 2018. The House agreed to suspend the rules and pass the bill by voice vote on May 19, 2018.

The bill requires Medicare prescription drug plans to establish lock-in programs for seniors at-risk of opioid overuse. Further, the Secretary of Health and Human Services (HHS) is required to establish a standard, secure electronic prior authorization (ePA) system. The bill requires the Secretary to establish a secure Internet website portal (or other successor technology) that would allow for a secure communication between the Centers for Medicare & Medicaid Services (CMS), plans providing Part D coverage, and the Medicare Drug Integrity Contractor (MEDIC) regarding certain program integrity activities. The bill defines “at-risk” beneficiaries as eligible for the benefits provided under the Medication Therapy Management Program. Lastly, the bill requires the Secretary to notify providers that prescribe opioids in amounts or dosages in excess of their peers.

H.R. 5773 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(nn) *H.R. 5774, Combating Opioid Abuse for Care in Hospitals (COACH) Act of 2018*

On May 11, 2018, Representatives Carlos Curbelo and Suzan K. DelBene along with eight cosponsors introduced H.R. 5774, a bill requiring the Secretary of Health and Human Services to publish guidance on pain management and opioid use disorder prevention for hospitals receiving payment under part A of the Medicare program, provide for opioid quality measures development, and provide for a technical expert panel on reducing surgical setting opioid use and data collection on perioperative opioid use, and for other purposes. On May 16, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on June 19, 2018. The House Committee on Energy and Commerce discharged the bill and the House agreed to suspend the rules and pass the bill as amended by voice vote on June 19, 2018.

H.R. 5774 focuses on preventing opioid overuse by improving education for providers and beneficiaries. This legislation requires the Centers for Medicare and Medicaid Services (CMS) to develop and publish a toolkit by January 1, 2019, that provides best practices to hospitals for reducing opioid use. Additionally, within 180 days of enactment, the Department of Health and Human Services (HHS) is required to convene at least two Technical Expert Panels (TEPs). The first TEP is required to review quality measures related to opioids and opioid use disorders and identify gaps in such measures, prioritize such measures for development in gap areas, and make recommendations for adopting such measures under physician and hospital quality reporting programs. The legislation requires, as practicable, the creation of a fast-track endorsement process for such measures by the National Quality Forum (NQF). Within one year of the TEP’s establishment, the Secretary will report on the quality measures (and gaps), including those related to care, prevention, diagnosis, health outcomes, and treatment fur-

nished to individuals with opioid use disorders. The second TEP is required to make recommendations on best practices for pain management and reducing opioid use within the surgical setting; it also must analyze post-surgical opioid prescribing. HHS must report to Congress based on the TEP's work, while also describing the available data on perioperative opioid use, as well as identifying barriers to data collection and recommendations to improve data collection. HHS will publish the recommendations under the report (or reports) to Congress within one year of enactment. Finally, within 180 days of enactment, the Secretary will publish on the CMS website all opioid prescribing guidance published after January 1, 2016, applicable to Medicare beneficiaries.

H.R. 5774 was later incorporated into H.R. 6, the "SUPPORT for Patients and Communities Act." H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(oo) H.R. 5775, Providing Reliable Options for Patients and Educational Resources (PROPER) Act of 2018

On May 11, 2018, Representatives Erik Paulsen and Ron Kind, along with four cosponsors introduced H.R. 5775, a bill to require the Secretary of Health and Human Services to develop guidance on pain management and opioid use disorder prevention for hospitals receiving payment under part A of the Medicare program, provide for opioid quality measures development, and provide for a technical expert panel on reducing surgical setting opioid use and data collection on perioperative opioid use, and for other purposes. On May 16, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on June 19, 2018. The House Committee on Energy and Commerce discharged the bill and the House agreed to suspend the rules and pass the bill as amended by voice vote on June 19, 2018.

H.R. 5775 aims to increase educational resources for Medicare beneficiaries related to coverage options for the treatment of pain and the potential risks of prolonged opioid use. The PROPER ACT improves pain-related questions used in hospital patient satisfaction surveys. Beginning January 1, 2019, hospital consumer assessment of healthcare providers and systems (HCAHPS) surveys must not include pain-related questions unless the pain questions take into account, as applicable, whether an individual experiencing pain was informed about the risks associated with the use of opioids and about non-opioid alternatives for the treatment of pain. The Secretary of the Department of Health and Human Services (HHS) may not include on either the Hospital Compare Internet website or the Hospital Value-Based Purchasing Program any measures based on the questions appearing on the HCAHPS survey for 2018 about communication by hospital staff with an individual about pain.

This legislation also requires that, by 2021, plans provide information to beneficiaries on the risks associated with prolonged opioid use and coverage of nonpharmacological therapies, devices,

and nonopioid medications. Beginning January 1, 2021, plans are required to provide information to enrollees on the safe disposal of prescription drugs that are controlled substances as part of the in-home risk assessment. Plans are also required to provide information on cost-effective means for safe disposal of controlled substances through their Medication Therapy Management programs.

H.R. 5775 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(pp) H.R. 5776, Medicare and Opioid Safe Treatment (MOST) Act

On May 11, 2018, Ranking Member of the Committee on Ways and Means, Richard E. Neal, and George Holding, along with two cosponsors introduced H.R. 5776, a bill to amend title XVIII to provide for Medicare coverage of certain services furnished by opioid treatment programs, and for other purposes. On May 16, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on June 19, 2018.

H.R. 5776 increases treatment coverage in Medicare for individuals suffering from opioid use disorder. The MOST Act fills coverage gaps for substance use disorder treatment and explores the potential for perverse incentives to prescribing opioids. H.R. 5776 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(qq) H.R. 5796, Responsible Education Achieves Care and Healthy Outcomes for Users’ Treatment (REACH OUT) Act of 2018

On May 15, 2018 Representatives Brian K. Fitzpatrick and Mike Thompson, along with four cosponsors introduced H.R. 5796, a bill to require the Secretary of Health and Human Services to provide grants for eligible entities to provide technical assistance to outlier prescribers of opioids. On June 12, 2018, the House Committee on Energy and Commerce favorably reported the bill and the House Committee on Ways and Means discharged the bill. The House agreed to suspend the rules and pass the bill as amended by voice vote on June 19, 2018.

H.R. 5796 directs the Centers for Medicare and Medicaid Services (CMS) to work with eligible entities, including Quality Improvement Organizations, to engage in outreach with prescribers identified as clinical outliers to share best practices to evaluate their prescribing behavior. H.R. 5796 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–

1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(rr) H.R. 5798, Opioid Screening and Chronic Pain Management Alternatives for Seniors Act

On May 15, 2018, Representative Larry Bucshon and four cosponsors introduced H.R. 5798, a bill to amend title XVIII of the Social Security Act to require a review of current opioid prescriptions for chronic pain and screening for opioid use disorder to be included in the Welcome to Medicare initial preventive physical examination. On June 12, 2018, the House Committee on Energy and Commerce favorably reported the bill and the House Committee on Ways and Means discharged the bill.

H.R. 5798 adds a review of current opioid prescriptions, a pain assessment, and, as appropriate, a screening for opioid use disorder as part of the Welcome to Medicare initial examination. H.R. 5798 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(ss) H.R. 5804, Post-Surgical Injections as an Opioid Alternative Act

On May 15, 2018, Representative John Shimkus and three cosponsors introduced H.R. 5804, a bill to amend title XVIII of the Social Security Act to provide for modifications in payment for certain outpatient surgical services. On June 13, 2018, the House Committee on Energy and Commerce favorably reported the bill and the House Committee on Ways and Means discharged the bill.

H.R. 5804 incentivizes post-surgical injections as a pain treatment alternative to opioids by reversing a reimbursement cut for these treatments in the Ambulatory Service Center setting, as well as to collect data on a subset of codes related to these treatments. H.R. 5804 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(tt) H.R. 5809, Postoperative Opioid Prevention Act of 2018

On May 15, 2018, Representatives Scott H. Peters and Larry Bucshon along with three cosponsors introduced H.R. 5809, a bill to amend title XVIII of the Social Security Act to encourage the use of non-opioid analgesics for the management of post-surgical pain under the Medicare program, and for other purposes. On June 13, 2018, the House Committee on Energy and Commerce favorably re-

ported the bill and the House Committee on Ways and Means discharged the bill.

H.R. 5809 extends pass through payment for certain qualifying drugs to encourage the development of non-opioid drugs for post-surgical pain management under the Medicare program. H.R. 5809 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(uu) H.R. 6110, Dr. Todd Graham Pain Management, Treatment, and Recovery Act of 2018

On June 14, 2018, Representatives Jackie Walorski and Earl Blumenauer along with eight original cosponsors introduced H.R. 6110, a bill to amend title XVIII of the Social Security Act to provide for the review and adjustment of payments under the Medicare outpatient prospective payment system to avoid financial incentives to use opioids instead of non-opioid alternative treatments, and for other purposes. The House agreed to suspend the rules and pass the bill as amended by voice vote on June 19, 2018.

This bill establishes several requirements for the Centers for Medicare & Medicaid Services (CMS), and alters requirements under Medicare and Medicare Advantage (MA), related to pain management and opioid use. Among other requirements, the CMS must review payments under Medicare for opioid and non-opioid pain management procedures, specifically with respect to ambulatory outpatient surgical procedures and hospital outpatient department services. The CMS must ensure that there are no payment incentives for using opioids instead of non-opioid alternatives and must make revisions accordingly. The bill also requires payment under Medicare to federally qualified health centers and rural health clinics that have health care practitioners who are newly certified to provide medication-assisted treatment (e.g., buprenorphine). The bill also authorizes the suspension of payments to a pharmacy under the Medicare prescription drug benefit and MA prescription drug plans pending the investigation of a credible allegation of fraud by the pharmacy.

H.R. 6110 was later incorporated into H.R. 6, the “SUPPORT for Patients and Communities Act.” H.R. 6 passed the House on June 22, 2018, by a recorded vote of 396–14. The bill passed the Senate with an amendment by a vote of 99–1. The House agreed to the Senate amendment with an amendment on September 28, 2018, and the Senate agreed to the House amendment on October 3. H.R. 6 was signed into law on October 24, 2018 and became Public Law 115–271.

(vv) H.R. 6138, Ambulatory Surgical Center Payment Transparency Act of 2018

On June 19, 2018, Representatives Devin Nunes and John Larson, along with two cosponsors introduced H.R. 6138, a bill to amend title XVIII of the Social Security Act to provide for ambula-

tory surgical center representation during the review of hospital outpatient payment rates under part B of the Medicare program, and for other purposes. On June 21, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on July 17, 2018. The Committee on Energy and Commerce discharged the bill on July 17, 2018. The House agreed to suspend the rules and pass the bill as amended by voice vote on July 24, 2018.

H.R. 6138 would add an Ambulatory Surgical Center (ASC) representative to the Advisory Panel on Hospital Outpatient Payment (HOP) to ensure ASCs have a voice when the Centers for Medicare and Medicaid Services (CMS) makes changes to payment policies. H.R. 6138 would also require CMS to disclose the reasons for taking procedures off, or not putting procedures on, the ASC-approved codes list.

(ww) H.R. 6199, Restoring Access to Medication and Modernizing Health Savings Accounts Act of 2018

On June 22, 2018, Representatives Lynn Jenkins and Ron Kind, along with two cosponsors introduced H.R. 6199, to amend the Internal Revenue Code of 1986 to include certain over-the-counter medical products as qualified medical expenses. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended. The House passed the bill by the Yeas and Nays: 277–142 (Roll no. 377) on July 25, 2018.

H.R. 6199 allows all tax-favored health accounts to be used to purchase over-the-counter (OTC) medical products and adds feminine or “menstrual care” products to the list of qualified medical expenses for the purposes of these tax-favored health accounts. (See also: Tax legislation page 15).

(xx) H.R. 6301, Promoting High-Value Health Care Through Flexibility for High Deductible Health Plans Act of 2018

On June 29, 2018, Representatives Peter J. Roskam and Mike Thompson along with one cosponsor introduced H.R. 6301, to amend the Internal Revenue Code of 1986 to provide high deductible health plans with first dollar coverage flexibility. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6301 expands access and enhances the utility of health savings accounts (HSAs) by offering health plans a certain amount of flexibility in their plan design while still maintaining eligibility for HSA contributions. This flexibility will allow insurers to offer coverage for high-value, low-cost services like telehealth, chronic disease management (e.g. diabetic testing strips), or primary care visits below the deductible. (See also: Tax legislation page 16).

(yy) H.R. 6305, Bipartisan HSA Improvement Act of 2018

On July 3, 2018, Representatives Mike Kelly and Earl Blumenauer introduced H.R. 6305, to amend the Internal Revenue Code of 1986 to improve access to health care through modernized health savings accounts. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6305 expands access and enhances the utility of health savings accounts (HSAs) through three common-sense improvements to the rules governing HSAs: (1) clarifying that certain employment related services (such as on-site clinics) are not treated as disqualifying coverage for purposes of HSAs; (2) allowing an eligible individual to make HSA contributions if a spouse has a Flexible Spending Arrangement (FSA), provided that FSA does not also reimburse for expenses of the spouse with the HSA; and (3) allowing FSA and Health Reimbursement Account (HRA) terminations or conversions to fund HSAs. (See also: Tax legislation page 16).

(zz) H.R. 6306, Health Care Security Act of 2018

On July 3, 2018, Representative Erik Paulsen introduced H.R. 6306, to amend the Internal Revenue Code of 1986 to increase the contribution limitation for health savings accounts, and for other purposes. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6306 expands access and enhances the utility of health savings accounts (HSAs) through several common-sense improvements to the eligibility, contribution and expenditure rules governing HSAs. Specifically, this bill would increase the contributions limits for HSAs, permit spousal catch-up contributions into the same account and create a grace period for medical expenses incurred before the establishment of an HSA. (See also: Tax legislation page 16).

(aaa) H.R. 6309, Allowing Working Seniors to Keep Their Health Savings Accounts Act of 2018

On July 6, 2018, Representative Erik Paulsen introduced H.R. 6309, to amend the Internal Revenue Code of 1986 to allow individuals entitled to Medicare Part A by reason of being over age 65 to contribute to health savings accounts. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6309 expands access to Health Savings accounts (HSAs) for working seniors enrolled in Medicare Part A. (See also: Tax legislation page 16).

(bbb) H.R. 6311, Increasing Access to Lower Premium Plans and Expanding Health Savings Accounts Act of 2018

On July 6, 2018, Representative Peter J. Roskam and one co-sponsor introduced H.R. 6311, to amend the Internal Revenue Code of 1986 and the Patient Protection and Affordable Care Act to modify the definition of qualified health plan for purposes of the health insurance premium tax credit and to allow individuals purchasing health insurance in the individual market to purchase a lower premium copper plan. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended. The House passed the bill by the Yeas and Nays: 242–176 (Roll no. 376) on July 25, 2018.

H.R. 6311 provides an off-ramp from Obamacare’s rising premiums and limited choices by allowing the premium tax credit to be used for qualified plans offered outside of the law’s exchanges and Healthcare.gov. In addition, it expands access to the lowest-premium plans available (“catastrophic” plans) for all individuals

purchasing coverage in the individual market and allows the premium tax credit to be used to offset the cost of such plans. (See also: Tax legislation page 17).

(ccc) H.R. 6312, Personal Health Investment Today Act

On July 6, 2018, Representatives Jason Smith and Ron Kind along with one cosponsor introduced H.R. 6312, to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6312 adds qualified sports and fitness expenses to the definition of qualified medical expenses. (See also: Tax legislation page 17).

(ddd) H.R. 6313, Responsible Additions and Increases to Sustain Employee Health Benefits Act of 2018

On July 6, 2018, Representative Steve Stivers introduced H.R. 6313, to amend the Internal Revenue Code of 1986 to allow the carryforward of health flexible spending arrangement account balances. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6313 allows balances in Flexible Spending Arrangements (FSA) to be carried forward each year. (See also: Tax legislation page 17).

(eee) H.R. 6314, Health Savings Act of 2018

On July 6, 2018, Representative Michael C. Burgess introduced H.R. 6314, to amend the Internal Revenue Code of 1986 to allow bronze and catastrophic plans in connection with health savings accounts. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6314 expands eligibility and access to Health Savings Accounts (HSAs) by allowing plans categorized as catastrophic and bronze in the individual and small group markets to qualify for HSA contributions. (See also: Tax legislation page 17).

(fff) H.R. 6317, Primary Care Enhancement Act of 2018

On July 10, 2018, Representatives Erik Paulsen and Earl Blumenauer along with one cosponsor introduced H.R. 6317, to amend the Internal Revenue Code of 1986 to provide that direct primary care service arrangements do not disqualify deductible health savings account contributions, and for other purposes. On July 19, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended.

H.R. 6317 allows Health Savings Account (HSA)-eligible individuals that participate in a direct primary care (DPC) arrangement not to lose their HSA eligibility merely because of their participation in a DPC. In addition, it allows DPC provider fees to be paid for out of HSAs. (See also: Tax legislation page 18).

(ggg) H.R. 6561, Comprehensive Care for Seniors Act of 2018

On July 26, 2018, Representatives Jackie Walorski and Earl Blumenauer, along with nine cosponsors introduced H.R. 6561, a bill to require the Centers for Medicare & Medicaid Services (CMS) to

issue a final rule based on the provisions of a proposed rule regarding Programs of All-Inclusive Care for the Elderly (PACE) by December 31, 2018. On September 5, 2018, the House Committee on Ways and Means favorably reported the bill, as amended by the amendment in the nature of a substitute, by a voice vote (H. Rept. 115–934). On September 10, 2018, the House committee on Energy and Commerce discharged the bill. On September 12, 2018, Representative Jackie Walorski moved to suspend the rules and pass the bill, as amended, and the bill was agreed to by a voice vote.

H.R. 6561 directs the Secretary of the Department of Health and Human Services (the Secretary) to finalize the Program of All-Inclusive Care for the Elderly (PACE) regulations, originally proposed in August 2016, no later than December 31, 2018. The bill provides the Secretary with the flexibility to make updates and changes to the proposed regulation.

(hhh) H.R. 6662, Empowering Seniors' Enrollment Decision Act of 2018

On August 10, 2018, Representatives Erik Paulsen and Ron Kind introduced H.R. 6662, a bill to provide statutory authority for the extension of a special enrollment period under Medicare Advantage (MA) to enrollees in certain Medicare Cost plans that are not transitioning into qualifying MA plans. Current regulations allow such enrollees (i.e., non-deemed individuals) to participate in the special enrollment period. On September 5, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute, by a voice vote (H. Rept. 115–935). On September 10, 2018, the House Committee on Energy and Commerce discharged the bill. On September 12, 2018, Representative Erik Paulsen moved to suspend the rules and pass the bill, as amended, and the bill was agreed to by a voice vote.

H.R. 6662 codifies existing regulation which allows for non-deemed Medicare Cost Plan enrollees to take advantage of the Special Enrollment Period (SEP) offered in statute to the deemed Medicare Cost Plan enrollees. Additionally, it ensures that the existing deeming authority allowed under current statute for plan year 2019 is extended in perpetuity.

(iii) H.R. 6690, Fighting Fraud to Protect Care for Seniors Act of 2018

On August 28, 2018, Representatives Peter Roskam and Earl Blumenauer, along with four cosponsors introduced H.R. 6690, a bill to require the Centers for Medicare & Medicaid Services (CMS) to establish a pilot program that evaluates the feasibility of using smart card technology to address Medicare fraud. On September 5, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill, as amended by the amendment in the nature of a substitute, by a voice vote (H. Rept. 115–936). On September 10, 2018, the House Committee on Energy and Commerce discharged the bill. On September 12, 2018, Representative Peter Roskam moved to suspend the rules and pass the bill, as amended, and the bill was agreed to by a voice vote.

(jjj) *H.R. 6886, Health Equity and Access for Returning Troops and Servicemembers (HEARTS) Act of 2018*

On September 25, 2018, Representatives Sam Johnson and John Larson, along with three cosponsors introduced H.R. 6886, a bill to amend title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program. On September 28, 2018, the House Committee on Energy and Commerce, the House Committee on Ways and Means, and the House Committee on Armed Services each discharged the bill. The bill was considered by unanimous consent and passed without objection on September 25, 2018.

D. LEGISLATIVE REVIEW OF HUMAN RESOURCES ISSUES

1. BILLS ENACTED INTO LAW DURING THE 115TH CONGRESS

(a) *Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants*

On January 1, 2017, Chairman Kevin Brady and thirty-five cosponsors introduced H. J. Res. 42, a joint resolution under the Congressional Review Act to nullify the rule finalized by the Department of Labor on August 1, 2016, relating to establishing, for state unemployment compensation program purposes, occupations that regularly conduct drug testing. On February 15, 2017, the joint resolution passed the House by the Yeas and Nays: 236–189 (Roll no. 97). On March 13, 2017, the motion to proceed to consideration of the measure was agreed to by voice vote in the Senate. On March 14, 2017, the joint resolution was considered in the Senate and passed, without amendment, by the Yeas and Nays: 51–48 (Record Vote Number: 87). On March 31, 2017, the joint resolution was signed by the President and became Public Law No: 115–17.

(b) *Consolidated Appropriations Act, 2017*

On April 25, 2017, Representative Vern Buchanan introduced H.R. 2126, the What Works to Move Welfare Recipients into Jobs Act, to strengthen welfare research and evaluation by establishing a “What Works Clearinghouse” at the Department of Health and Human Services. This bill was included in the H.R. 244, the Consolidated Appropriations Act of 2017, under Division M, Title I, Section 102, and requires HHS to develop a database (the What Works Clearinghouse of Proven and Promising Projects to Move Welfare Recipients into Work) or projects that used a proven approach or a promising approach in moving welfare recipients into work, based on independent, rigorous evaluations of the projects. On May 3, 2017, the House passed H.R. 244 by the Yeas and Nays: 309–1188 (Roll no. 249). On May 4, 2017, the bill was considered in the Senate and passed, by the Yeas and Nays: 79–18 (Record Vote Number: 121). On May 5, 2017, H.R. 244 was signed by the President and became Public Law No: 115–31.

(c) *Emergency Aid to American Survivors of Hurricanes Irma and Jose Overseas Act*

On September 11, 2017, Representative David Reichert introduced H.R. 3732, the Emergency Aid to American Survivors of Hurricanes Irma and Jose Overseas Act. This bill amends Title XVI of the Social Security Act to increase, from \$1 million to \$25 million, the maximum amount of temporary assistance that may be provided annually in FY2017–FY2018. On September 11, 2017, the Committee on Ways and Means and the Committee on the Budget discharged the bill, and it passed both the House and the Senate without objection by Voice Vote. On September 12, 2017, the bill was signed by the President and became Public Law No: 115–57.

(d) *Bipartisan Budget Act of 2018*

On April 4, 2017, Representatives John Larson and David Reichert, along with fifteen cosponsors introduced H.R. 1892, the Bipartisan Budget Act of 2018 (BBA). On February 9, 2018 BBA was agreed to in the Senate by the Yeas and Nays: 71–28 (Record Vote Number: 31), and in the House by the Yeas and Nays: 240–186 (Roll no. 69) and was signed by the President and became Public Law No: 115–123. The Bipartisan Budget Act contains twelve bills that the Subcommittee on Human Resources introduced in the 115th Congress. (See also: Health legislation page 40).

(e) *The Family First Prevention Services Act (FFPSA) of 2017*

On January 4, 2017, Representative Vern Buchanan Representative Sander M. Levin, and seven bipartisan cosponsors introduced H.R. 253. FFPSA amends parts B and E of Title IV of the Social Security Act to: invest in funding prevention and family services to help keep children safe and supported at home; and ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings. The bill amends part E (Foster Care and Adoption Assistance) of title IV of the Social Security Act (SSAct) regarding, among other matters: (1) mental health and substance abuse prevention and treatment services and in-home parenting skill-based programs, (2) foster care maintenance payments for children with parents in a licensed residential family-based treatment facility for substance abuse, and (3) payments for evidence-based kinship navigator programs. Part B of title IV (Child and Family Services) of the SSAct is amended regarding, among other matters: (1) time limits for family reunification services for children in foster care or returning home, (2) grants for the development of an electronic interstate case-processing system to expedite the interstate placement of children in foster care or guardianship or for adoption, and (3) targeted grants to increase the well-being of children affected by substance abuse. The bill appropriates certain funding to Department of Health and Human Services for FY2018 for competitive grants to states, Indian tribes, or tribal consortia to support the recruitment and retention of high-quality foster families. The bill amends part B of title IV of the SS Act to reauthorize through FY2021: (1) the Stephanie Tubbs Jones Child Welfare Services Program, (2) promotion of safe and stable families program, (3) funding reservations for monthly caseworker visits and regional partnership grants, and (4) funding for state courts. Part E of title IV of the SS Act is amended to: (1) revise

the John H. Chaffee Foster Care Independence Program and related provisions, and (2) reauthorize adoption and legal guardianship incentive programs through FY2021.

H.R. 253 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII. Its predecessor, H.R. 5456 in the 114th Congress was introduced in the House on June 13, 2016. It was subsequently reported out by the Committee and agreed to in the House by Voice Vote on June 21, 2016. No additional Senate action was taken.

(f) Social Impact Partnerships to Pay for Results Act

On January 13, 2017, Representative Patrick Tiberi, Representative John Delaney and thirteen bipartisan cosponsors introduced H.R. 576. H.R. 576 is now led by Representative Jackie Walorski and encourages and supports partnerships between the public and private sectors to improve our Nation's social programs. The bill provides up to \$100 million for the federal government to pay for outcomes under a social impact partnership. To do this, the bill allows the Department of the Treasury to enter into agreements with state and local governments for social-impact partnership projects for which federal funds shall be awarded only if a project achieves certain agreed-upon outcomes resulting in both social benefit and federal, state, or local savings. In carrying out these agreements, Treasury must consult with the Federal Interagency Council on Social Impact Partnerships and the Commission on Social Impact Partnerships (both newly established by the bill). Treasury may transfer to another federal agency the authority to administer the agreements. At least 50% of all federal payments made under such agreements must be used for initiatives that directly benefit children.

H.R. 576 was included in the Bipartisan Budget Act of 2018 under Division E, Title VIII.

(g) Flexibility to Promote Reemployment Act

On February 15, 2017, Representative James Renacci and four cosponsors introduced H.R. 1091, to amend certain provisions of the Social Security Act relating to demonstration projects designed to promote the reemployment of unemployed workers. The bill authorizes the structure of reemployment services and eligibility assessments (RESEA) within the unemployment insurance (UI) program to reduce benefit duration and improve overall integrity. Further, H.R. 1091 expects preparation for work in exchange for benefits, improves coordination with the workforce development system, and focuses on outcomes. H.R. 1091 was included in the Bipartisan Budget Act of 2018 under Division C, Title II, Section 30206.

(h) Increasing Opportunity and Success for Children and Parents through Evidence-Based Home Visiting Act

On March 2, 2017, Representative Adrian Smith and seven cosponsors introduced H.R. 2824, a bill to amend Title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program. H.R. 2824 reauthorizes the MIECHV program for five years (through FY2022) and helps families by: requiring states to demonstrate improvements in at least four of the six benchmark areas specified in law; requiring states to conduct fol-

low-up statewide needs assessments by FY2020, and at least once every five years thereafter; allowing states to fund home visiting services on a “pay-for-outcomes” basis, etc.

The House Committee on Ways and Means held a markup and favorably reported the bill as amended by the Yeas and Nays: 22–15 on September 13, 2017. The House Committee on Energy and Commerce discharged the bill on September 21, 2017. The House passed the bill by recorded vote 214–209 (Roll no. 537) on September 26, 2017. H.R. 2824 was not brought to the Senate floor, but instead was included in the Bipartisan Budget Act of 2018 under Division E, Title VI, Subtitle A, Section 50601.

(i) Standard Data and Technology Advancement (DATA) Act of 2017

On April 28, 2017, Representative Tom Reed, Representative Danny K. Davis, and five bipartisan cosponsors introduced H.R. 2250, to amend Title XVI of the Social Security Act to establish consistent requirements for the electronic content and format of data used in the administration of certain human services programs. H.R. 2250 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII, Subtitle A, Part VI, Section 50771. The Standard DATA Act language was added to the section in the BBA extending the Maternal, Infant, and Early Childhood Home Visiting Program, using H.R. 2824, and requires the Department of Health and Human Services to develop data standards for home visiting programs that will help state agencies and the federal government more easily exchange information to ensure the integrity of programs and improve services for families in need, all while maintaining privacy standards.

(j) Modernizing the Interstate Placement of Children in Foster Care Act

On May 25, 2017, Representative Jackie Walorski, Representative Danny K. Davis, and six bipartisan cosponsors introduced H.R. 2742, to amend Title IV of the Social Security Act to require States to adopt an electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide funding to aid States in developing such a system. The bill would allow states to connect to an electronic interstate case-processing system that has already been tested in five states and the District of Columbia and has shown to substantially reduce the amount of time children have to wait to be placed in the right home when they must move across state lines.

H.R. 2742 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII, Subtitle A, Part I, Section 50722.

(k) Supporting Families in Substance Abuse Treatment Act

On June 8, 2017, Representative Kristi Noem, Representative Judy Chu, and Representative Danny K. Davis introduced H.R. 2857, a bill to amend Title IV–E of the Social Security Act to support foster care maintenance payments for children with parents in a licensed residential family-based treatment facility for substance abuse through federal foster care payments for up to twelve months. To be eligible for these payments, the child’s placement with a parent in the treatment facility must be recommended in

the child's case plan and the facility must incorporate trauma-informed parent education, parenting skills, and counseling as part of its substance abuse treatment.

The House suspended the rules and passed the bill as amended by voice vote on June 20, 2017. H.R. 2857 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII, Subtitle A, Part I, Section 50712.

(l) Partnership Grants to Strengthen Families Affected by Parental Substance Abuse Act

On June 8, 2017, Representative Danny Davis and five bipartisan cosponsors introduced H.R. 2834, a bill to improve the well-being of, and improve permanency outcomes for, children and families affected by heroin, opioids, and other substance abuse. H.R. 2834 provides funds to states to prevent child abuse and neglect related to substance abuse, specifically focusing on addressing the opioid and heroin epidemic. The House suspended the rules and passed the as amended by voice vote on June 20, 2017.

H.R. 2834 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII, Subtitle A, Part II, Section 50723. The Regional Partnership Grant program was reauthorized in the Family First Prevention Services Act within the Bipartisan Budget Act.

(m) Reducing Unnecessary Barriers for Relative Foster Parents Act

On June 8, 2017, Representative Lloyd Smucker, Representative Terri Sewell and six bipartisan cosponsors introduced H.R. 2866, a bill to review and improve licensing standards for placement in a relative foster family home. H.R. 2866 helps relative caregivers avoid bureaucracy by promoting best practices for states by providing model foster care licensing standards with a focus on ensuring states promote placements with family members for children in care. This bill is focused on reducing bureaucracy and quickly placing children in foster care with relatives, which is one of the Family First Prevention Services Acts' biggest goals.

The House passed the bill as amended by the Yeas and Nays (2/3 required) 382–19 (Roll no. 310) on June 21, 2017. H.R. 2866 was included in the Bipartisan Budget Act of 2018 under Division E Title VII, Subtitle A, Part III, Section 50731.

(n) Improving Services for Older Youth in Foster Care Act

On June 8, 2017, Representative John Faso, Representative Karen Bass and four bipartisan cosponsors introduced H.R. 2847, a bill to make improvements to the John H. Chafee Foster Care Independence Program and related provisions. H.R. 2847 improves support for the transition to adulthood by updating the Chafee program to: allow states the option of continuing to assist older former foster youth up to age 23; extend to age 26 eligibility for Education and Training Vouchers under Chafee; require HHS to report on the National Youth in Transition Database (NYTD) and other relevant databases that track outcomes of youth who aged out or exited care to adoption or kinship guardianship; ensure that youth who age out of foster care are provided official documentation that proves they were previously in foster care.

The House suspended the rules and passed the bill by the Yeas and Nays (2/3 required) 391–8 (Roll no. 309) on June 20, 2017.

H.R. 2847 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII, Subtitle A, Part V, Section 50753.

(o) Continuation of Useful Resources to States (COURTS) Act

On November 28, 2017, Representative Kevin Brady and four cosponsors introduced H.R. 4461, the Continuation of Useful Resources to States Act (COURTS Act), to amend subpart 2 of part B of Title IV of the Social Security Act to extend State court funding for child welfare. This bill extends and fully funds the Court Improvement Program (CIP) at \$30 million annually to provide grants to the highest court in any state operating a Title IV–E child welfare program.

H.R. 4461 was included in the Bipartisan Budget Act of 2018 under Division E, Title VII, Subtitle A, Part VI, Section 50761. The COURTS Act was included in the four-year reauthorization for the Promoting Safe and Stable Families and Child Welfare Services programs through the Family First Prevention Services Act within the BBA.

2. OTHER PROPOSALS DURING THE 115TH CONGRESS

(a) Preparing More Welfare Recipients for Work Act

On March 2, 2017, Representative James Renacci and Derek Kilmer, along with five cosponsors introduced H.R. 1352, to encourage States to engage more TANF recipients in activities leading to employment and self-sufficiency, and to simplify State administration of TANF work requirements. The bill eliminates the distinction between core work activities and other specified work activities related to training and education, and increases, from 12 to 24 months, the maximum period for which vocational educational training counts a work activity. H.R. 1352 was included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(b) Help Americans in Need Develop their Ultimate Potential (HAND UP) Act

On April 28, 2017, Representative Tom Reed and six cosponsors introduced H.R. 2249, to authorize a State or a portion of a State to conduct a demonstration project designed to test methods of program integration and coordination of services with the goals of moving individuals and families towards self-sufficiency, reducing welfare dependence, and increasing work and earnings. On May 11, 2017, H.R. 2249 was referred to the Subcommittee on Human Resources.

(c) Control Unlawful Fugitive Felons Act of 2017

On June 6, 2017, Representative Kristi Noem and three cosponsors introduced H.R. 2792, a bill to amend the Social Security Act to make certain revisions to provisions limiting payment of benefits to fugitive felons under titles II, VIII, and XVI of the Social Security Act. H.R. 2792 prohibits individuals subject to an outstanding arrest warrant for a felony from receiving Supplemental Security Income (SSI) payments. The House Committee on Ways and Means held a markup a favorably reported the bill as amended by the Yeas and Nays: 23–14, on September 13, 2017. The House passed

the bill by the Yeas and Nays: 244–171 (Roll no. 543) on September 28, 2017.

(d) Accelerating Individuals into the Workforce Act

On June 6, 2017, Representative Carlos Curbelo and Representative Danny K. Davis introduced H.R. 2842, a bill to amend provide for the conduct of demonstration projects to test the effectiveness of subsidized employment for TANF recipients. H.R. 2842 encourages employer-led partnerships to help people move from welfare to work by: encouraging state and local agencies to hire recipients from the TANF program; reserving up to \$100 million to subsidize the wages of TANF recipients for up to 12 months; sets aside 15% of funds for programs that offer Workforce Innovation and Opportunity Act (WIOA) defined Career Pathway services; allows no more than 50% of the wage for a TANF recipient to be subsidized using funds from this bill; requires states to report on outcome measures and provide high-quality evaluations to determine whether these public-private partnerships were effective in helping welfare recipients move into jobs, retain work, and increase their earnings over time. The Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote on June 15, 2017. The House passed the bill by the Yeas and Nays 377–34 (Roll no. 322) on June 23, 2017.

(e) Permanency for Children Act of 2017

On June 28, 2017, Representative Vicky Hartzler and five co-sponsors introduced H.R. 3092, to amend Title IV–D of the Social Security Act to require the Secretary of Health and Human Services to modify the Federal Parent Locator Service to improve search functions and include State responsible father registry search functions. On July 12, 2017, H.R. 3092 was referred to the Subcommittee on Human Resources.

(f) TANF Accountability and Integrity Improvement Act

On July 26, 2017, Representative Kristi Noem introduced H.R. 3437 to prevent States from counting certain expenditures—more specifically, third-party contributions—as State spending to reduce TANF work requirements.

On July 26, 2017, H.R. 3437 was referred to the Subcommittee on Human Resources. H.R. 3437 was included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(g) Coordinating Assistance for TANF Recipients Act

On October 27, 2017, Representative Jackie Walorski and one co-sponsor introduced H.R. 4167, to provide for the conduct of demonstration projects to provide coordinated case management services for TANF recipients. H.R. 4167 establishes Coordinated Case Management Demonstration Projects to help individuals receiving assistance increase their employment and self-sufficiency. H.R. 4167 was included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

*(h) Navy SEAL Chief Petty Officer William ‘Bill’ Mulder (Ret.)
Transition Improvement Act of 2018*

On April 27, 2018, Representative Jodey Arrington and eleven cosponsors introduced H.R. 5649, a bill to amend titles 10 and 38, United States Code, to amend the Social Security Act, and to direct the Secretaries of Veterans Affairs, Defense, Labor, and Homeland Security, and the Administrator of the Small Business Administration, to take certain actions to improve transition assistance to members of the Armed Forces who separate, retire, or are discharged from the Armed Forces, and for other purposes. On July 16, 2018, the Chairman of the Committee on Veterans’ Affairs, David Roe, M.C., sent a letter to the Chairman of the Committee on Ways and Means, Kevin Brady, to ask to consider H.R. 5649, as amended, for floor consideration. Chairman Kevin Brady sent a follow-up letter on July 17, 2018 to approve Chairman Roe’s request. Following this exchange of letters, on July 24, 2018, the House Committee on Veterans’ Affairs favorably reported the bill as amended, and the House agreed to suspend the rules and pass the bill by voice vote.

(i) Improving Access to Child Care Act

On May 16, 2018, Representative Mike Bishop and one cosponsor introduced H.R. 5835, to amend Title IV–A of the Social Security Act to support work by increasing access to child care. H.R. 5835 increases the current funding for the Child Care Entitlement to States portion of the Child Care Development Fund (CCDF) to \$3.5 billion annually from \$2.9 billion annually. The Improving Access to Child Care Act is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(j) Supporting Work Through Apprenticeships Act

On May 16, 2018, Representative Mike Bishop and three cosponsors introduced H.R. 5836, to amend Title IV–A of the Social Security Act to increase opportunities for success by promoting apprenticeships. The bill includes apprenticeships within the current law definition of “on-the-job training.” H.R. 5836 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(k) Improving Access to Work Act

On May 16, 2018, Representative Darin LaHood and one cosponsor introduced H.R. 5838, to amend Title IV–A of the Social Security Act to refocus funding to emphasize core work purposes. The bill requires states to address the core work purposes, rather than use federal assistance funds to fill state budget holes and adds non-supplantation language to prohibit the diversion of federal funds to replace state spending. Additionally, H.R. 5838 directs the Department of Health and Human Services (HHS) to ensure that states are satisfying the “supplement not supplant” requirement that this bill enforces. H.R. 5838 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(l) Helping Americans Succeed by Measuring Outcomes Act

On May 16, 2018, Representative Tom Reed and one cosponsor introduced H.R. 5842, to amend Title IV–A of the Social Security Act to measure work outcomes and ease the transition to work. The bill applies an outcome-based performance accountability system to assess the effectiveness of states in increasing employment, retention and advancement among families receiving assistance, replacing the work participation rate as the primary state accountability mechanism. H.R. 5842 also establishes four indicators of performance, in alignment with those used under the Workforce Innovation and Opportunity Act (WIOA), to be determined on a state-by-state basis jointly with the Secretary of Health and Human Services. H.R. 5842 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(m) The Benefits to Employment Act

On May 16, 2018, Representative Jason Smith and one cosponsor introduced H.R. 5843, to amend Title IV–A of the Social Security Act to increase expectations and engagement to promote work. The bill retains the strong focus on work by requiring all work-eligible individuals receiving assistance to participate in work or work preparation activities for a minimum number of hours per month in exchange for benefits. H.R. 5843 also expects universal engagement and case management that begins with an initial assessment of education, skills, and work readiness to develop an individual opportunity plan. H.R. 5843 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(n) Protecting Family Resources and Training Options Act

On May 16, 2018, Representative Carlos Curbelo and one cosponsor introduced H.R. 5847, to amend Title IV–A of the Social Security Act to improve transparency and accountability through better data reporting. H.R. 5847 requires that program data be subject to improper payment reviews consistent with other programs across government, with respect to applicable federal and state laws and policies, to produce a national error rate for the program. Additionally, the bill clarifies that vocational education training includes career technical education and removes the 12-month time limit on such training and education. H.R. 5847 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(o) Preserving Welfare for Needs Not Weed Act

On May 16, 2018, Representative David Reichert and one cosponsor introduced H.R. 5853, to prohibit assistance provided under the program of block grants to States for temporary assistance for needy families from being accessed through the use of an electronic benefit transfer card at any store that offers marijuana for sale. H.R. 5853 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(p) Improving Transparency in TANF through Data Act

On May 16, 2018, Representative David Schweikert and five cosponsors introduced H.R. 5854, to amend Title IV–A of the Social

Security Act to increase transparency and accountability through better data reporting. H.R. 5854 requires reporting of full population data, rather than samples, in order to improve transparency and sub-state analysis. The bill also adds reporting to capture the number of hours per month for each work eligible individual and instructs the Department of Health and Human Services (HHS) and the Department of Labor (DOL) to determine information necessary to be collected for the measurement of employment and earnings outcomes of work-eligible individuals, in the shift to measure outcomes as the primary means of accountability. H.R. 5854 is included in H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act (mentioned below).

(q) *Jobs and Opportunity with Benefits and Services (JOBS) for Success Act*

On May 17, 2018, Representative Adrian Smith and thirty-five cosponsors introduced H.R. 5861, a bill to amend part A of title IV of the Social Security Act to reauthorize the Temporary Assistance for Needy Families (TANF) program. H.R. 5861 extends TANF and related funds for five years through FY2023, strengthens work requirements through universal engagement and case management, restores accountability by measuring and paying for real employment and earnings outcomes, focuses funding on truly needy families and core purposes that support work, and improves program integrity by measuring improper payments and program errors. The JOBS for Success Act contains eleven bills that were referred to the Subcommittee on Human Resources: H.R. 1352, H.R. 3437, H.R. 4167, H.R. 5835, H.R. 5836, H.R. 5838, H.R. 5842, H.R. 5843, H.R. 5847, H.R. 5853, and H.R. 5854. On May 23–24, 2018, the House Committee on Ways and Means held a markup, and favorably reported the bill as amended on June 13, 2018.

E. LEGISLATIVE REVIEW OF SOCIAL SECURITY ISSUES

1. BILLS ENACTED INTO LAW DURING THE 115TH CONGRESS

(a) *Social Security Number Fraud Prevention Act of 2017 (P.L. 115–59)*

On January 24, 2017, Representatives David Valadao and Eric Swalwell introduced H.R. 624. This bill had 33 cosponsors. H.R. 624 restricts the inclusion of Social Security account numbers on federal documents sent by mail, and for other purposes. H.R. 624 generally prohibits agencies of the federal government from mailing documents containing full Social Security numbers (SSNs) by September 15, 2022, and requires agencies to provide annual reports to Congress that include updates of the agencies' progress in implementing the law. On May 23, 2017, the House Committee on Oversight and Government Reform favorably reported the bill as amended (H. Rept. 115–150, Part I), and the Committee on Ways and Means discharged H.R. 624. On May 24, 2017, the House suspended the rules and passed the bill, as amended, by voice vote. On September 6, 2017, the Senate passed H.R. 624 without amendment by Unanimous Consent. The bill was signed by the President and became Public Law No. 115–59 on September 15, 2017.

(b) *Economic Growth, Regulatory Relief, and Consumer Protection Act (P.L. 115–174)*

On November 16, 2017, Senator Mike Crapo introduced S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act. This bill had 26 cosponsors. S. 2155 includes an amendment introduced by Senator Tim Scott to combat synthetic identity fraud by allowing financial institutions to obtain electronic consent from individuals before verifying their personal information against the Social Security Administration's (SSA's) records. On March 14, 2018 the Senate passed the bill by a Yea-Nay vote 67–31. On May 22, 2018, the bill was passed in the House by a Yea-Nay vote 258–159. On May 24, 2018, S. 2155 was signed by the President and became Public Law No. 115–174.

The *Protecting Children from Identity Theft Act* (H.R. 5192), a standalone version of section 215 of S. 2155, was introduced on March 7, 2018 by Representatives Carlos Curbelo and Kyrsten Sinema. This bill had 14 cosponsors. H.R. 5192 would authorize the Commissioner of Social Security to provide confirmation of fraud protection data to certain permitted entities, and for other purposes. The Committee on Ways and Means favorably reported the bill as amended by a Yea-Nay vote 38–0 on April 11, 2018. On April 17, 2018, the House passed the bill by a Yea-Nay vote 420–1 (Roll no. 142).

(c) *Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007 (P.L. 115–8)*

On January 30, 2017, Representative Sam Johnson and Representative Ralph Abraham introduced H.J. Res. 40. This had 119 cosponsors. H.J. Res. 40 overturned a regulation finalized under the Obama Administration that infringes upon the Second Amendment rights of certain Social Security disability beneficiaries. On February 2, 2017, it was passed in the House by a Yea-Nay vote 235–180. On February 15, 2017, it was passed in the Senate by a Yea-Nay vote 57–43. On February 28, 2017, it was signed by the President and became Public Law No. 115–8.

(d) *Strengthening Protections for Social Security Beneficiaries Act of 2018 (P.L. 115–165)*

On December 5, 2017, Representative Sam Johnson and Representative John Larson introduced H.R. 4547. This bill had 74 cosponsors. H.R. 4547, a bill to amend titles II, VIII, and XVI of the Social Security Act, makes changes to Social Security's representative payment program. This legislation strengthens oversight of representative payees and increases beneficiary protections, while improving payee selection and quality. The House suspended the rules and passed the bill by a Yea-Nay vote 396–0 (Roll no. 51) on February 5, 2018. The Senate passed the bill by unanimous consent on March 23, 2018. On April 13, 2018, the bill was signed by the President and became Public Law No. 115–165.

(e) *Tribal Social Security Fairness Act of 2018*

On June 15, 2018, Representative David G. Reichert, Representative Suzan DelBene, Representative Tom Cole, and Representa-

tive Derek Kilmer introduced H.R. 6124. This bill had three other cosponsors. H.R. 6124 is a bill to amend title II of the Social Security Act to allow Tribal Councils to voluntarily enter into Social Security coverage agreements with the Social Security Administration (SSA). On June 21, 2018, the Committee on Ways and Means favorably reported the bill as amended. The House agreed to suspend the rules and pass the bill as amended by voice vote on July 24, 2018. On September 6, 2018, the Senate passed the bill without amendment by unanimous consent. H.R. 6124 was signed by the President and became Public Law No. 115–243 on September 20, 2018.

2. OTHER PROPOSALS DURING THE 115TH CONGRESS

(a) *Social Security Child Protection Act of 2018*

On March 13, 2017, Representative Kenny Marchant and Representative Lloyd Doggett introduced H.R. 1512. This bill had 11 cosponsors. H.R. 1512, a bill to amend title II of the Social Security Act, provides the reissuance of Social Security account numbers to young children in cases where confidentiality has been compromised. The Committee favorably reported the bill on April 13, 2018. The House suspended the rules and passed by voice vote on April 17, 2018. This protects children under the age of 14 whose Social Security numbers have been stolen in transit by allowing them to receive a new SSN without having to wait for them to be harmed by that SSNs misuse.

(b) *Social Security Online Tools Innovation Act of 2018*

On July 19, 2017, Representatives Sam Johnson, Mike Bishop, and Tom Reed introduced H.R. 3309. This bill requires the Commissioner of Social Security to develop online tools to allow an individual entitled to Disability Insurance (DI) benefits to obtain an estimate of the potential impact of earnings on the individual's eligibility for and amount of DI benefits. The Committee on Ways and Means favorably reported the bill as amended on July 18, 2018.

(c) *Improving Social Security's Service to Victims of Identity Theft Act*

On June 13, 2018, Representative Mike Bishop and Representative John Larson introduced H.R. 6084. This bill had ten cosponsors. H.R. 6084 amends title VII of the Social Security Act to provide for a single point of contact at the SSA for any individual who needs to resolve a problem with the SSA because of misuse of his or her SSN. On June 21, 2018, the Committee on Ways and Means favorably reported as amended on June 29, 2018. The House agreed to suspend the rules and pass the bill as amended by voice vote on July 24, 2018.

F. LEGISLATIVE REVIEW OF OVERSIGHT ISSUES

Throughout the 115th Congress, the Ways and Means Committee marked up thirteen Oversight bills. Of those, eleven have been passed by the House. Those bills include:

(a) *H. Res. 186*

On March 9, 2017, Representative Bill Pascrell Jr. and ninety-two cosponsors introduced H. Res. 186, a resolution of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump. On March 28, 2017, the Committee held a markup and unfavorably reported the resolution (H. Rept. 115–73).

(b) *Clyde-Hirsch-Sowers RESPECT Act*

On March 30, 2017, Representatives Peter Roskam and Joseph Crowley, and thirteen cosponsors, introduced H.R. 1843, a bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes. The House Committee on Ways and Means held a markup on July 13, 2017 and favorably reported the bill as amended on September 5, 2017. The House Committee on Financial Services discharged the bill on September 5, 2017. The House suspended the rules and passed the bill, as amended by voice vote on September 5, 2017.

(c) *Volunteer Income Tax Assistance Permanence Act of 2017*

On June 15, 2017, Representatives Carlos Curbelo and Danny Davis, and thirty-eight cosponsors, introduced H.R. 2901, a bill to amend the Internal Revenue Code of 1986 to make permanent the Volunteer Income Tax Assistance matching grant program. The House suspended the rules and passed the bill by voice vote on April 17, 2018. (See also: Tax legislation page 12).

(d) *Justice for Victims of IRS Scams and Identity Theft Act of 2018*

On June 15, 2017, Representatives David Young and Kyrsten Sinema introduced H.R. 2905, a bill to require the Attorney General to establish procedures for expedited review of the case of any person who unlawfully solicits personal information for purposes of committing identity theft, while purporting to be acting on behalf of the IRS, and for other purposes. The House suspended the rules and passed the bill as amended by the Yeas and Nays (2/3 required) 403–3 (Roll no. 147) on April 18, 2018. (See also: Tax legislation page 12).

(e) *Ensuring Integrity in the IRS Workforce Act of 2018*

On July 27, 2017, Representative Kristi L. Noem and six cosponsors introduced H.R. 3500, a bill to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct. The House Committee on Ways and Means held a markup and favorably reported the bill by voice vote on June 22, 2018. On July 24, 2018, the House suspended the rules and passed the bill as amended by voice vote. (See also: Tax legislation page 12).

(f) *H. Res. 479*

On July 27, 2017, Representative Bill Pascrell Jr. and eight cosponsors introduced H. Res. 479, a resolution of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax return information of President Donald J. Trump as well as the tax returns of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e. On September 7, 2017, the Committee held a markup and unfavorably reported the resolution (H. Rept. 115–309).

(g) *To require the Secretary of the Treasury to establish a program for the issuance of identity protection personal identification numbers.*

On April 9, 2018, Representatives Erik Paulsen and Suzan DelBene introduced H.R. 5437, a bill to require the Secretary of the Treasury to establish a program for the issuance of identity protection personal identification numbers. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote on April 11, 2018. On April 17, 2018, the House suspended the rules and passed the bill as amended by voice vote.

(h) *To amend the Internal Revenue Code of 1986 to allow officers and employees of the Department of the Treasury to provide to taxpayers information regarding low-income taxpayer clinics.*

On April 9, 2018, Representatives George Holding and John Lewis introduced H.R. 5438, a bill to amend the Internal Revenue Code of 1986 to allow officers and employees of the Department of the Treasury to provide to taxpayers information regarding low-income taxpayer clinics. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote on April 11, 2018. On April 17, 2018, the House suspended the rules and passed the bill as amended by voice vote. (See also: Tax legislation page 14).

(i) *To provide for a single point of contact at the Internal Revenue Service for the taxpayers who are victims of tax-related identity theft.*

On April 9, 2018, Representatives James Renacci and John Lewis, and two cosponsors, introduced H.R. 5439, a bill to provide for a single point of contact at the Internal Revenue Service for the taxpayers who are victims of tax-related identity theft. The House Committee on Ways and Means held a markup and favorably reported the bill as amended by voice vote on April 11, 2018. On April 17, 2018, the House suspended the rules and passed the bill as amended by voice vote. (See also: Tax legislation page 14).

(j) *To require notice from the Secretary of the treasury in the case of any closure of a Taxpayer Assistance Center*

On April 9, 2017, Representatives Karen C. Handel and Tom O'Halleran introduced H.R. 5440, a bill to require notice from the Secretary of the Treasury in the case of any closure of a Taxpayer Assistance Center. On April 17, 2018, the House agreed to suspend the rules and pass the bill as amended by voice vote. (See also: Tax legislation page 14).

- (k) *To amend the Internal Revenue of 1986 to require electronic filing of the annual returns of exempt organizations and provide for making such returns available for public inspection*

On April 10, 2018, Representatives Mike Kelly and Stephanie N. Murphy introduced H.R. 5443, a bill to amend the Internal Revenue Code of 1986 to require electronic filing of the annual returns of exempt organizations and provide for making such returns available for public inspection. The House agreed to suspend the rules and pass the bill as amended by voice vote on April 17, 2018. (See also: Tax legislation page 15).

- (l) *Taxpayer First Act*

On April 10, 2018, Representatives Lynn Jenkins and John Lewis, and three cosponsors, introduced H.R. 5444, a bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes. The House Committee on Ways and Means held a markup on April 11, 2018 and favorably reported the bill as amended on April 13, 2018. The House Committee on Financial Services discharged the bill on April 13, 2018. On April 18, 2018, the House agreed to suspend the rules and passed the bill by the Yeas and Nays: 414–0 (Roll no. 146).

- (m) *To amend the Internal Revenue Code of 1986 to restrict the immediate sale of seized property by the Secretary of the Treasury to perishable goods*

On April 10, 2018, Representatives Drew A. Ferguson and Joseph Crowley introduced H.R. 5446, a bill to amend the Internal Revenue Code of 1986 to restrict the immediate sale of seized property by the Secretary of the Treasury to perishable goods. On April 17, 2018, the House agreed to suspend the rules and pass the bill as amended by voice vote.

- (n) *21st Century IRS Act*

On April 19, 2018, Representatives Mike Bishop and Suzan DelBene, and five cosponsors, introduced H.R. 5445, a bill to amend the Internal Revenue Code of 1986 to improve cybersecurity and taxpayer identity protection, and modernize the information technology of the Internal Revenue Service, and for other purposes. On April 11, 2018, the House Committee on Ways and Means held a markup and favorably reported the bill as amended on April 13, 2018. The House agreed to suspend the rules and passed the bill by the Yeas and Nays: 414–3 (Roll no. 145).

- (o) *Taxpayer First Act of 2018*

On December 10, 2018, Representatives Lynn Jenkins and John Lewis introduced H.R. 7227, a bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes. On December 20, 2018, the House agreed to suspend the rules and passed the bill as amended by the Yeas and Nays: 378–11 (Roll no. 455).

II. OVERSIGHT ACTIVITY REVIEW

A. OVERSIGHT AGENDA

Matters under the Committee's Trade Jurisdiction

- *Trade Negotiations and Trade Promotion Authority.* Fully exercise Congress' oversight responsibilities regarding existing and new trade negotiations. Ensure the Administration's compliance with TPA's Congressional notification and consultation requirements and transparency requirements. Ensure the Administration's consideration of Congressional trade objectives contained in TPA, with the goal of concluding comprehensive and high-ambition agreements, with particular focus on the Asia-Pacific and the European Union. Closely monitor the withdrawal of the United Kingdom from the European Union to determine an appropriate time for negotiations concerning a trade agreement.

- *Role of Trade in U.S. Job Creation.* Oversight of the role of trade in creating U.S. jobs and economic growth and how to create new market access for U.S. manufactured goods, agriculture, and services.

- *Miscellaneous Tariff Bill (MTB).* Oversight of the implementation of the procedures set forth in the American Manufacturing Competitiveness Act of 2016 to reduce or suspend tariffs for U.S. manufacturers on products not made in the United States, to include: ensuring that the International Trade Commission and the Executive Branch perform their roles within the timeframes set forth in the bill and maintain an open and transparent process; and producing a legislative package of noncontroversial provisions for consideration by the House.

- *Enforcement.* Oversight of enforcement of U.S. rights under trade agreements, including the WTO Agreements and bilateral and regional free trade agreements, to hold U.S. trading partners accountable. Particular oversight of enforcement activities related to China's WTO commitments, as well as continuing barriers imposed by India. Oversight of the administration of U.S. trade remedy laws, as well as enforcement related to U.S. intellectual property rights, import safety, and illegal transshipment. Oversight of the implementation of the Trade Facilitation and Trade Enforcement Act of 2015 ("Customs bill") to ensure that the new enforcement tools in the bill are being fully utilized, particularly with respect to evasion of trade remedies, intellectual property violations, currency policy, forced labor, and violations of trade agreements.

- *Trade Remedies.* Oversight and promotion of the enforcement of the trade remedy laws, in compliance with the legal and evidentiary requirements established by Congress. Oversight of implementation of the Enforce and Protect Act of 2015 by Customs and Border Protection (CBP) to address trade remedy evasion and ensure CBP's compliance with the law as written. Support of Administration efforts to defend the use of the criteria established by Congress to identify non-market economy countries for the purposes of antidumping cases.

- *China.* Oversight of enforcement issues including ensuring that implementation of U.S. trade remedy laws appropriately accounts for the continued high level of government intervention in China's economy. Oversight of systemic problems in U.S.-China trade rela-

tions, including issues related to China's consistent lack of protection and enforcement of U.S. intellectual property rights; excess production capacity for steel, aluminum, and many other commodities; indigenous innovation requirements; use of industrial subsidies; export restraints on key products; and currency policies.

- *Implemented Trade Agreements.* Oversight of implemented agreements with Colombia; Panama; Korea; Peru; Costa Rica, Dominican Republic, El Salvador, Guatemala, and Honduras (CAFTA-DR); Oman; Bahrain; Singapore; Chile; Australia; Morocco; Jordan; Canada and Mexico (NAFTA); and Israel. Continued analysis of the benefits of these trade agreements for American companies, workers, ranchers and farmers. Identify provisions of such trade agreements that should be updated or added to increase and improve the benefits, including by drawing on work from previous trade negotiations.

- *Preference Programs.* Oversight and renewal of major U.S. trade preference programs, including the Generalized System of Preferences (expiring December 31, 2017) and the African Growth and Opportunity Act.

- *Agriculture.* Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to U.S. agriculture, including non-science based sanitary and phytosanitary measures and barriers to agriculture biotechnology. Continued analysis and assessment of the broad and crucial benefits of agriculture exports to U.S. farmers, ranchers, companies, workers, and rural communities, and the need to increase U.S. agriculture exports. Engagement on trade-related provisions of the 2018 Farm Bill.

- *Manufacturing.* Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to U.S. manufacturing. Continued analysis and assessment of the broad and crucial benefits of manufacturing exports to U.S. manufacturers and their employees, and the need to increase U.S. manufacturing exports. Preparation of a Miscellaneous Tariff Bill for consideration by the House following the requirements of the American Manufacturing Competitiveness Act of 2016.

- *Services.* Oversight and promotion of Administration efforts to increase enforcement to remove barriers to the U.S. services sector. Analysis and assessment of the broad and crucial benefits of services to all sectors of the U.S. economy and the need to increase U.S. exports. Oversight over the Trade in Services Agreement (TiSA) negotiations.

- *Digital Trade and E-commerce.* Oversight regarding trade barriers faced by U.S. manufacturers, service providers, and the agriculture sector in the area of digital trade and e-commerce, particularly with respect to data issues (localization measures and dataflows). Oversight regarding how to address these issues through enforcement and trade negotiations.

- *World Trade Organization (WTO).* Oversight of U.S. goals in the WTO, including negotiations such as the Environmental Goods Agreement, the functioning of the dispute settlement system, and WTO accessions (including consideration of legislation granting Permanent Normal Trade Relations status and graduation from the Jackson-Vanik amendment's requirements). Analysis of the benefits of WTO membership for the United States, including the

success of the WTO dispute settlement system and the importance of predictable rules to U.S. businesses and consumers. Monitor the progress of WTO members in undertaking the domestic processes necessary to bring the Trade Facilitation Agreement into force.

- *Trade Sanctions*. Oversight concerning import sanctions with, among others, Iran, Russia, Cuba, North Korea, and Syria.

- *Trade Adjustment Assistance*. Continued oversight concerning the Trade Adjustment Assistance programs for workers, firms, communities, and farmers, to monitor the effectiveness of these programs in providing training and new jobs for displaced workers in a simple and cost-effective manner.

- *Priorities of the Office of the United States Trade Representative (USTR)*. Oversight over USTR to evaluate priorities for the 115th Congress and the trade agenda, and to assure its statutory role with respect to trade policy.

- *Priorities of Customs and Border Protection (CBP)*. Oversight over CBP and implementation of Customs revenue functions. Oversight of the implementation of the Customs bill to ensure that the new enforcement tools provided in the bill are being fully utilized by CBP, including provisions relating to evasion of trade remedy laws and forced labor.

- *Priorities of the United States International Trade Commission*. Oversight over the Commission concerning overall priorities and operations.

B. ACTIONS TAKEN AND RECOMMENDATIONS MADE WITH RESPECT TO OVERSIGHT PLAN

SUBCOMMITTEE ON OVERSIGHT

Actions Taken

SUBCOMMITTEE HEARINGS

On January 24, 2017, the Subcommittee on Oversight received testimony on examining the effectiveness of the individual mandate under the Affordable Care Act from: (i) Mr. Thomas Miller, Resident Fellow, American Enterprise Institute; (ii) Mr. John R. Graham, Senior Fellow at the National Center for Policy Analysis; (iii) Dr. John E. McDonough, DrPH, MPA, Professor of Practice, Department of Health Policy & Management, Harvard TH Chan School of Public Health. The Subcommittee examined the individual mandate penalty and its effectiveness in stabilizing health insurance markets.

On February 7, 2017, the Subcommittee on Social Security and the Subcommittee on Oversight received testimony at a hearing entitled “Examining the Social Security Administration’s Representative Payee Program: Determining Who Needs Help” from: (i) Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, Social Security Administration; (ii) Dr. Paul Appelbaum, Elizabeth K. Dollard Professor of Psychiatry, Medicine & Law, Columbia University; (iii) Lindsay Nichols, Senior Attorney, The Law Center to Prevent Gun Violence/Americans for Responsible Solutions; (iv) Gale Stallworth Stone, Acting Inspector General, Social Security Administration. The hearing focused on the capability determination process used by the Social Security Administration (SSA) to assess whether an individual needs a rep-

representative payee to manage benefit payments on their behalf. The witnesses discussed how capability determinations are made, concerns with the SSA's current process, and recommendations for improvement.

On March 22, 2017, the Subcommittee on Oversight and the Subcommittee on Social Security received testimony on Social Security's Representative Payee Program from: (i) Ms. Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, Social Security Administration; (ii) Ms. Gale Stallworth Stone, Acting Inspector General, Social Security Administration; (iii) Ms. Marty Ford, Senior Executive Officer, Public Policy, The Arc, on behalf of the Consortium for Citizens with Disabilities Social Security Task Force; (iv) Ms. Brenda Uekert, Principal Court Research Consultant, National Center for State Courts; (v) Mr. David Slayton, Administrative Director, Office of Court Administration, Texas Judicial Branch. This hearing was a follow-up hearing to the joint Social Security Subcommittee and Oversight Subcommittee hearing held on February 7, 2017, entitled "Examining the Social Security Administration's Representative Payee Program: Determining Who Needs Help." This second hearing focused on how Social Security selects and monitors those serving as payees. The hearing also looked at innovative efforts at the state level, including recent changes that Texas has made to its guardianship program. Members indicated interest in bipartisan legislation to improve the representative payee program. This legislation entitled "Strengthening Protections for Social Security Beneficiaries Act of 2018" was later introduced on December 5, 2017 and signed into law on April 13, 2018.

On April 26, 2017, the Subcommittee on Oversight received testimony on the 2017 tax filing season from: (i) Ms. Kirsten Wielobob, Deputy Commissioner for Services and Enforcement, Internal Revenue Service (IRS); (ii) Mr. Michael McKenney, Deputy Inspector General for Audit, Treasury Inspector General for Tax Administration (TIGTA); (iii) Ms. Jessica Lucas-Judy, Acting Director, Strategic Issues, Government Accountability Office (GAO). The hearing focused on efforts made by the IRS to provide services to taxpayers, combat identity theft, and collect taxes in the 2017 tax filing season. Topics covered included the newly implemented Protecting Taxpayers from Tax Hikes Act of 2015 anti-fraud provisions, identity theft, Earned Income Tax Credit improper payments, taxpayer access to face-to-face customer services, the IRS's revised civil asset forfeiture procedures, and private debt collection activities.

On May 19, 2017, the Subcommittee on Oversight received testimony on IRS reform from the National Taxpayer Advocate, Ms. Nina Olson. The hearing provided input on reforms that can be made to the IRS based on the experience of the Taxpayer Advocate Service, an independent office which helps taxpayers resolve problems with the IRS.

On July 19, 2017, the Subcommittee on Oversight received testimony on efforts to combat waste, fraud, and abuse in the Medicare program from: (i) Mr. James Cosgrove, Director, Health Care, GAO; (ii) Mr. Jonathan Morse, Acting Director, Center for Program Integrity, Centers for Medicare and Medicaid Services (CMS). The hearing focused on how CMS identifies and combats waste, fraud, and abuse in both traditional Medicare and the Medicare Advan-

tage program. In 2015, the Medicare program (including Fee-for-Service, Medicare Advantage, and Part D) reported that it made \$59.6 billion in improper payments, representing nearly 10 percent of all Medicare spending. Reducing improper payments is critical to protecting the integrity of the program and ensuring that taxpayer dollars are well spent.

On July 25, 2017, the Subcommittee on Oversight received testimony on the IRS's electronic record retention policies from: (i) Mr. Gregory Kutz, Assistant Inspector General for Audit, Management Services and Exempt Organizations, TIGTA; (ii) Mr. Jeffrey Tribiano, Deputy Commissioner for Operations Support, IRS; (iii) Mr. Edward Killen, Director of Privacy, Governmental Liaison, and Disclosure, IRS. The hearing focused on how the IRS retains electronic records, how it responds to record requests, and what policies and systems the IRS has in place to more readily respond to such requests. The hearing centered around a TIGTA report, released July 17, 2017, entitled "Electronic Record Retention Policies Do Not Consistently Ensure That Records are Retained and Produced When Requested." The report found that the IRS fails to adequately retain electronic records, impeding Congressional oversight efforts and the IRS's ability to respond to taxpayer requests for information. The IRS discussed policy and process improvements that it has or will make to ensure that record retention does not continue to be an issue for the IRS. One of the key concerns raised by TIGTA is the IRS's inability to modernize its enterprise email system, which would allow for the automatic archiving of IRS employee emails in adherence with federal requirements. The IRS testified that it is on track to institute a new email system by its September 2017 goal, nine months after the deadline mandated by the Office of Management and Budget.

On September 13, 2017, the Subcommittee on Oversight received testimony on IRS reform and resolving taxpayer disputes from: Ms. Kathy Petronchak, Director of IRS Practice & Procedures, alliantgroup, LP; (ii) Mr. Pete Sepp, President, National Taxpayers Union (NTU) & NTU Foundation; (iii) Mr. Byron Shinn, Founder and Managing Partner, Shinn & Co; (iv) Ms. Chastity Wilson, Principal, National Tax Office, CliftonLarsonAllen LLP. Members heard testimony from tax practitioners about their experience with IRS Appeals. The practitioners described the intimidating dispute resolution process that sometimes leaves taxpayers with little or no recourse. Less than five percent of small businesses appeal the results of their audit and it was suggested that this is due to the perception of the time and money required to dispute the audit results. The problems outlined by witnesses were largely unrelated to the Code itself and were described as purely administrative in nature.

On October 4, 2017, the Subcommittee on Oversight received testimony on the IRS's information technology (IT) modernization efforts from: (i) Mr. Jeffrey Tribiano, Deputy Commissioner for Operations Support, IRS; (ii) Ms. Gina Garza, Chief Information Officer (CIO), IRS; (iii) Mr. Danny Verneuille, Assistant Inspector General for Audit, Security and Information Technology Services, TIGTA; (iv) Mr. David Powner, Director, IT Management Issues, GAO. The hearing was held as part of the Oversight Subcommittee's ongoing series exploring various aspects of tax administration reform. The

hearing concentrated on IRS IT and the hurdles faced as the IRS seeks to modernize its outdated IT infrastructure. The hearing explored the current state of IRS IT infrastructure, why IRS IT projects so often exceed time and budget constraints, and the changes needed to ensure a better functioning IRS IT environment. Members questioned the IRS witnesses on the agency's decision to award Equifax a \$7.3 million contract three weeks after the announcement of the largest data breach in American history. The IRS CIO testified that she was unaware of the contract until the morning of the hearing.

On December 13, 2017, the Subcommittee on Oversight received testimony on the taxpayer experience with the IRS from: (i) Ms. Jennifer MacMillan, Enrolled Agent, Owner, Jennifer MacMillan, EA; Government Relations Chair, National Association of Enrolled Agents; (ii) Ms. Tameka Lester, Associate Director, Phillip C. Cook Low Income Tax Clinic, Georgia State University College of Law; (iii) Ms. Karina Ron, Director, Center for Financial Stability, United Way of Miami-Dade; (iv) Ms. Lynnette Lee-Villanueva, Vice President, Tax-Aide, AARP Foundation. The hearing focused on the taxpayer experience. Members received testimony from paid preparers and volunteer organizations like the Volunteer Income Tax Assistance (VITA) clinic on what the IRS can do to better serve taxpayers. The hearing highlighted the successful public-private partnership of the VITA program. Although partially funded by Congress, this grant program has never been authorized. Following the hearing, the Taxpayer First Act (H.R. 5444), which would authorize the VITA program, passed the House on April 17, 2018.

On January 17, 2018, the Subcommittee on Oversight received testimony on the opioid crisis: the current landscape and CMS actions to prevent opioid misuse from: Mr. Gary L. Cantrell, Deputy Inspector General for Investigations, Office of the Inspector General (OIG), U.S. Department of Health and Human Services (HHS); (ii) Ms. Elizabeth H. Curda, Director, Health Care, GAO (iii) Ms. Kimberly Brandt, Principal Deputy Administrator for Operations, CMS. Members heard from witnesses on what CMS is doing to monitor opioid use and identify beneficiaries at risk of overdose or abuse. HHS OIG discussed its work to identify opioid abuse, some of the latest opioid schemes it has encountered, and outstanding recommendations to CMS aimed at improving the agency's capabilities to monitor opioid users and identify potential opioid abusers.

On January 30, 2018, the Subcommittee on Oversight received testimony on legislation to improve tax administration from: (i) Representative Jason Smith, 8th District of Missouri; (ii) Representative Peter Roskam, 6th District of Illinois; (iii) Representative James Renacci, 16th District of Ohio; (iv) Representative Tom Rice, 7th District of South Carolina; (v) Representative Steve Chabot, 1st District of Ohio; (vi) Representative Louie Gohmert, 1st District of Texas; (vii) Representative Bill Posey, 8th District of Florida. The hearing was an opportunity for Committee Members and off-Committee Members to present their legislative ideas on reforming the IRS.

On June 20, 2018, the Subcommittee on Oversight received testimony on IRS and U.S. Department of Justice (DOJ) efforts to return taxpayers' seized funds from: (i) Mr. John P. Cronan, Acting

Assistant Attorney General, Criminal Division, DOJ; (ii) Mr. Don Fort, Chief, Criminal Investigation, IRS. The hearing served as a follow-up to civil asset forfeiture hearings held during the 114th Congress. The hearing focused on discrepancies between the IRS and DOJ's processes for reviewing petitions to return taxpayers' seized funds. Members voiced their concern that DOJ denied numerous petitions that, under current IRS and DOJ policies, should have been granted. Members followed-up by sending DOJ a letter on July 19, 2018 to further inquire about the denied petitions.

On July 17, 2018, the Subcommittee on Oversight received testimony on combating fraud in Medicare: a strategy for success from: (i) Mr. Seto J. Bagdoyan, Director, Forensic Audits & Investigative Service, GAO; (ii) Ms. Gloria L. Jarmon, Deputy Inspector General for Audit Services, HHS OIG, (iii) Mr. Alec Alexander, Director, Center for Program Integrity, CMS. The hearing focused on the steps CMS is taking to align its antifraud efforts with GAO's "Fraud Risk Framework," as mandated in the Fraud Reduction and Data Analytics Act of 2015.

On September 26, 2018, the Subcommittee on Oversight received testimony on the IRS's taxpayer online authentication efforts from (i) Ms. Gina Garza, CIO, IRS; (ii) Mr. Edward Killen, Chief Privacy Officer, IRS; (iii) Mr. James R. McTigue Jr., Director, Tax Issues, Strategic Issues, GAO; (iv) Mr. Michael McKenney, Deputy Inspector General for Audit, TIGTA. The hearing focused on the IRS's current online authentication efforts, potential challenges, and additional actions the IRS could consider to better protect taxpayer information while ensuring easy taxpayer access to its online services.

INVESTIGATIONS

(a) Maternal Health

During the 115th Congress, the Ways and Means Committee became aware of various media reports and medical research that raised concerns regarding rising maternal mortality and severe maternal morbidity rates in the U.S. over the past 30 years. One study estimated the maternal mortality rate increased by 26.6 percent from 2000 to 2014. According to the Centers for Disease Control and Prevention, approximately 700 women die each year as a result of pregnancy or delivery complications and 50,000 women are also affected annually by severe maternal morbidity. A study of maternal mortality review committees in nine states determined that approximately 63 percent of pregnancy-related deaths were preventable.

In response, the Ways and Means Committee launched an investigation on October 10, 2018 into rising maternal mortality and severe maternal morbidity rates among women during and after childbirth. The first phase of the investigation consisted of a letter sent by Ways and Means Chairman Brady (R-TX), Health Subcommittee Chairman Roskam (R-IL), and Oversight Subcommittee Chairman Jenkins (R-KS) on October 10, 2018 to the 15 hospital systems in the U.S. with the highest patient revenues. The letter asked the hospital systems for information regarding identification of women at risk of pregnancy-related complications, how the hospital systems track and review pregnancy-related deaths, and to

what extent the hospital systems participate in programs that seek to standardize and improve maternal safety practices. The Committee letter also focuses on the causes of racial disparities in maternal outcomes. The letter is the first phase in an ongoing investigation into the rising number of maternal mortalities and severe maternal morbidities.

(b) Medicare Fraud

Billions of taxpayer dollars are lost every year due to fraud and improper payments and the Subcommittee continuously conducts oversight of CMS's efforts to combat fraud, waste, and abuse in the Medicare program. In Fiscal Year (FY) 2017, the Medicare program spent \$630 billion, including nearly \$52 billion in improper payments. During the 115th Congress, the Subcommittee held two hearings on the subject in July 2017 and July 2018. In March 2018, Chairman Brady and Senate Finance Chairman Hatch sent a letter to CMS to address fraud, waste, and abuse vulnerabilities in Medicare, Medicaid, and the health insurance marketplace. The Ways and Means and Senate Finance Committees further inquired about CMS's efforts to assess fraud risk in these programs.

Currently, CMS does not specifically identify or measure fraudulent payments, making it difficult for CMS to track fraud. Given the difficulty of measuring actual fraud, GAO developed the Fraud Risk Framework in 2015 to provide metrics for success when combating fraud in programs such as Medicare. The Framework outlines methods of identifying and mitigating fraud risk in order to reduce the likelihood and impact of fraud. The Oversight Subcommittee has found that CMS has taken steps to identify fraud risks but has yet to conduct a fraud risk assessment, and develop and implement an antifraud strategy for Medicare.

(c) Oversight of the Affordable Care Act

The Subcommittee has continued its oversight of how the Treasury Department, IRS and HHS have implemented the Affordable Care Act, including ensuring a lawful process for distributing tax credits to assist individuals in obtaining health coverage. While the Affordable Care Act prohibited undocumented aliens from receiving the advanced premium tax credits, a report by the Senate Homeland Security and Governmental Affairs Committee, found that as of June 2015, "the Administration awarded approximately \$750 million in tax credits on behalf of individuals who were later determined to be ineligible because they failed to verify their citizenship, status as a national, or legal presence." The review found the credits went to more than 500,000 individuals—who are illegal immigrants or whose legal status was unclear due to insufficient records. The Ways and Means Committee has been committed to ensuring that the process for applying for tax credits designed to assist individuals in purchasing health insurance is accurate and fair to taxpayers. The Committee has therefore reviewed both HHS and the Treasury Department's processes to verify eligibility and actions taken to prevent ineligible individuals from receiving advanced credits.

The Subcommittee continued its work from the 114th Congress in investigating the IRS's implementation of the individual mandate penalty. On January 24, 2017, the Subcommittee held a hear-

ing on the issue. The individual mandate penalty was later repealed through the passage of the Tax Cuts and Jobs Act.

(d) CO-OPs

The ACA created the Consumer Operated and Oriented Plans (CO-OPs), which are non-profit insurance companies that offer plans on the ACA exchanges. In 2013, CMS loaned the CO-OPs \$2.4 billion to establish operations. To date, of the twenty-three CO-OPs that began operating in 2014, nineteen have collapsed, and only four remain operational. During the 114th Congress, the Ways and Means Committee began an investigation into the financial health of the CO-OPs, as well as proposed illegal conversions from non-profit to for-profit status. On September 30, 2015, Chairman Brady, along with Chairman Roskam, and Rep. Adrian Smith, sent a letter to CMS asking about their efforts to monitor the CO-OPs' financial health as well as steps they are taking to ensure taxpayer dollars are protected. Additionally, the Health Subcommittee, with support from the Oversight Subcommittee, held a hearing on the CO-OP program on November 3, 2015, where CMS testified. On February 5, 2016, Committee staff reviewed CMS documents related to CO-OP oversight in camera.

On October 3, 2016, the Washington Post reported that one CO-OP, Evergreen Health, was planning to convert from a not-for-profit insurer to a for-profit company—a conversion explicitly prohibited by CMS regulations and loan agreements signed by Evergreen Health and CMS. Additionally, such a conversion may have tax implications. In late October 2016, the Committee sent letters to both CMS and Evergreen Health asking for additional documents and information on the proposed conversion. In January of 2017, CMS released Evergreen Health from the CO-OP program but ordered it repay \$3.2 million of its \$65 million startup loan and forfeit \$30 million it was owed through the risk corridor program.

Throughout the 115th Congress, the Oversight Subcommittee has tracked the CO-OP recoveries repaid to CMS. Given that only four CO-OPs remain operational, it has become increasingly unlikely that they will repay much of the \$2.4 billion.

(e) Civil Asset Forfeitures

For a number of years, the IRS used its civil asset forfeiture authority to seize assets of individuals and small business owners it believed were “structuring” bank transactions—that is, keeping their transactions below \$10,000 to avoid IRS reporting requirements. The law that criminalizes structuring is designed to help the government capture money launderers, drug runners, and the like. Instead of focusing its attention on major criminal activity, however, the IRS began seizing funds from individuals and small business owners conducting business in cash and frequently making deposits of less than \$10,000. The IRS would hold the funds—oftentimes, most of the business's or individual's entire savings—until the property holders agreed to settle the case, even if the property owners continued to insist on their innocence of structuring. Many of these individuals explained that their insurance policies only protected up to \$10,000 of cash on hand in their stores, so they would deposit funds as they got close to \$10,000, or a bank teller had told them that it would save paperwork if they

kept their cash deposits under \$10,000. After the Ways and Means Committee began raising questions about the IRS's seizure and settlement practices, on October 25, 2014, the IRS issued a policy saying it would no longer seize structured funds unless they came from an illegal source.

On June 15, 2016, the IRS announced that it would notify all individuals from whom it had seized assets based on a suspicion of structuring since 2010 that they could petition the IRS to reconsider their cases. The IRS identified a total of 691 cases that fell within this time period and sent more than 1,800 letters to individuals with a potential interest in forfeited property. The IRS accepted petitions under this program until December 31, 2016.

Based on the initial oversight work conducted during the 114th Congress, the Subcommittee continued to receive regular updates on the disposition of petitions for remission and mitigation made to the IRS. The IRS received a total of 464 petitions, of which 208 were determined to be administrative forfeiture cases and 256 were determined to be civil judicial forfeiture cases. The IRS granted relief with respect to 174 administrative forfeiture petitions (84 percent), returning all associated funds totaling approximately \$9.9 million. The IRS also recommended DOJ grant relief with respect to 194 judicial forfeiture petitions (76 percent). However, DOJ elected to only grant 41 petitions (16 percent), returning \$1.9 million. DOJ denied the remaining 215 petitions, declining to return \$22.2 million.

In May 2018, Members received a briefing from the DOJ on its progress reviewing these petitions and their final disposition. DOJ's decisions and its inability to fully explain why their decisions varied so much from the outcomes recommended by the IRS led the Chairman to hold a Subcommittee hearing. In a June 2018 hearing, Subcommittee Members voiced their concerns that DOJ denied numerous petitions, which under current IRS and DOJ policies, should have been granted. Based on the testimony received, Members also sent a letter to DOJ on July 19, 2018 asking the Attorney General to reconsider DOJ's denials of so many of the petitions.

During the 114th Congress, Oversight Subcommittee Chairman Roskam (R-IL) and Representative Joe Crowley (D-NY) introduced H.R. 5523 Clyde-Hirsch-Sowers RESPECT Act on June 16, 2016 and the Committee marked up the bill on July 7, 2016. The Committee ordered the bill favorably reported to the House of Representatives, and the bill was passed by the House on September 22, 2016, by a vote of 415-0. Senators Tim Scott (R-SC) and Sherrod Brown (D-OH) introduced a companion bill, S. 3353 in the Senate.

During the 115th Congress, Tax Policy Subcommittee Chairman Roskam (R-IL) and Representative Joe Crowley (D-NY) reintroduced H.R. 1843 Clyde-Hirsch-Sowers RESPECT Act on March 30, 2017 and the Committee marked up the bill on July 13, 2017. The Committee ordered the bill favorably reported to the House of Representatives, and on September 5, 2017, the House voted to suspend the rules and passed the bill by voice vote. Senators Tim Scott (R-SC), Sherrod Brown (D-OH), Johnny Isakson (R-GA), and Mark Warner (D-VA) reintroduced a companion bill, S. 824 in the Senate. On December 10, 2018, Representatives Lynn Jenkins and

John Lewis introduced H.R. 7227, a bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes. The Clyde-Hirsch-Sowers RE-SPECT Act was incorporated into that bill. On December 20, 2018, the House agreed to suspend the rules and passed H.R. 7227 as amended by the Yeas and Nays: 378–11 (Roll no. 455).

(f) Equifax and Internal Revenue Service Information Technology Contracting

Shortly after Equifax experienced a breach in 2017 resulting in the loss of information for approximately 146 million individuals, the Committee became aware of a renewed short-term contract between Equifax and the IRS. Preliminary results showed that Equifax’s recent data breach stemmed from a basic failure to install security patches in a timely manner, drawing into question whether or not Equifax should be trusted to be the recipient of IRS data for taxpayer authentication purposes. Moreover, the short-term contract was put in place, in part, because of the actions taken by Equifax. Despite having allowed for the largest breach in U.S. history, Equifax proceeded with a bid protest to provide services to the IRS that directly related to the breach. Equifax’s actions could have resulted in the company making millions of dollars without fully assuring the IRS or Congress that the breach of the Equifax systems and internal failures leading to the breach had been properly addressed.

Furthermore, the short-term contract between the IRS and Equifax for identity authentication services raised serious concerns about the oversight of the IRS with respect to its IT contracts. In December 2014, Congress passed the Federal Information Technology Acquisition Reform Act (FITARA), in part, to better empower agency CIOs to more appropriately oversee their agencies’ IT portfolios. FITARA requires agency CIOs to approve IT plans, strategies, and contracts. Specifically, FITARA directly states that a covered agency, such as the Treasury Department, “may not enter into a contract or other agreement for information technology or information technology services, unless the contract or other agreement has been reviewed and approved by the Chief Information Officer of the agency.” Subsequent Office of Management and Budget guidance emphasizes that agencies cannot approve an acquisition strategy, acquisition plan, or interagency agreement that includes IT without review and approval by the agency CIO. For contract actions containing IT without an approved acquisition strategy or plan, the CIO must also review and approve the action itself.

On October 27, 2017, the Senate Finance and House Ways and Means Committees wrote to Equifax and the Treasury Department seeking additional information on this matter as well as all of the related contracting documents. Subcommittee Members also directly questioned the IRS about the renewal of the contract during an October 2017 hearing on IRS IT modernization. The Subcommittee found that the IRS CIO was not aware of the contract renewal until the morning of the hearing and that Treasury provides minimal oversight of IRS IT and procurement, delegating authorities where it can.

(g) Internal Revenue Service's Information Technology

During the 115th Congress, the Subcommittee has closely monitored the IRS's efforts to modernize its IT infrastructure after a number of high-profile IT failures. Time and time again, the Committee received reports of the IRS failing to deliver, or delivering IT solutions that were over budget, late, and/or provided less functionality than initially desired. On October 4, 2017, the Subcommittee held a hearing on the IRS's IT modernization efforts. During this hearing, Members questioned the IRS's ability to complete projects on time and within budget. Members also delved into the IRS IT planning process, questioning whether or not the IRS adequately planned for where it needs to be five or ten years in the future. Since the hearing, the IRS has briefed Members twice on its five-year IT plan. Members still remain concerned about the feasibility of the plan and whether or not it has been independently validated.

As a result of the Committee's findings, on April 10, 2018, Oversight Subcommittee Chairman Jenkins (R-KS) and Representative Lewis (D-GA) introduced H.R. 5444, the Taxpayer First Act, which included a provision codifying the roles and responsibilities of the IRS CIO. This provision sought to strengthen IRS accountability for the billions of taxpayer dollars annually spent on developing and maintaining IRS IT systems. The provision also codified the position of the IRS's CIO and established clear roles and responsibilities for the CIO. The provision mandated that the IRS develop and implement an IT strategic plan, in alignment with the overall goals of the IRS, to ensure adequate consideration and planning for the IRS's long-term IT needs. The IRS also must have a third party independently verify and validate its plans for the completion of the Customer Account Data Engine 2 and Enterprise Case Management system(s) within a year of enactment. The Committee marked up the bill on April 11, 2018. The Committee ordered the bill favorably reported to the House of Representatives, and the bill was passed by the House on April 18, 2018, by a vote of 414–0.

(h) Virtual Currencies and the Internal Revenue Service's Use of Its John Doe Summons Authority

On May 17, 2017, after seeing public reports of a John Doe Summons being served on Coinbase, Inc. for its records spanning three years, the Senate Finance and House Ways and Means Committee Chairmen wrote to the IRS to request information about the IRS's digital currency strategy as well as recent events surrounding the IRS's summons to Coinbase.

Furthermore, the Committees were concerned that the IRS has not issued guidance on virtual currencies beyond a series of Frequently Asked Questions issue in 2014. In March 2014, the IRS began working to clarify tax issues related to digital currencies by issuing guidance indicating that digital currencies would be treated as property for tax purposes. However, in September of 2016, TIGTA reported that the IRS had yet to develop a comprehensive digital currency tax strategy, citing a need for the IRS to update its initial guidance to reflect the various uses of digital currencies. To date, no such update has appeared.

Despite the absence of a comprehensive strategy, on December 6, 2016, the IRS issued a summons to Coinbase requiring the records

of all American Coinbase customers who conducted transactions in convertible digital currency between January 1, 2013 and December 31, 2015. The summons was estimated to affect 500,000 active Coinbase customers and would result in the production of millions of pages of associated records, many of which contain personally identifiable information. However, 90 percent of these customers engaged in less than \$10,000 in cumulative, gross transactions during the entire period requested.

According to the Internal Revenue Code (IRC), the issuance of this type of Summons-called a John Doe Summons-requires the government to establish that the summons pertains to an ascertainable class of persons, whose identity is unknown, and with respect to whom the IRS has a “reasonable basis” for the belief that the individuals have failed to comply with tax laws. However, the Committees strongly questioned whether the IRS established a reasonable basis to support the mass production of records for half a million individuals, the vast majority of whom appear to not be conducting the volume of transactions needed to report them to the IRS. Based on a subsequent briefing and additional investigative work undertaken, the Committee still found the summons to be overly broad, extremely burdensome, and highly intrusive to a large population of individuals. The Committee also remained concerned that the IRS’s actions in this case set a dangerous precedent for companies facilitating virtual currency transactions that could be subject to a similar summons.

As a result, on April 10, 2018, Oversight Subcommittee Chairman Jenkins (R-KS) and Representative Lewis (D-GA) introduced H.R. 5444, the Taxpayer First Act, which included a provision clarifying the IRS’s John Doe Summons authority. The Committee marked up the bill on April 11, 2018. The Committee ordered the bill favorably reported to the House of Representatives, and the bill was passed by the House on April 18, 2018, by a vote of 414–0.

Members of the Oversight Subcommittee also sent a follow-up letter on September 19, 2018, asking for an update on the IRS’s efforts to issue further guidance on virtual currencies. The Committee found that the IRS does not have a timeline for issuing such guidance and was able to share very little in terms of what efforts it had made to address the need for additional guidance. The Subcommittee also requested follow-up work from GAO to better ascertain what actions, if any, the IRS has taken to develop further guidance on virtual currencies.

(i) Perishable Goods

Under the IRC, if it is determined that any tangible property seized to satisfy unpaid taxes (1) is liable to perish, (2) is liable to become greatly reduced in price or value by keeping, or (3) cannot be kept without great expense, the property may be sold after it has been appraised and the owner has been given an opportunity to pay the appraised value or furnish bond for payment. The general procedures governing the sale of seized property that are set forth in the IRC (e.g., requiring ten-day notice before sale and the determination of a minimum bid) are not applicable to sales of perishables. Deeming property as “perishable” also allows the IRS to forgo minimum bid requirements, which can lead to seized property being sold for significantly less than a normal auction would allow.

After hearing reports of a bridal shop in Texas, whose contents were sold on the same day as a seizure by deeming them as “perishable,” the Subcommittee investigated the extent to which the IRS used these procedures to sell goods seized on the same day. The Subcommittee found that while these procedures are not used often, when they are, they are almost always used in cases where the goods are not liable to perish. Instead, the streamlined procedures were often used when the IRS seized the contents of a small business. In the case of the bridal shop, because the auction took place on the same day as the seizure, the contents of the store were sold at what appeared to be a fraction of their value. Furthermore, the profits from the sale were in fact not sufficient to cover the existing tax liability, leaving the owners with a remaining tax liability and without a means to earn a living going forward.

Representatives Ferguson (R-GA) and Crowley (D-NY) introduced H.R. 5446, to amend the IRC of 1986 to restrict the immediate sale of seized property by the Secretary of the Treasury to perishable goods on April 10, 2018. This bill seeks to modify the definition of “perishable” by limiting the IRS’s ability to deem seized property as “perishable” to only those that are liable to perish. The Committee marked up the bill on April 11, 2018. The Committee ordered the bill favorably reported to the House of Representatives, and on April 17, 2018, the House voted to suspend the rules and pass the bill by voice vote. On December 10, 2018, Representatives Lynn Jenkins and John Lewis introduced H.R. 7227, a bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes. H.R. 5446 was incorporated into that bill. On December 20, 2018, the House agreed to suspend the rules and passed H.R. 7227 as amended by the Yeas and Nays: 378–11 (Roll no. 455).

(j) Tax Refunds for Combat-Injured Veterans Disability Severance Payments

The Combat-Injured Veterans Tax Fairness Act of 2016 (H.R. 5015) passed during the 114th Congress directed the Department of Defense (DoD) to identify and notify certain veterans who are eligible for a refund of taxes because such taxes were improperly withheld from disability severance payments. Prior to the passage of H.R. 5015, DoD had been withholding taxes from servicemembers with combat-related injuries who were separated from military service and received a disability severance payment. The law also required DoD to report to Congress on the number of veterans separated from duty with combat-related injuries since 1991, who are due a tax refund because of federal taxes withheld on disability severance payments, the total amount of federal taxes withheld from such payments and how DoD plans to ensure the withheld amounts will not be considered in gross income for the affected veterans. The report was due to Congress by December 16, 2017. However, six months after the due date of the report, the Committee had not received the report from DoD. In response, on July 25, 2018, Chairman Brady (R-TX), Tax Policy Subcommittee Chairman Buchanan (R-FL), and Oversight Subcommittee Chairman Jenkins (R-KS) sent DoD a letter requesting information on the status of the report.

In response, DoD provided the report to the Committee on August 2, 2018. The Subcommittee reviewed the report and found that DoD was unable to identify and notify all affected veterans. The Subcommittee followed up with DoD regarding its response to ask for additional information and ensure that DoD had conducted outreach to Veterans Service Organizations as well as conducted its own outreach to affected veterans. DoD responded to the Subcommittee that it did conduct outreach to key Veterans Service Organizations and coordinated with the IRS to post information on the IRS's website and its own website on how eligible individuals could file an amended tax return and claim their tax refund.

(k) Internal Revenue Service's Online Taxpayer Authentication

Over the past two years, the Committee has investigated and raised concerns about the ability of the IRS to validate and authenticate the identity of individuals attempting to access the IRS's online tools and applications before conducting any type of transaction or exchange with individuals. The IRS relies on a number of online tools and applications to help administer the tax system by allowing taxpayers to complete transactions with the IRS online. In FY 2017, the IRS completed more than 330 million electronic transactions with taxpayers and third parties.

In January and February 2017, IRS identified unusual activity on one of its key online applications, the Data Retrieval Tool (DRT). The DRT allows students and parents to access their adjusted gross income (AGI) information through an interface with the IRS to complete the Free Application for Federal Student Aid (FAFSA) by transferring the AGI information directly into their Department of Education FAFSA application form. The IRS reported that the unusual activity experienced in January and February 2017 were cyberattacks that led to the theft of up to 100,000 taxpayers' records. In March 2017, the Committee was briefed by the IRS and the Department of Education on the deactivation of the DRT, ongoing security concerns, and the IRS and ED's plan for the DRT going forward. On April, 6, 2017, the IRS sent a letter to Chairman Brady (R-TX), in accordance with the Federal Information Security Modernization Act, to notify him that a major incident had occurred with the DRT. The letter included a timeline of events and stated that the IRS had begun to notify impacted taxpayers. The IRS fully relaunched the DRT in October 2017 with more stringent authentication practices in place.

In response to ongoing concerns about the ability of the IRS to properly secure taxpayer information online and authenticate taxpayers, the Committee, including Chairman Brady (R-TX), Ranking Member Neal (D-MA), Oversight Subcommittee Chairman Jenkins (R-KS), and Oversight Subcommittee Ranking Member Lewis (D-GA) sent a letter to the IRS on April 28, 2017, to obtain information on the DRT as well as the IRS's other online tools and applications, and the steps the IRS is taking to prevent unauthorized access to taxpayer information through its online tools and applications. The IRS responded on June 8, 2017 regarding the steps it is taking to authenticate the identity of individuals online before allowing them to access taxpayer information. The IRS disclosed that some of its online tools and applications had discrepancies between the level of authentication they should have and actually

have, raising concerns that those online tools and applications may be susceptible to cyberattacks. Therefore, the Committee asked GAO in October 2017 to review the IRS's efforts to identify, develop, and implement new online services, which GAO is still in the process of reviewing. The Committee also joined an ongoing GAO request in January 2018 to evaluate the IRS's taxpayer authentication efforts.

On July 23, 2018, GAO publicly released its report on taxpayer authentication, which identified a number of authentication deficiencies at the IRS. GAO made 11 recommendations to the IRS, including recommending that the IRS estimate resources for and prioritize its authentication initiatives, address internal control issues to better monitor authentication, develop a plan to fully implement federal authentication guidance, and develop a process to evaluate potential authentication technologies. The IRS agreed with all of GAO's recommendations and is in the process of implementing them.

Chairman Brady (R-TX) and Oversight Subcommittee Chairman Jenkins (R-KS) also sent a follow-up letter to the IRS on August 6, 2018, which asked the same questions the Committee asked in a letter sent to the IRS on April 28, 2017. In its response to the Committee's August 6, 2018 letter, the IRS sent a letter on September 24, 2018 stating that it had aligned the authentication level of its most sensitive online tools and applications between the level of authentication that should be in place and the authentication level that the IRS has in place based on federal authentication guidelines. Based on the findings from the GAO report as well as the Subcommittee's work, the Subcommittee held a hearing on September 26, 2018 to review the IRS's online taxpayer authentication efforts. Individuals from GAO, TIGTA, and the IRS testified at the hearing. The Committee hearing found that the IRS still has work to do to implement and track its overall authentication strategy as well as monitor its online tools and applications.

(l) Internal Revenue Service's Rehiring of Employees with Past Misconduct or Performance Issues

On July 24, 2017, TIGTA released a report that found that the IRS has not effectively updated or implemented hiring policies to fully consider past IRS conduct and performance issues prior to making a tentative decision to hire former employees, including those who were terminated or separated during an investigation of a substantiated conduct or performance issue. TIGTA found that about 10 percent, or more than 200 former employees, who were rehired between January 2015 and March 2016, were previously terminated from the IRS or separated while under investigation for a substantiated conduct or performance issue. TIGTA made five recommendations to the IRS to provide the selecting official with access to former employee conduct and performance issues, and require that the basis for rehiring employees with prior employment issues be clearly documented. The IRS agreed with all of TIGTA's recommendations.

Immediately following TIGTA's report, Ways and Means Member, Representative Kristi L. Noem (R-SD), along with five co-sponsors introduced H.R. 3500, Ensuring Integrity in the IRS Workforce Act of 2018. The bill amends the IRC by prohibiting the IRS from

rehiring any individual who was previously employed by the IRS but was removed for misconduct or whose employment was terminated for cause. The Committee marked up the bill on June 21, 2018. The Committee ordered the bill favorably reported to the House of Representatives and on July 24, 2018, the House voted to suspend the rules and passed the bill, as amended by voice vote. Chairman Hatch (R-UT), along with thirteen cosponsors, introduced a bill on July 19, 2018, S. 3246, in the Senate that included a similar provision to revise the IRS's hiring practices.

In addition, on August 17, 2017, Chairman Brady (R-TX), Tax Policy Subcommittee Chairman Roskam (R-IL), and three Ways and Means Members sent a letter to the IRS regarding its hiring practices and to stress that the IRS must not rehire employees who were previously involuntarily separated from service for misconduct. In response, on October 23, 2017, the IRS said that it had updated its hiring policies and process to ensure it considers all prior performance and conduct issues and that the selecting officials will document any decision to rehire former employees with prior conduct or performance issues. These changes were implemented prior to the onboarding of new employees hired for the FY 2018 filing season. The IRS was also exploring additional efforts to strengthen its hiring policies and process.

(m) Internal Revenue Service Record Retention

In July 2017, a TIGTA report found that the IRS policies do not comply with certain federal requirements that agencies must ensure that all records are retrievable and usable for as long as needed. For example, TIGTA found that the IRS e-mail retention policies are not adequate because e-mails are not automatically archived for all IRS employees. TIGTA made five recommendations to the IRS based on its findings. The recommendations included that the IRS establish an e-mail system compliant with federal management requirements and notify its employees about new retention policies, among other recommendations. The IRS agreed with all five recommendations.

In response to TIGTA's findings, Chairman Hatch (R-UT) of the Senate Committee on Finance and Chairman Brady (R-TX) and Oversight Subcommittee Chairman Buchanan (R-FL) of the House Committee on Ways and Means sent a joint letter to the IRS on July 18, 2017, stressing the importance of addressing the retention deficiencies identified by TIGTA and also asking the IRS for a briefing on its plan to address the deficiencies identified by TIGTA. The letter also raised concerns about the IRS accidental destruction of 422 backup tapes and 24,000 emails that Congress had requested as part of the bipartisan investigation into the IRS's treatment of tax-exempt organizations.

In addition, on July 25, 2017, the Subcommittee held a hearing on the IRS's electronic record retention policies. Witnesses at the hearing included individuals from TIGTA and the IRS familiar with the IRS's retention policies. The hearing focused on how the IRS retains electronic records, how it responds to record requests, and what policies and systems the IRS has in place to more readily respond to such requests. The IRS testified that it is on track to institute a new email system by its September 30, 2017, but missed

OMB's mandated deadline for all federal agencies to manage mail records in an electronic format by nine months.

(n) Social Security Administration's Information Technology

The Oversight and Social Security Subcommittees continued to oversee the Social Security Administration's (SSA) IT procurements. Oversight Chairman Jenkins (R-KS) and Social Security Chairman Johnson (R-TX) sent a letter to Acting SSA Commissioner Berryhill to inquire about the agency's decision to develop a Click to Chat (CTC) service in-house, as opposed to implementing a commercial off-the-shelf product. In the wake of repeated missteps and hundreds of millions of wasted taxpayer dollars with the Disability Case Processing System, the Committee remained concerned that SSA chose to develop a CTC service in-house given the widespread use of CTC services available to the public.

(o) Social Security Childcare Dropout Years

Since Social Security benefit amounts are based on average lifetime earnings, years without Social Security-covered earnings may reduce the benefit amount. By law, individuals applying for Disability Insurance (DI) may "drop out" from the benefit calculation up to three years with zero earnings if these years occurred while caring for a child under age three. However, data obtained by the Congressional Research Service suggested that only about 0.16 percent of individuals who received DI benefits between 2000 and 2013 had Childcare Dropout Years (CDYs) applied. On February 14, 2018, Oversight Subcommittee Chairman Jenkins (R-KS) and Social Security Subcommittee Chairman Johnson (R-TX) sent a letter to the SSA OIG requesting a review issues of the SSA's implementation of CDYs. In response to the Committee's request, SSA OIG issued a report on September 17, 2018 concluding that SSA correctly applies the CDY policy but very few beneficiaries meet all of the requirements to receive a CDY.

SUBCOMMITTEE ON TRADE

1. TRADE NEGOTIATION AND TRADE PROMOTION AUTHORITY

Actions taken

a. NAFTA/United States-Mexico-Canada Agreement (USMCA) Negotiations

On January 31, 2017, the House Advisory Group on Negotiations convened within 30 days of the convening of Congress as required by the Bipartisan Congressional Trade Priorities and Accountability (TPA) Act of 2015 to discuss the trade agenda during the 115th Congress, including consulting with USTR on the determination of appropriate negotiating partners; the formulation of specific objectives, negotiating strategies, and positions; and compliance and enforcement of the negotiated commitments under U.S. trade agreements.

On March 16, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 21, 2017, the House Advisory Group on Negotiations met with Secretary of Commerce Wilbur Ross and Acting United

States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 28, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On May 17, 2017, the Committee met with United States Trade Representative Robert Lighthizer and Secretary of Commerce Wilbur Ross as required by TPA prior to sending to Congress notification of intent to commence negotiations with Canada and Mexico regarding modernization of the North American Free Trade Agreement (NAFTA).

On May 17, 2017, the House Advisory Group on Negotiations met with United States Trade Representative Robert Lighthizer and Secretary of Commerce Wilbur Ross as required by TPA prior to sending to Congress notification of intent to initiate negotiations with Canada and Mexico regarding modernization of NAFTA.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were the structure, content, and prospect for NAFTA negotiations. United States Trade Representative Robert Lighthizer testified before the Committee on the Administration's views.

On July 17, 2017, the United States Trade Representative sent to the Committee its summary of objectives for the NAFTA renegotiation, as required by TPA.

On July 18, 2017, the Subcommittee on Trade held a hearing on the Modernization of the North American Free Trade Agreement. The purpose of the hearing was to analyze whether NAFTA had been successful for the U.S. economy and job creation with a focus on the U.S. manufacturing, agriculture, and services sectors, and whether NAFTA could be renegotiated and modernized to better address issues affecting U.S. workers, business, and consumers. Testimony was received from (i) Tom Linebarger, Chairman and Chief Executive Officer—Cummins, Inc., (ii) Patrick J. Ottensmeyer, Chief Executive Officer—Kansas City Southern, (iii) Dennis Arriola, Executive Vice President—Corporate Strategy and External Affairs—Sempra Energy, (iv) Celeste Drake, Trade and Globalization Policy Specialist—AFL-CIO, (v) Jason Perdue, President—York County, Nebraska Farm Bureau, (vi) Christine Bliss, President—Coalition of Services Industries, (vii) Stan Ryan, Chief Executive Officer and President—Darigold, Inc., (viii) Althea Erickson, Senior Director—Global Advocacy and Policy—Etsy, Inc., and (ix) Susan Helper, Frank Tracy Carlton Professor of Economics—Case Western Reserve University.

On August 16–20, 2017, the Committee participated in the first round of negotiations with Mexico and Canada in Washington, D.C. Committee staff met with U.S. stakeholders and officials from USTR.

On September 2–5, 2017, the Committee conducted a bipartisan staff delegation to Mexico City, Mexico, to participate in the second round of negotiations with Mexico and Canada and to meet with officials from those countries, U.S. officials, and stakeholders.

On September 22, 2017, the United States Trade Representative sent to the Committee its report on Proposals Advanced in the NAFTA Negotiations that may Require Amendments to U.S. Trade Remedy Laws.

On September 24–27, 2017, the Committee conducted a bipartisan staff delegation to Ottawa, Canada, to participate in the third round of negotiations and to meet with officials from those countries, U.S. officials, and stakeholders.

On October 13–17, 2017, the Committee participated in the fourth round of negotiations in Arlington, Virginia. Committee staff met with officials from Mexico and Canada, U.S. officials, and stakeholders.

On November 17, 2017, the United States Trade Representative sent to the Committee its updated summary of objectives for the NAFTA renegotiation, as required by TPA.

On November 18–21, 2017, the Committee conducted a bipartisan staff delegation to Mexico City, Mexico, to participate in the fifth round of negotiations and to meet with officials from those countries, U.S. officials, and stakeholders.

On January 26–29, 2018, Trade Subcommittee Chairman Dave Reichert led a bipartisan Congressional delegation to Montreal, Canada to participate in the sixth round of negotiations and to meet with officials and stakeholders from the United States, Canada, and Mexico.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy including negotiations with Mexico and Canada.

On March 2–5, 2018, Chairman Kevin Brady led a bipartisan Congressional delegation to Mexico City, Mexico to participate in the seventh round of negotiations and to meet with officials and stakeholders from the United States, Canada, and Mexico.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were the structure, content, and prospect for negotiations with Mexico and Canada. Ambassador Robert Lighthizer testified before the Committee on the Administration's views on these issues.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including progress on the negotiations.

On August 31, 2018, Ambassador Lighthizer sent a letter under TPA notifying Congress of his intent to sign a trade agreement with Mexico, and Canada if it is willing, after 90 days.

On September 27, 2018, the Committee met with Ambassador Lighthizer to discuss the trade agenda, including Member views on the negotiations, as required by TPA prior to signing the agreement.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer to discuss the trade agenda, including Member views on the negotiations, as required by TPA prior to signing the agreement.

On September 30, the Administration posted the text of the United States-Mexico-Canada Agreement (USMCA) on a publicly available website.

On October 2, 2018, the Committee had a bipartisan call with Ambassador Lighthizer to discuss the USMCA.

On November 30, 2018, the USMCA was signed.

Throughout the 115th Congress, Committee Members and staff held frequent consultations with USTR and other agencies to dis-

cuss ongoing progress in the negotiations and to provide Member views on the conduct and content of the negotiations.

b. Japan Negotiations

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including Japan. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On October 11, 2017, the Trade Subcommittee held a hearing entitled "Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region." The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to expand and improve our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On November 6–11, 2017, the Committee conducted a bipartisan staff delegation to the Asia-Pacific Economic Cooperation (APEC) Ministerial meeting in Da Nang, Vietnam to meet with officials from APEC countries and U.S. officials.

On March 21, 2018, the Committee held a hearing on the U.S. trade policy agenda. Among the trade issues covered were potential new free trade agreement partners, including Japan. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On September 27, 2018, the Committee met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with Japan.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with Japan.

On October 16, 2018, Ambassador Lighthizer sent a letter as required by TPA notifying Congress of his intent to commence trade negotiations with Japan after 90 days.

On November 12–17, 2018, the Committee conducted a bipartisan staff delegation to the 2018 APEC Ministerial in Port Moresby, Papua New Guinea to meet with officials from APEC countries and U.S. officials.

On December 21, 2018, the United States Trade Representative sent to the Committee its summary of objectives for negotiations with Japan, as required by TPA.

Throughout the 115th Congress, Committee staff held consultations with USTR to discuss trade relations with Japan and to provide Member views.

c. United Kingdom Negotiations

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the United Kingdom. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On February 17–20, 2018, the Committee conducted a bipartisan staff delegation to the United Kingdom to discuss the U.S.-U.K. trading relationship and Brexit issues with U.K. officials.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the United Kingdom. Ambassador Lighthizer testified before the Committee on the Administration's views.

On September 27, 2018, the Committee met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the United Kingdom.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the United Kingdom.

On October 16, 2018, Ambassador Lighthizer sent a letter as required by TPA notifying Congress of his intent to commence trade negotiations with the United Kingdom after 90 days.

On December 11, 2018, the Department of the Treasury and the United States Trade Representative announced their intent to sign the Bilateral Agreement between the United States of America and the United Kingdom on Prudential Measures Regarding Insurance and Reinsurance (U.S.-UK Covered Agreement). This announcement commenced a 90-day submission and layover period required by statute before the agreement can enter into force.

On December 18, 2018, the U.S.-UK Covered Agreement was signed.

Throughout the 115th Congress, Committee staff held consultations with USTR to discuss trade relations with the UK and to provide Member views.

d. European Union Negotiations

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the European Union. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On July 14, 2017, the Department of the Treasury and the United States Trade Representative announced their intent to sign the Bilateral Agreement between the United States of America and the European Union on Prudential Measures Regarding Insurance and Reinsurance (U.S.-EU Covered Agreement). This announcement commenced a 90-day submission and layover period required by statute before the agreement can enter into force.

On September 22, 2017, the U.S.-EU Covered Agreement was signed.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were potential new free trade agreement partners, including the European

Union. Ambassador Lighthizer testified before the Committee on the Administration's views.

On September 27, 2018, the Committee met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the European Union.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer as required by TPA prior to sending notification of intent to commence negotiations with the European Union.

On October 16, 2018, Ambassador Lighthizer sent a letter as required by TPA notifying Congress of his intent to commence trade negotiations with the European Union after 90 days.

Throughout the 115th Congress, Committee staff held consultations with USTR to discuss trade relations with the EU and to provide Member views.

e. United States-Korea Free Trade Agreement Amendments and Modifications

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were modifications to the United States-Korea Free Trade Agreement. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On July 14, 2017, Chairman Kevin Brady and Ranking Member Richard Neal, along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden, sent a letter to Ambassador Lighthizer urging the Administration to consult closely with Congress before meeting with Korea regarding possible amendments and modifications to the United States-Korea Free Trade Agreement.

On October 11, 2017, the Trade Subcommittee held a hearing entitled "Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region." The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region, including Korea; explore how to expand and improve our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On November 6–11, 2017, the Committee conducted a bipartisan staff delegation to the APEC Ministerial meeting in Da Nang, Vietnam to meet with officials from APEC countries (including Korea) and U.S. officials.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy agenda, including the United States-Korea Free Trade Agreement (KORUS) negotiations.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were modifications to the United States-Korea Free Trade Agreement. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On June 13, 2018, the United States Trade Representative sent to the Committee a report regarding certain proposed modifications to be made to the United States-Korea Free Trade Agreement. Sending this report commenced a 60-day Congressional consultation and layover period with respect to the modifications to the agreement, which ended on August 12, 2018.

On September 24, 2018, President Trump and Korean President Moon Jae-In signed the modifications to the agreement. The Korean National Assembly commenced its domestic procedures for consideration of the modifications.

On November 12–17, 2018, the Committee conducted a bipartisan staff delegation to the 2018 APEC Ministerial in Port Moresby, Papua New Guinea to meet with officials from APEC countries (including Korea) and U.S. officials.

2. ROLE OF TRADE IN U.S. JOB CREATION

Actions taken

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the importance of trade for U.S. economic growth and job creation.

On October 11, 2017, the Trade Subcommittee held a hearing entitled “Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region.” The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to strengthen the U.S. job market by expanding and improving our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the importance of trade for U.S. economic growth and job creation.

On April 12, 2018, the Committee held a hearing entitled “The Effects of Tariff Increases on the U.S. Economy and Jobs.” Testimony was received from (i) Kevin Kennedy, President—Kennedy Fabricating, (ii) John Wolfe, Chief Executive Officer—NW Seaport Alliance, (iii) Roger Newport, Chief Executive Officer—AK Steel Corporation, (iv) John Heisdorffer, President—American Soybean

Association, (v) Calvin Dooley, President and Chief Executive Officer—American Chemistry Council, (vi) Ann Wilson, Senior Vice President—Motor and Equipment Manufacturers Association, and (vii) Scott Paul, President—Alliance for American Manufacturing.

On July 18, 2018, the Trade Subcommittee held a hearing entitled “The Effects of Tariffs on U.S. Agriculture and Rural Communities.” The purpose of the hearing was to examine the effects on American agriculture and rural communities of U.S. tariffs imposed under both Sections 232 and 301 as well as retaliation by other countries against U.S. exports. Testimony was received from (i) Cass Gebbers, President and CEO—Gebbers Farms, (ii) Russell Boening, Owner—Loma Vista Farms and Boening Bros. Dairy Inc.; President—Texas Farm Bureau, (iii) Kevin Paap, President—Minnesota Farm Bureau, (iv) Scott VanderWal, Secretary and Treasurer—Vanderwal Farms; Vice President—American Farm Bureau Federation; President—South Dakota Farm Bureau, (v) Michelle Erickson-Jones, Co-owner—Gooseneck Land and Cattle; President—Montana Grain Growers Association, and (vi) Jared Bernstein, Senior Fellow—Center on Budget and Policy Priorities.

3. MISCELLANEOUS TARIFF BILL (MTB)

Actions taken

On April 10, 2017, the Department of Commerce sent to the Committee a report determining whether there exists domestic production of the article that is the subject of each miscellaneous tariff petition submitted under the Miscellaneous Tariff Bill process established under the American Manufacturing Competitiveness Act (AMCA) of 2016, and, if so, whether a domestic producer of the article objects to the petition; and any technical changes to the article description necessary to ensure that the duty suspension or reduction petition can be administered pursuant to section 3(c) of AMCA.

On June 9, 2017, the Committee received from the U.S. International Trade Commission (ITC) the preliminary report on miscellaneous tariff petitions it received under AMCA.

On July 21, 2017, Chairman Kevin Brady and Ranking Member Richard Neal, along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden, sent a letter to the ITC providing comments on the MTB preliminary report in preparation for the issuance of the final report.

On August 8, 2017, the Committee received from the ITC the final report on miscellaneous tariff petitions it received under AMCA.

On October 25, 2018, the Subcommittee on Trade held a hearing on the MTB. The purpose of the hearing was to investigate the U.S. manufacturing and economic benefits of providing temporary tariff relief on imported finished goods and raw materials not produced in the United States. The Subcommittee heard testimony from (i) Cindy Smith, Agriculture Relations Director—Gowan USA, (ii) Edward V. McAsey, Chief Operating Officer—Lasko Products LLC, and (iii) Michael Ratchford, Government Relations Associate—W.L. Gore & Associates.

On November 9, 2017, Chairman Kevin Brady, Ranking Member Richard Neal, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., and twenty-

ty-seven cosponsors introduced H.R. 4318, a bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty. The bill was referred to the Committee on Ways and Means.

The House suspended the rules and passed the bill on January 18, 2018, by a recorded vote of 402–0. On July 26, 2018, the Senate passed the bill with amendments by voice vote. On September 4, 2018, the House suspended the rules and agreed to the Senate amendments by voice vote. The bill was signed into law on September 13, 2018, and became Public Law 115–239.

The Committee consulted heavily with the U.S. International Trade Commission, the Department of Commerce, and U.S. Customs and Border Protection, as well as petitioners and other stakeholders, throughout the process.

4. ENFORCEMENT

Actions taken

On January 9, 2017, the United States Trade Representative sent to the Committee the 2016 Report on China’s WTO Compliance pursuant to section 421 of the U.S.-China Relations Act of 2000.

On January 11, 2017, the Department of Labor sent to the Committee a report regarding its review of a submission it had received under Chapter 17 (the Labor Chapter) of the United States-Colombia Trade Promotion Agreement.

On February 15, 2017, the United States Department of Commerce sent to the Committee a letter regarding the renewal of the charter for the Advisory Council on Trade Enforcement and Compliance.

On February 28, 2017, the United States Department of Commerce Office of Inspector General sent to the Committee a report regarding the International Trade Administration (ITA) Enforcement and Compliance Audit.

On April 13, 2017, the United States Government Accountability Office sent to the Committee a report on US Monitoring and Enforcement of International Trade Agreements pursuant to the Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA).

On April 27, 2017, the United States Government Accountability Office sent to the Committee a report on Improvement and Strengthening Trade Enforcement pursuant to TFTEA.

On April 28, 2017, the United States Trade Representative sent to the Committee its Special 301 Report on the protection and enforcement of intellectual property as required by the Trade Act of 1974.

On June 9, 2017, the United States Customs and Border Protection sent to the Committee a letter regarding Dominican Republic Airport preclearance pursuant to TFTEA.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the importance of strong trade enforcement.

On July 31, 2017, the United States Trade Representative sent to the Committee its Enforcement Priorities Report as required by TFTEA.

On January 9, 2018, the Department of Labor sent to the Committee a letter regarding its first periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 17 (the Labor Chapter) of the United States-Colombia Trade Promotion Agreement.

On January 18, 2018, the United States Customs and Border Protection sent to the Committee a report regarding its compliance with Section 307 of the Tariff Act of 1930 as required by TFTEA.

On January 18, 2018, the United States Customs and Border Protection sent to the Committee its report on In-Bond: Steps to Improve Enforcement and Collections for FY2017 and FY2018.

On January 18, 2018, the United States Trade Representative sent to the Committee the 2017 Report on China's WTO Compliance pursuant to section 421 of the U.S.-China Relations Act of 2000.

On January 18, 2018, the United States Trade Representative sent to the Committee the 2017 Report on Russia's WTO Compliance pursuant to section 201(a) of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012.

On February 1, 2018, the United States Trade Representative and the Department of Commerce sent to the Committee the Administration's Annual Report on Subsidies Enforcement pursuant to section 281(f)(4) of the Uruguay Round Agreements Act.

On February 14, 2018, the United States Customs and Border Protection sent to the Committee its report on Intellectual Property Rights Enforcement pursuant to TFTEA.

On March 5, 2018, the Department of Treasury sent to the Committee its report on Customs Revenue Function under TFTEA.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the importance of strong trade enforcement.

On April 20, 2018, the Department of Labor sent to the Committee a letter regarding its second periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 17 (the Labor Chapter) of the United States-Peru Trade Promotion Agreement.

On May 16, 2018, the Department of Labor sent to the Committee a letter regarding its sixth periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 16 (the Labor Chapter) of the Dominican Republic-Central America-United States Free Trade Agreement regarding labor practices in the Dominican Republic.

On July 31, 2018, the United States Trade Representative sent to the Committee its Enforcement Priorities Report as required by TFTEA.

On October 12, 2018, the Department of Labor sent to the Committee a letter regarding its sixth periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 16 (the Labor Chapter) of the Dominican Republic-Central America-United States Free Trade Agreement regarding labor practices in Honduras.

Throughout the 115th Congress, the Department of Treasury sent to the Committee its semiannual reports, submitted pursuant

to the Omnibus Trade and Competitiveness Act of 1988 and section 701 of TFTEA, regarding the macroeconomic and foreign exchange policies of major trading partners of the United States.

During the 115th Congress, the Department of State sent to the Committee annual letters on Protecting and Preserving International Cultural Property Act.

The Committee also engaged in frequent staff consultations with USTR and the Department of Commerce regarding enforcement.

5. TRADE REMEDIES

Actions taken

On February 2, 2017, the United States Trade Representative sent to the Committee the Administration's Annual Report on Subsidies Enforcement pursuant to 281(f)(4) of the Uruguay Round Agreements Act.

On April 11, 2017, the United States Customs and Border Protection sent to the Committee its annual report on the Evasion of Antidumping and Countervailing Duties Orders, as required by TFTEA.

On April 11, 2017, the United States Customs and Border Protection sent to the Committee its report on the importation of Softwood Lumber.

On June 20, 2017, the United States Department of Commerce sent to the Committee its semi-annual report on Softwood Lumber Subsidies pursuant to the requirements under Section 809(b) of Title VII of the Tariff Act of 1930 (the Softwood Lumber Act of 2008).

On September 22, 2017, the United States Trade Representative sent to the Committee its report on Proposals Advanced in the NAFTA Negotiations that May Require Amendments to U.S. Trade Remedy Laws.

On November 13, 2017, the United States International Trade Commission sent to the Committee its two-volume report on Crystalline Silicon Photovoltaic Cells pursuant to Section 202(b) of the Trade Act of 1974.

On November 17, 2017, the United States Customs and Border Protection sent to the Committee its report on Antidumping and Countervailing Duty Enforcement Actions and Compliance initiatives for FY 2016.

On December 4, 2017, the United States International Trade Commission sent to the Committee its report on Large Residential Washers pursuant to Section 202(b) of the Trade Act of 1974.

On February 5, 2018, the United States Customs and Border Protection sent to the Committee its semi-annual report on Softwood Lumber Subsidies pursuant to the requirements under Section 809(b) of Title VII of the Tariff Act of 1930 (the Softwood Lumber Act of 2008).

On June 22, 2018, the United States Customs and Border Protection sent to the Committee its annual report on the Evasion of Antidumping and Countervailing Duties Orders as required by TFTEA.

On December 20, 2018, the United States Department of Commerce sent to the Committee its semi-annual report on Softwood Lumber Subsidies pursuant to the requirements under Section

809(b) of Title VII of the Tariff Act of 1930 (the Softwood Lumber Act of 2008).

6. CHINA

Actions taken

On January 9, 2017, the United States Trade Representative sent to the Committee the 2016 Report on China's WTO Compliance pursuant to section 421 of the U.S.-China Relations Act of 2000.

On April 5, 2017, Chairman Kevin Brady and Ranking Member Richard Neal along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden sent a letter to President Trump ahead of President Xi's visit identifying several areas of concern in the U.S.-China trading relationship and urging President Trump to raise them with President Xi. These concerns included market distorting behavior harming American manufacturers, discriminatory and distortive technology policies, weak protection of intellectual property, barriers to U.S. agriculture exports, currency and exchange rate policies, retaliatory policies, and nontransparent legal regimes.

On June 9, 2017, the Department of Homeland Security sent to the Committee the Report of the Task Force on the Prohibition of Importation of Products of Forced or Prison Labor from the People's Republic of China, as required by section 505 of the Normal Trade Relations for the People's Republic of China Act.

On June 12, 2017, the United States International Trade Commission sent to the Committee the annual report under investigation No. 332-501, Textile and Apparel Imports from China: Annual Compilation 2016, under section 332(g) of the Tariff Act of 1930.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered was the U.S.-China trading relationship. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On July 27, 2017, the Committee met with Secretary of Commerce Wilbur Ross to discuss the ongoing investigations into the national security impact of imports of steel and aluminum products under section 232 of the Trade Expansion Act of 1962 and the impact of Chinese overcapacity of steel and aluminum on U.S. workers and companies.

On October 11, 2017, the Trade Subcommittee held a hearing entitled "Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region." The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to expand and improve our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and

Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On January 18, 2018, the United States Trade Representative sent to the Committee the 2017 Report on China's WTO Compliance pursuant to section 421 of the U.S.-China Relations Act of 2000.

On June 2, 2018, the Department of Homeland Security sent to the Committee the Report of the Task Force on the Prohibition of Importation of Products of Forced or Prison Labor from the People's Republic of China as required by section 505 of the Normal Trade Relations for the People's Republic of China Act.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy agenda, including the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered was the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974. Ambassador Lighthizer testified before the Committee on the Administration's views.

On March 22, 2018, the Committee held a hearing with the Secretary of Commerce, Wilbur Ross. The hearing focused on trade matters within the Department of Commerce's purview, particularly the section 232 determinations on steel and aluminum.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including tariffs imposed on China under section 301 of the Trade Act of 1974 and China's retaliatory tariffs.

On June 27, 2018, the United States International Trade Commission sent to the Committee the annual report under investigation No. 332–501, Textile and Apparel Imports from China: Annual Compilation 2016, under section 332(g) of the Tariff Act of 1930.

The Committee also engaged in frequent Member and staff consultations with USTR and the Department of Commerce regarding the Section 232 and 301 investigations and WTO disputes with respect to China.

7. IMPLEMENTED TRADE AGREEMENTS

Actions taken

On January 11, 2017, the Department of Labor sent to the Committee a report regarding its review of a submission it had received under Chapter 17 (the Labor Chapter) of the United States-Colombia Trade Promotion Agreement.

On February 23, 2017, the United States International Trade Commission sent to the Committee a report on the Probable Economic Effect of Certain Modifications to the U.S.-Morocco FTA Rules of Origin.

On March 31, 2017, the United States Trade Representative sent to the Committee: (1) a final list of individuals eligible to serve on binational panels under Annex 1901.2 of the NAFTA; and (2) a final list of former federal judges eligible to serve on Extraordinary

Challenge Committees under NAFTA Annex 1904.13 and Special Committees under NAFTA Article 1905.

On July 18, 2017, the Subcommittee on Trade held a hearing on the Modernization of the North American Free Trade Agreement. The purpose of the hearing was to analyze whether NAFTA had been successful for the U.S. economy and job creation with a focus on the U.S. manufacturing, agriculture, and services sectors, and whether NAFTA could be renegotiated and modernized to better address issues affecting U.S. workers, business, and consumers. Testimony was received from (i) Tom Linebarger, Chairman and Chief Executive Officer—Cummins, Inc., (ii) Patrick J. Ottensmeyer, Chief Executive Officer—Kansas City Southern, (iii) Dennis Arriola, Executive Vice President—Corporate Strategy and External Affairs—Sempra Energy, (iv) Celeste Drake, Trade and Globalization Policy Specialist—AFL-CIO, (v) Jason Perdue, President—York County, Nebraska Farm Bureau, (vi) Christine Bliss, President—Coalition of Services Industries, (vii) Stan Ryan, Chief Executive Officer and President—Darigold, Inc., (viii) Althea Erickson, Senior Director—Global Advocacy and Policy—Etsy, Inc., and (ix) Susan Helper, Frank Tracy Carlton Professor of Economics—Case Western Reserve University.

On September 28, 2017, the United States International Trade Commission sent to the Committee its report on Investigation No. 332–503 Earned Import Allowance Program, as required by section 404(d) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

On October 11, 2017, the Trade Subcommittee held a hearing entitled “Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region.” The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to strengthen the U.S. job market by expanding and improving our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On November 21, 2017, the United States Trade Representative sent to the Committee a report regarding certain proposed modifications to be made to the U.S.-Morocco FTA rules of origin incorporated in the Harmonized Tariff Schedule of the United States.

On December 29, 2017, the United States Trade Representative sent to the Committee: (1) a preliminary list of individuals eligible to serve on binational panels under Annex 1901.2 of the NAFTA and (2) a preliminary list of former federal judges eligible to serve on Extraordinary Challenge Committees under NAFTA Annex 1904.13 and Special Committees under NAFTA Article 1905.

On January 9, 2018, the Department of Labor sent to the Committee a letter regarding its first periodic review to address issues identified in its review of a submission it had received under Chapter 17 (the Labor Chapter) of the United States-Colombia Trade Promotion Agreement.

On April 20, 2018, the Department of Labor sent to the Committee a letter regarding its second periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 17 (the Labor Chapter) of the United States-Peru Trade Promotion Agreement.

On May 16, 2018, the Department of Labor sent to the Committee a letter regarding its sixth periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 16 (the Labor Chapter) of the Dominican Republic-Central America-United States Free Trade Agreement regarding labor practices in the Dominican Republic.

On August 3, 2018, the United States International Trade Commission sent to the Committee its report on Investigation No. 332–503 Earned Import Allowance Program, as required by section 404(d) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

On October 12, 2018, the Department of Labor sent to the Committee a letter regarding its sixth periodic review to address issues identified in its review of a submission it had received that was filed under Chapter 16 (the Labor Chapter) of the Dominican Republic-Central America-United States Free Trade Agreement regarding labor practices in Honduras.

8. PREFERENCE PROGRAMS

Actions taken

On June 6, 2017, the United States International Trade Commission sent to the Committee a report on possible modifications to the Generalized System of Preferences.

On June 16, 2017, the United States Trade Representative sent to the Committee a letter notifying its intent to initiate an out-of-cycle review of the Republic of Rwanda, United Republic of Tanzania, and Republic of Uganda regarding their eligibility for benefits under the African Growth and Opportunity Act (AGOA).

On June 16, 2017, the United States Trade Representative sent to the Committee a report on the Implementation of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) Program pursuant to section 213AI(5) of the Caribbean Basin Economic Recovery Act (CBERA), as amended by the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008 (HOPE II)

On August 7–11, 2017, the Committee conducted a staff delegation to Lomé, Togo to participate in the 2017 AGOA Forum and to meet with officials from participating countries and U.S. officials.

On September 29, 2017, the United States International Trade Commission sent to the Committee a report on the Caribbean Basin Economic Recovery Act and its impact on U.S. industries and consumers and on beneficiary countries.

On December 29, 2017, the United States Trade Representative sent to the Committee a report on the Operation of the Caribbean

Basin Economic Recovery Act pursuant to section 212(f) of the CBERA.

On February 8, 2018, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., Chairman Kevin Brady, Ranking Member Richard Neal, Trade Subcommittee Ranking Member Bill Pascrell Jr. and eight cosponsors introduced H.R. 4979, to extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program. The bill was referred to the Committee on Ways and Means. The House suspended the rules and passed the bill on February 13, 2018 by a vote of 400–2. H.R. 4979 was later incorporated into H.R. 1625, the “Consolidated Appropriations Act of 2108,” which was signed into law on March 23, 2018 and became Public Law 115–141.

On February 25, 2018, the United States Trade Representative sent to the Committee a report on the Implementation of the Nepal Trade Preference Program (NTPP).

On June 18, 2018, the United States Trade Representative sent to the Committee a report on the Implementation of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) Program pursuant to section 213AI(5) of the Caribbean Basin Economic Recovery Act (CBERA), as amended by HOPE II.

On June 29, 2018, the United States Trade Representative sent to the Committee the Biennial Report of the Implementation of the African Growth and Opportunity Act pursuant to section 110 of the Trade Preferences Act of 2015.

On July 12, 2018, Trade Subcommittee Chairman Dave Reichert, Trade Subcommittee Ranking Member Bill Pascrell Jr., Representative Erik Paulsen, Representative Suzan DelBene, Representative Terri Sewell, and Committee staff participated in the 2018 AGOA Forum in Washington, D.C.

On September 1, 2018, the United States International Trade Commission sent to the Committee a report on the Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution.

On September 1, 2018, the United States International Trade Commission sent to the Committee a report on possible modifications to the Generalized System of Preferences.

The Committee also engaged in frequent Member and staff consultations with USTR and other relevant agencies regarding all preference programs.

9. AGRICULTURE

Actions taken

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the role of trade in promoting agriculture.

On July 18, 2017, the Subcommittee on Trade held a hearing on the Modernization of the North American Free Trade Agreement. The purpose of the hearing was to analyze whether NAFTA had been successful for the U.S. economy and job creation with a focus on the U.S. manufacturing, agriculture, and services sectors, and

whether NAFTA could be renegotiated and modernized to better address issues affecting U.S. workers, business, and consumers. Testimony was received from (i) Tom Linebarger, Chairman and Chief Executive Officer—Cummins, Inc., (ii) Patrick J. Ottensmeyer, Chief Executive Officer—Kansas City Southern, (iii) Dennis Arriola, Executive Vice President—Corporate Strategy and External Affairs—Sempra Energy, (iv) Celeste Drake, Trade and Globalization Policy Specialist—AFL-CIO, (v) Jason Perdue, President—York County, Nebraska Farm Bureau, (vi) Christine Bliss, President—Coalition of Services Industries, (vii) Stan Ryan, Chief Executive Officer and President—Darigold, Inc., (viii) Althea Erickson, Senior Director—Global Advocacy and Policy—Etsy, Inc., and (ix) Susan Helper, Frank Tracy Carlton Professor of Economics—Case Western Reserve University.

On October 11, 2017, the Trade Subcommittee held a hearing entitled “Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region.” The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to strengthen the U.S. job market by expanding and improving our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the importance of agriculture for U.S. economic growth and job creation.

On April 12, 2018, the Committee held a hearing entitled “The Effects of Tariff Increases on the U.S. Economy and Jobs.” Testimony was received from (i) Kevin Kennedy, President—Kennedy Fabricating, (ii) John Wolfe, Chief Executive Officer—NW Seaport Alliance, (iii) Roger Newport, Chief Executive Officer—AK Steel Corporation, (iv) John Heisdorffer, President—American Soybean Association, (v) Calvin Dooley, President and Chief Executive Officer—American Chemistry Council, (vi) Ann Wilson, Senior Vice President—Motor and Equipment Manufacturers Association, and (vii) Scott Paul, President—Alliance for American Manufacturing.

On July 18, 2018, the Trade Subcommittee held a hearing entitled “The Effects of Tariffs on U.S. Agriculture and Rural Communities.” The purpose of the hearing was to examine the effects on American agriculture and rural communities of U.S. tariffs imposed under both Sections 232 and 301 as well as retaliation by other countries against U.S. exports. Testimony was received from (i) Cass Gebbers, President and CEO—Gebbers Farms, (ii) Russell Boening, Owner—Loma Vista Farms and Boening Bros. Dairy Inc.;

President—Texas Farm Bureau (iii) Kevin Paap, President—Minnesota Farm Bureau, (iv) Scott VanderWal, Secretary and Treasurer—Vanderwal Farms; Vice President—American Farm Bureau Federation; President—South Dakota Farm Bureau, (v) Michelle Erickson-Jones, Co-owner—Gooseneck Land and Cattle; President—Montana Grain Growers Association, and (vi) Jared Bernstein, Senior Fellow—Center on Budget and Policy Priorities.

10. MANUFACTURING

Actions taken

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the role of trade in promoting manufacturing.

On June 26, 2017, the United States International Trade Commission sent to the Committee a letter on the Commission's investigation No. 332-557, Aluminum: Competitive Conditions Affecting the U.S. Industry, in response to the Chairman's request letter of February 24, 2016, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(4)).

On July 27, 2017, the Committee met with Secretary of Commerce Wilbur Ross to discuss the ongoing investigations into the national security impact of imports of steel and aluminum products under section 232 of the Trade Expansion Act of 1962.

On July 18, 2017, the Subcommittee on Trade held a hearing on the Modernization of the North American Free Trade Agreement. The purpose of the hearing was to analyze whether NAFTA had been successful for the U.S. economy and job creation with a focus on the U.S. manufacturing, agriculture, and services sectors, and whether NAFTA could be renegotiated and modernized to better address issues affecting U.S. workers, business, and consumers. Testimony was received from (i) Tom Linebarger, Chairman and Chief Executive Officer—Cummins, Inc., (ii) Patrick J. Ottensmeyer, Chief Executive Officer—Kansas City Southern, (iii) Dennis Arriola, Executive Vice President—Corporate Strategy and External Affairs—Sempra Energy, (iv) Celeste Drake, Trade and Globalization Policy Specialist—AFL-CIO, (v) Jason Perdue, President—York County, Nebraska Farm Bureau, (vi) Christine Bliss, President—Coalition of Services Industries, (vii) Stan Ryan, Chief Executive Officer and President—Darigold, Inc., (viii) Althea Erickson, Senior Director—Global Advocacy and Policy—Etsy, Inc., and (ix) Susan Helper, Frank Tracy Carlton Professor of Economics—Case Western Reserve University.

On October 11, 2017, the Trade Subcommittee held a hearing entitled "Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region." The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to strengthen the U.S. job market by expanding and improving our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy

& Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss the U.S. trade policy agenda, including the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered was the ongoing investigation on the practices of the Government of China related to technology transfer, intellectual property, and innovation under section 301 of the Trade Act of 1974. Ambassador Robert Lighthizer testified before the Committee on the Administration's views.

On March 22, 2018, the Committee held a hearing with the Secretary of Commerce, Wilbur Ross. The hearing focused on trade matters within the Department of Commerce's purview, particularly the section 232 determinations on steel and aluminum.

On March 23, 2018, the United States Department of Commerce sent to the Committee a letter and report regarding the renewal of the charter for the United States Advanced Manufacturing Council, in accordance with provisions of the Federal Advisory Committee Act.

On April 12, 2018, the Committee held a hearing entitled "The Effects of Tariff Increases on the U.S. Economy and Jobs." Testimony was received from (i) Kevin Kennedy, President—Kennedy Fabricating, (ii) John Wolfe, Chief Executive Officer—NW Seaport Alliance, (iii) Roger Newport, Chief Executive Officer—AK Steel Corporation, (iv) John Heisdorffer, President—American Soybean Association, (v) Calvin Dooley, President and Chief Executive Officer—American Chemistry Council, (vi) Ann Wilson, Senior Vice President—Motor and Equipment Manufacturers Association, and (vii) Scott Paul, President—Alliance for American Manufacturing.

On July 24, 2018, the Trade Subcommittee held a hearing entitled "Product Exclusion Process for Section 232 Tariffs on Steel and Aluminum." The purpose of the hearing was to examine the experiences of U.S. companies navigating the process for requesting product exclusions from Section 232 tariffs and quotas on steel and aluminum and to investigate the impact of the exclusion process on affected stakeholders. Testimony was received from (i) Brian Semcer, President—MICRO, (ii) Willie Chang, Executive Vice President, Chief Operating Officer, and Director—Plains All American GP LLC, (iii) Rick Huether, President, CEO, and Chairman—Independent Can Company, (iv) Todd Adams, President—Sanitube LLC; Vice President—Stainless Imports Inc., and (v) Roy Houseman, Legislative Representative—United Steelworkers.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including issues with respect to manufacturing.

11. SERVICES

Actions taken

On June 8, 2017, the United States International Trade Commission sent to the Committee its 2017 annual report on Recent Trends in U.S. Services Trade pursuant to section 332(b) of the Tariff Act of 1930.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United States Trade Representative, which included discussion about the importance of services for U.S. economic growth and job creation.

On July 18, 2017, the Subcommittee on Trade held a hearing on the Modernization of the North American Free Trade Agreement. The purpose of the hearing was to analyze whether NAFTA had been successful for the U.S. economy and job creation with a focus on the U.S. manufacturing, agriculture, and services sectors, and whether NAFTA could be renegotiated and modernized to better address issues affecting U.S. workers, business, and consumers. Testimony was received from (i) Tom Linebarger, Chairman and Chief Executive Officer—Cummins, Inc., (ii) Patrick J. Ottensmeyer, Chief Executive Officer—Kansas City Southern, (iii) Dennis Arriola, Executive Vice President—Corporate Strategy and External Affairs—Sempra Energy, (iv) Celeste Drake, Trade and Globalization Policy Specialist—AFL-CIO, (v) Jason Perdue, President—York County, Nebraska Farm Bureau, (vi) Christine Bliss, President—Coalition of Services Industries, (vii) Stan Ryan, Chief Executive Officer and President—Darigold, Inc., (viii) Althea Erickson, Senior Director—Global Advocacy and Policy—Etsy, Inc., and (ix) Susan Helper, Frank Tracy Carlton Professor of Economics—Case Western Reserve University.

On September 29, 2017, the United States International Trade Commission sent to the Committee its report on Global Digital Trade 1: Market Opportunities and Key Foreign Trade Restrictions.

On October 11, 2017, the Trade Subcommittee held a hearing entitled “Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region.” The purpose of the hearing was to examine the opportunities for U.S. manufacturers, services providers, farmers, ranchers, fishermen, workers, and consumers in the Asia-Pacific region; explore how to strengthen the U.S. job market by expanding and improving our access to the markets in the region through existing and new trade agreements; and analyze the impact of unfair trade practices of countries in the Asia-Pacific region on U.S. workers and businesses. Testimony was received from (i) Matthew Goodman, William E. Simon Chair in Political Economy & Senior Adviser for Asian Economics—Center for Strategic and International Studies, (ii) Kelley Sullivan, Owner and Operator—Santa Rosa Ranch, (iii) Demetrios Marantis, Senior Vice President and Head of Global Government Relations—Visa Inc., (iv) Stefanie Moreland, Director of Government Relations and Seafood Sustainability—Trident Seafoods Inc., and (v) Scott Paul, President—Alliance for American Manufacturing.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda with Ambassador Robert Lighthizer, United

States Trade Representative, which included discussion about the importance of services for U.S. economic growth and job creation.

On June 13, 2018, the United States International Trade Commission sent to the Committee its 2018 annual report on Recent Trends in U.S. Services Trade pursuant to section 332(b) of the Tariff Act of 1930.

12. DIGITAL TRADE AND E-COMMERCE

Actions taken

On September 29, 2017, the United States International Trade Commission sent to the Committee its report on Global Digital Trade 1: Market Opportunities and Key Foreign Trade Restrictions.

On December 9–14, 2017, the Committee conducted a bipartisan staff delegation to Buenos Aires, Argentina, to participate in the 11th World Trade Organization (WTO) Ministerial Meeting and to meet with officials from other participating countries and U.S. officials about WTO issues, including e-commerce negotiations.

On October 1–5, 2018, the Committee conducted a bipartisan staff delegation to Geneva, Switzerland, to participate in the WTO Public Forum and to meet with officials from other participating countries and U.S. officials about WTO issues, including e-commerce negotiations, among other topics.

13. WORLD TRADE ORGANIZATION (WTO)

Actions taken

On January 9, 2017, the United States Trade Representative sent to the Committee the 2016 Report on China's WTO Compliance pursuant to section 421 of the U.S.-China Relations Act of 2000.

On December 9–14, 2017, the Committee conducted a bipartisan staff delegation to Buenos Aires, Argentina, to participate in the 11th WTO Ministerial Meeting and to meet with officials from other participating countries and U.S. officials.

On January 18, 2018, the United States Trade Representative sent to the Committee the 2017 Report on China's WTO Compliance pursuant to section 421 of the U.S.-China Relations Act of 2000.

On January 18, 2018, the United States Trade Representative sent to the Committee the 2017 Report on Russia's WTO Compliance pursuant to 201(a) of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012.

On February 1, 2018, the United States Trade Representative and the Department of Commerce sent to the Committee the Administration's Annual Report on Subsidies Enforcement pursuant to section 281(f)(4) of the Uruguay Round Agreements Act.

On October 1–5, 2018, the Committee conducted a bipartisan staff delegation to Geneva, Switzerland to participate in the WTO Public Forum and to meet with officials from other participating countries and U.S. officials.

The Committee held frequent Member and staff consultations with USTR concerning the ongoing negotiations, including the e-commerce and fish subsidies dialogues, as well as WTO reform.

The Committee also held regular Member and staff consultations with USTR regarding ongoing disputes being adjudicated at the WTO.

14. TRADE SANCTIONS

Actions taken

a. Iran and Syria

On July 17, 2017, Secretary of State Rex Tillerson sent to the Committee a letter regarding Iran's actions with regard to the Joint Comprehensive Plan of Action (JCPOA).

On September 15, 2017, the Department of State sent to the Committee a report identifying the international organizations and entities in which Iran is a member and which received contributions from the U.S. government in FY 2016, consistent with the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA).

On September 21, 2017, the Department of State sent to the Committee a letter to notify the Committee of the Department of State's determination pursuant to Section 3(b)(1)(A) of the Protect and Preserve International Cultural Property Act of 2016 (PPICPA), that it would be against the United States national interest to enter into an agreement with the Government of Syria under section 303 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2602), including the requirements under subsection (a)(3) of that section.

On October 11, 2017, the Department of State sent to the Committee a report on global trade in 2015 relating to Iran pursuant to section 10(d) of the ISA.

On December 1, 2017 and April 6, 2018, the Department of State sent to the Committee report on the status of U.S. citizens detained in Iran and the Department of State's efforts to secure their release, in response to Section 110 of Countering America's Adversaries Through Sanctions Act.

On December 19, 2017, the Department of State sent to the Committee a report addressing Iran's continued human rights violations and abuses, in response to Section 106(a) of Countering America's Adversaries Through Sanctions Act (CAATSA).

On January 2, 2018, the Department of State sent to the Committee its semi-annual report relating to the Joint Comprehensive Plan of Actions (JCPOA) pursuant to Section 135 (d)(4) of the Atomic Energy Act of 1954, as amended, including as amended by the Iran Nuclear Agreement Review Act of 2015.

On January 13, 2018, the Department of Treasury sent to the Committee a report regarding Financial Transactions with Designated Iranian Port Operators pursuant to Section 211(d) of the Iran Threat Reduction and Syrian Human Rights Act of 2012.

On March 27, 2018, the Department of State sent to the Committee a report on the Identification of, and Immigration Restrictions on, Senior Officials of the Government of Iran and their Family Members pursuant to Section 221(a) of the Iran Threat Reduction and Syria Human Rights Act of 2012.

On July 25, 2018, the Department of State sent to the Committee a report regarding investments in the energy sector of Iran pursuant to Section 110 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

On August 29, 2018, the Department of State sent to the Committee its report on Regional Strategy for Countering and Conventional and Asymmetric Iranian Threats in the Middle East and North Africa pursuant to Section 103 of CAATSA.

On November 28, 2018, the Department of State sent to the Committee its report on United States Citizens Detained by Iran pursuant to Section 110 of CAATSA.

On November 28, 2018, the Department of State sent to the Committee its report on its List of Persons Who Are Responsible for or Complicit in Certain Human Rights Abuses in Iran pursuant to Section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

Throughout the 115th Congress, the Department of Treasury sent to the Committee its quarterly reports from January 1, 2017–December 31, 2017, submitted under §906(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 regarding exportation of agricultural commodities, medicine, and medical devices to Iran and Sudan.

Throughout the 115th Congress, the Department of State sent to the Committee numerous letters regarding the Secretary's use of limited waivers of the sanctions provided for under: the Iran Freedom and Counter-Proliferation Act of 2012 (IFCA), Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA), the National Defense Authorization Act (NDAA), and the Iran Sanctions Act of 1996, as amended (ISA).

b. North Korea

On January 11, 2017, the Department of State sent to the Committee pursuant to Section 304(a) of the North Korea Sanctions and Policy Enhancement Act of 2016, a report that: (1) identifies persons the Secretary of State has determined to be responsible for serious human rights abuses of censorship in North Korea and describes the conduct of that person; and (2) describes serious human rights abuses or censorship undertaken by the Government of North Korea or any person acting for or on behalf of that Government in the most recent year ending before the submission of the report.

On June 27, 2017, the Department of State sent to the Committee pursuant to Section 202(d) of the North Korea Sanctions and Policy Enhancement Act of 2016, a report on actions undertaken to implement a strategy to improve international implementation and enforcement of United Nations North Korean-specific sanctions.

On October 26, 2017, the Department of State sent to the Committee pursuant to Section 304(a) of the North Korea Sanctions and Policy Enhancement Act of 2016, a report that: (1) identifies persons the Secretary of State has determined to be responsible for serious human rights abuses of censorship in North Korea and describes the conduct of that person; and (2) describes serious human rights abuses or censorship undertaken by the Government of North Korea or any person acting for or on behalf of that Government in the most recent year ending before the submission of the report.

On January 29, 2018, the Department of Treasury sent to the Committee a report regarding designating certain persons pursu-

ant to section 104 of the North Korea Sanctions and Policy Enhancement Act of 2016, as required under Section 311(d) of the Countering America's Adversaries through Sanctions Act (CAATSA).

On December 10, 2018, the Department of State sent to the Committee, pursuant to Section 304(a) of the North Korea Sanctions and Policy Enhancement Act of 2016, a report that: (1) identifies persons the Secretary of State has determined to be responsible for serious human rights abuses or censorship in North Korea and describes the conduct of that person; and (2) describes serious human rights abuses or censorship undertaken by the Government of North Korea or any person acting for or on behalf of that Government in the most recent year ending before the submission of the report.

c. Burma

On October 11, 2017, the Department of State sent to the Committee a report on the current state of the Burmese timber trade and recommendations for future action, updating the report submitted in 2016 pursuant to Section 12 of the JADE Act.

d. Russia

On December 20, 2017, the Department of State sent to the Committee a report on the measures taken and results achieved to promote the rule of law in Russia and to support U.S. trade and investment by strengthening investor protections in Russia pursuant to Section 202(a) of the Russia and Moldova Jackson-Vanik repeal and Sergei Magnitsky rule of Law Accountability Act of 2012.

On January 29, 2018, the Department of Treasury sent to the Committee a report as required under Section 241 of the Countering America's Adversaries through Sanctions Act (CAATSA) regarding senior foreign political figures and oligarchs in the Russian Federation.

On August 6, 2018, the Department of Treasury sent to the Committee a report regarding interagency efforts in the United States to Combat Illicit Finance Relating to the Russian Federation pursuant to Section 243 of the CAATSA.

On December 20, 2018, the Department of Commerce sent to the Committee a report to Congress on Russia Anti-Bribery Reporting and Assistance as required by Section 202(b)(1) of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012.

e. Other

On August 3, 2017, the Department of State sent to the Committee its report describing the 2016 performance of the United States Kimberly Process Authority (USKPA), which issues Kimberly Process certificates for U.S. exports of rough diamonds in accordance with Section 5 of the Clean Diamond Trade Act (19 U.S.C 3904).

On August 3, 2017, the Department of State sent to the Committee its report describing the rough diamond export control measures of those countries participating in the Kimberley Process Certification Scheme that exported rough diamonds to the U.S. in

2016. The report was sent in accordance with Section 12 of the Clean Diamond Trade Act (19 U.S.C 3911).

On August 4, 2017, the Department of State sent to the Committee a map of mineral-rich zones under the control of armed groups in the Democratic Republic of the Congo produced pursuant to P.L. 111–203, Section 1502 (c)(2) of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

On September 20, 2017, the Department of State sent to the Committee a report on politically motivated “boycotts of, divestment from, and sanctions against Israel,” in accordance with Section 909(d) of the Trade Facilitation and Trade Enforcement Act of 2015.

On December 28, 2017, the United States Department of Commerce sent to the Committee its report including a listing of all known conflict mineral processing facilities worldwide pursuant to Section 1502(d)(3) of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

On January 29, 2018, the Department of Treasury sent to the Committee a report as required under Section 104(e) of the CAATSA.

On April 5, 2018, the Department of State sent to the Committee a report on the coordination of sanctions between the United States and the European Union.

On July 23, 2018, the Department of State sent to the Committee its report describing the 2017 performance of the United States Kimberly Process Authority (USKPA), which issues Kimberley Process certificates for U.S. exports of rough diamonds in accordance with Section 5 of the Clean Diamond Trade Act (19 U.S.C 3904).

15. TRADE ADJUSTMENT ASSISTANCE

Actions taken

On September 6, 2018, the United States Department of Commerce sent to the Committee its report on Trade Adjustment Assistance for Firms for FY 2017 in compliance with Section 255A of the Trade Act of 1974.

16. PRIORITIES OF THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Actions taken

On January 31, 2017, the House Advisory Group on Negotiations convened within 30 days of the convening of Congress as required by the Bipartisan Congressional Trade Priorities and Accountability (TPA) Act of 2015 to discuss the trade agenda during the 115th Congress, including consulting with USTR on the determination of appropriate negotiating partners; the formulation of specific objectives, negotiating strategies, and positions; and compliance and enforcement of the negotiated commitments under U.S. trade agreements.

On March 3, 2017, the United States Trade Representative sent to the Committee its 2017 Trade Policy Agenda and the 2016 Annual Report.

On March 16, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 21, 2017, the House Advisory Group on Negotiations met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 28, 2017, the Committee met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On March 21, 2017, the House Advisory Group on Negotiations met with Secretary of Commerce Wilbur Ross and Acting United States Trade Representative Stephen Vaughn to discuss the trade agenda.

On April 28, 2017, the United States Trade Representative sent to the Committee its Special 301 Report on IP enforcement.

On May 17, 2017, the Committee met with United States Trade Representative Robert Lighthizer and Secretary of Commerce Wilbur Ross as required by TPA prior to sending to Congress notification of intent to commence negotiations with Canada and Mexico regarding modernization of the North American Free Trade Agreement (NAFTA).

On May 17, 2017, the House Advisory Group on Negotiations met with United States Trade Representative Robert Lighthizer and Secretary of Commerce Wilbur Ross as required by TPA prior to sending to Congress notification of intent to initiate negotiations with Canada and Mexico regarding modernization of NAFTA.

On June 6, 2017, the Office of the United States Trade Representative sent to the Committee its FY 2018 Congressional Budget Submission.

On June 22, 2017, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were the structure, content, and prospect for NAFTA negotiations. Ambassador Lighthizer testified before the Committee on the Administration's views.

On September 27, 2017, the United States Trade Representative sent to the Committee a copy of the charter extending the Trade and Environment Policy Advisory Committee (TEPAC) for two years, in accordance with Section 9(c) of the Federal Advisory Committee Act and the U.S. General Services Administration implementing regulation.

On February 7, 2018, the Committee met with Ambassador Lighthizer to discuss U.S. trade policy including negotiations with Mexico and Canada.

On February 16, 2018, the Office of the United States Trade Representative sent to the Committee its FY 2019 Congressional Budget Submission.

On March 21, 2018, the Committee held a hearing on the U.S. Trade Policy Agenda. Among the trade issues covered were the structure, content, and prospect for negotiations with Mexico and Canada. Ambassador Lighthizer testified before the Committee on the Administration's views on these issues.

On June 6, 2018, the Committee met with Ambassador Lighthizer to discuss trade developments, including progress on the NAFTA negotiations.

On July 31, 2018, the United States Trade Representative sent to the Committee its Enforcement Priorities Report.

On August 31, 2018, Ambassador Lighthizer sent a letter under TPA notifying Congress of his intent to sign a trade agreement with Mexico, and with Canada if it is willing, after 90 days.

On September 27, 2018, the Committee met with Ambassador Lighthizer to discuss the trade agenda, including Member views on the negotiations, as required by TPA prior to signing the agreement.

On September 27, 2018, the House Advisory Group on Negotiations met with Ambassador Lighthizer to discuss the trade agenda, including Member views on the negotiations, as required by TPA prior to signing the agreement.

On September 30, the Administration posted the text of the United States-Mexico-Canada Agreement (USMCA) on a publicly available website.

On October 2, 2018, the Committee had a bipartisan call with Ambassador Lighthizer to discuss the United States-Mexico-Canada Agreement (USMCA).

On December 21, 2018, the U.S. Small Business Administration sent to the Committee its Small Business Report on the Modernization of the North American Free Trade Agreement pursuant to Section 502 of the Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA).

17. PRIORITIES OF CUSTOMS AND BORDER PROTECTION

Actions taken

On February 1, 2017, the United States Customs and Border Protection sent to the Committee its report on Land Port Entry Needs pursuant to the Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA).

On February 28, 2017, the United States Customs and Border Protection sent to the Committee its Commercial and Trade Functions in the Office of Field Operations (OFO) report pursuant to the language set forth in section 403 of the Security and Accountability for Every Port Act of 2006, Pub. L. No. 109–347.

On April 11, 2017, the United States Customs and Border Protection sent to the Committee its report on Centers of Excellence and Expertise for FY2017 pursuant to TFTEA.

On April 11, 2017, the United States Customs and Border Protection sent to the Committee its International Trade Committee Report for FY2017.

On May 31, 2017, the United States Customs and Border Protection sent to the Committee its Congressional Budget Justification for FY2018.

On July 25, 2017, the United States Customs and Border Protection sent to the Committee a report on Integrated Scanning System Operations pursuant to the Security and Accountability for Every Port Act of 2006 (SAFE Port Act).

On August 3, 2017, the United States Customs and Border Protection sent to the Committee a letter regarding the renewal of the charter for the Technical Mapping Advisory Council, a statutory committee pursuant to the Biggert-Waters Flood Insurance Reform Act of 2012.

On September 9, 2017, the United States Customs and Border Protection sent to the Committee its report on its Resource Optimization Model for FY 2017 pursuant to the SAFE Port Act.

On October 3, 2017, the United States Customs and Border Protection sent to the Committee its report on CBP Staffing for FY 2017.

On November 3, 2017, the United States Customs and Border Protection sent to the Committee its biannual report on Methamphetamine and Methamphetamine Precursor Chemicals pursuant to the SAFE Port Act.

On November 15, 2017, the United States Customs and Border Protection sent to the Committee its report on Changes to Customs Policies and Regulations by CBP for FY2017 pursuant to TFTEA.

On December 22, 2017, the United States Government Accountability Office sent to the Committee a draft report regarding CBP public-private partnerships as provided in the Cross-Border Trade Enhancement Act of 2017.

On February 5, 2018, the United States Customs and Border Protection sent to the Committee its report on CBP and ICE Educational Seminars pursuant to TFTEA.

On February 5, 2018, the United States Customs and Border Protection sent to the Committee its report on Customs and Trade Partnership pursuant to TFTEA.

On February 9, 2018, the United States Customs and Border Protection sent to the Committee its report on updates to Integrated Scanning System Operations for FY2017 pursuant to the SAFE Port Act.

On February 12, 2018, the United States Customs and Border Protection sent to the Committee its Congressional Budget Justification for FY2019.

On February 13, 2018, the United States Customs and Border Protection sent to the Committee its report on Trade and Travel for FY2017 pursuant to TFTEA.

On February 27, 2018, the United States Customs and Border Protection sent to the Committee its Report on CBP Trade Alerts for FY18 pursuant to TFTEA.

On March 27, 2018, the United States Customs and Border Protection sent to the Committee its report on Personal and Real Property Donations pursuant to TFTEA.

On March 28, 2018, the United States Customs and Border Protection sent to the Committee a letter and a report regarding the re-establishment of the charter for the Homeland Security Academic Advisory Council pursuant to the Federal Advisory Committee Act.

On April 3, 2018, the United States Customs and Border Protection sent to the Committee its report on Public and Private Partnership Activities and Fee Agreements pursuant to the Cross-Border Trade Enhancement Act of 2016.

On April 10, 2018, the United States Customs and Border Protection sent to the Committee its report on the International Trade Committee for FY2018.

On April 10, 2018, the United States Customs and Border Protection sent to the Committee its report on changes to Customs Policies and Regulations by CBP pursuant to TFTEA.

On April 16, 2018, the United States Customs and Border Protection sent to the Committee its report on Wait Time Transparency for FY2018 pursuant to TFTEA.

On April 17, 2018, the United States Customs and Border Protection sent to the Committee its annual Commercial and Trade Functions report for FY2018.

On May 5, 2018, the United States Customs and Border Protection sent to the Committee its Section 907 Report for Reimbursable Agreements pursuant to TFTEA.

On July 19, 2018, the United States Customs and Border Protection sent to the Committee its initial report on Social Security Number Fraud Prevention Act as required by the Social Security Number Fraud Prevention Act of 2017.

On November 2, 2018, the United States Customs and Border Protection sent to the Committee its initial report on Compliance with Section 307 of the Tariff Act of 1930.

On November 5, 2018, the United States Customs and Border Protection sent to the Committee its report regarding compliance with Section 414 of the Tariff Act of 1930 as required by TFTEA.

On December 10, 2018, the United States Customs and Border Protection sent to the Committee its report on Personal and Real Property Donations pursuant to TFTEA.

Throughout the 115th Congress, the United States Customs and Border Protection sent to the Committee numerous letters regarding: its annual charter renewal for the Commercial Customs Operations Advisory Committee (COAC); its annual report on COAC; its annual reports regarding Automated Commercial Environment; and its quarterly reports on CBP Preclearance Operations Staffing.

18. PRIORITIES OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION (ITC)

Actions taken

On February 10, 2017, the ITC sent to the Committee a management letter on potential changes to its process for evaluating conflicts of interest.

On April 12, 2017, the ITC sent to the Committee its annual Budget Justification Executive Summary for Fiscal Year 2018.

On May 23, 2017, the ITC sent to the Committee its Annual Performance Report for FY 2016 and Annual Performance Plan for FY 2017–18.

On May 30, 2017, the ITC sent to the Committee its Inspector General semiannual report.

On June 9, 2017, the Committee received from the ITC the preliminary report on miscellaneous tariff petitions it received under AMCA.

On June 26, 2017, the ITC sent to the Committee a letter on the Commission's investigation No. 332–557, Aluminum: Competitive Conditions Affecting the U.S. Industry, in response to the Chairman's request letter of February 24, 2016, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(4)).

On July 21, 2017, Chairman Kevin Brady and Ranking Member Richard Neal, along with Senate Finance Chairman Orrin Hatch and Ranking Member Ron Wyden, sent a letter to the ITC pro-

viding comments on the MTB preliminary report in preparation for the issuance of the final report.

On July 25, 2017, the ITC sent to the Committee a report on the operation of the trade agreements program pursuant to section 163(c) of the Trade Act of 1974.

On August 8, 2017, the Committee received from the ITC the final report on miscellaneous tariff petitions it received under AMCA.

On October 16, 2017, the ITC sent to the Committee a report on the Economic Effects of Significant U.S. Import Restraints.

On November 13, 2017, the ITC sent to the Committee its two-volume report on Crystalline Silicon Photovoltaic Cells pursuant to Section 202(b) of the Trade Act of 1974.

On November 15, 2017, the USITC sent to the Committee the Commission's Agency Financial Report for FY 2017.

On November 15, 2017, the ITC sent to the Committee the Commission's Agency Financial Report for FY 2017.

On November 21, 2017, the ITC sent to the Committee a report on the Digital Accountability and Transparency Act Audit.

On December 4, 2017, the United States International Trade Commission sent to the Committee its report on Large Residential Washers pursuant to Section 202(b) of the Trade Act of 1974.

On February 12, 2018, the ITC sent to the Committee its annual Budget Justification Executive Summary for Fiscal Year 2018.

On February 12, 2018, the ITC sent to the Committee the USITC's Annual Performance Report for FY 2016 and Annual Performance Plan for FY 2017–18.

On August 21, 2018, the ITC sent to the Committee a report on the operation of the trade agreements program pursuant to section 163(c) of the Trade Act of 1974.

On November 13, 2018, the ITC set to the Committee its Agency Financial Report for FY 2018.

SUBCOMMITTEE ON TAX

Actions Taken

FULL COMMITTEE HEARINGS

On May 18, 2017, the Committee received testimony on how tax reform will grow our economy and create jobs from: (i) John J. Stephens, Senior Executive Vice President and Chief Financial Officer, AT&T Inc.; (ii) Zachary Mottl, Chief Alignment Officer, Atlas Tool Works, Inc.; (iii) David N. Farr, Chairman and Chief Executive Officer, Emerson Electric Co.; (iv) Douglas L. Peterson, President and Chief Executive Officer, S&P Global Inc.; (v) Steven Rattner, Chairman, Willett Advisors LLC.

On May 23, 2017, the committee received testimony on increasing U.S. competitiveness and preventing American jobs from moving overseas from: (i) Juan Luciano, President and Chief Executive Officer, Archer Daniels Midland Company; (ii) Brian Cornell, Board Chairman and Chief Executive Officer, Target Corporation; (iii) William Simon, Former President and Chief Executive Officer, Walmart U.S.; (iv) Lawrence B. Lindsey, President and CEO, The Lindsey Group; (v) Kimberly Clausing, Thormund A. Miller and Walter Mintz Professor of Economics, Reed College.

On May 24, 2017, the Committee received testimony on the President's Fiscal Year 2018 Budget Proposals from U.S. Secretary of the Treasury, Steven Mnuchin.

On February 15, 2018, the Committee received testimony on the President's Fiscal Year 2019 Budget Proposals from U.S. Secretary of the Treasury, Steven Mnuchin.

On May 16, 2018, the Committee received testimony on tax reform, growing our economy, and creating jobs from: (i) Douglas Holtz-Eakin, President, American Action Forum; (ii) Zachary Mottl, Chief Alignment Officer, Atlas Tool Works, Inc.; (iii) David Farr, Chairman and Chief Executive Officer, Emerson; (iv) Steven Rattner, Chairman and Chief Executive Officer, Willett Advisors LLC.

SUBCOMMITTEE HEARINGS:

On July 13, 2017, the Subcommittee on Tax Policy received testimony on how tax reform will help America's small businesses grow and create new jobs from: (i) Teresa Meares, President, DGG Uniform and Work Apparel; (ii) Scott E. VanderWal, Owner, VanderWal Farms; (iii) Rebecca Boenigk, Chief Executive Officer, Neutral Posture; (iv) Chye-Ching Huang, Deputy Director—Federal Tax Policy, Center on Budget and Policy Priorities.

On July 19, 2017, the Subcommittee on Tax Policy received testimony on how tax reform will simplify our broken tax code and help individuals and families from: (i) The Honorable Bill Archer, Former Chairman, Committee on Ways and Means; (ii) Bernard F. McKay, Chairman of the Board of Directors, Council for Electronic Revenue Communication Advancement; (iii) Jania Stout, Practice Leader and Co-Founder, Fiduciary Plan Advisors at HighTower; (iv) Eric Rodriguez, Vice President—Office of Research, Advocacy, and Legislation, UnidosUS.

On March 14, 2018, the Subcommittee on Tax Policy received testimony on the post tax reform evaluation of recently expired tax provisions from: (i) The Honorable Rick Lazio, Senior Vice President, Alliantgroup; (ii) Henry Chamberlain, President and Chief Operating Officer, Building Owners and Managers Association International; (iii) Daniel Bresette, Vice President for Policy and Research, Alliance to Save Energy; (iv) Lisa Jacobson, President, Business Council for Sustainable Energy; (v) Sam Paschel, Chief Executive Officer, Zero Motorcycles Inc.; (vi) Andrew West, Founder and Chief Executive Officer, American Natural Gas, LLC; (vii) Daniel Gage, President, NGV America; (viii) Stuart Weidie, President and Chief Executive Officer, The Blossman Companies; (ix) Michael Dungan, Director of Sales and Marketing, RES Polyflow; (x) Robbie Diamond, President and Chief Executive Officer, Securing America's Future Energy; (xi) Morry Markowitz, President, Fuel Cell and Hydrogen Energy Association; (xii) David Burton, Senior Fellow in Economic Policy, The Heritage Foundation; (xiii) Richard Phillips, Senior Policy Analyst, Institute on Taxation and Economic Policy; (xiv) Ryan Alexander, President, Taxpayers for Common Sense; (xv) Maya MacGuineas, President, Committee for a Responsible Federal Budget; (xvi) Seth Hanlon, Senior Fellow, Center for American Progress; (xvii) Cal Meyer, Group Vice President and Chief Operating Officer, Ag Processing Inc.; (xviii) Michael McAdams, President, Advanced Biofuels Association; (xix)

Edward Hubbard, General Counsel, Renewable Fuels Association; (xx) Judy Petry, Chair, American Short Line and Regional Railroad Association; (xxi) Barry Grooms, Realtor and Co-Owner, SaraBay Real Estate Inc.

On May 23, 2018, the subcommittee on Tax Policy received testimony on tax reform and small businesses, growing our economy, and creating jobs from: (i) Larry Gray, Owner, Alftermann Gray & Co. CPAs, LLC; (ii) Michael Baach, President and Chief Executive Officer, Philpott Solutions Group; (iii) John Horne, Owner and President, Anna Maria Oyster Bars; (iv) Philip Homan, President and Chief Executive Officer, LORAM Maintenance of Way, Inc.; (v) John Arensmeyer, Founder and Chief Executive Officer, Small Business Majority.

SUBCOMMITTEE ON HUMAN RESOURCES

Actions Taken

FULL COMMITTEE HEARINGS

On April 17, 2018, the Committee received testimony on Jobs and Opportunity: Federal Perspectives on the Jobs Gap from the Honorable R. Alexander Acosta, Secretary, U.S. Department of Labor.

SUBCOMMITTEE HEARINGS

On February 15, 2017, the Subcommittee on Human Resources received testimony on The Geography of Poverty from (i) Elizabeth Kneebone, Fellow, Metropolitan Policy Program, Brookings Institution; (ii) Mark Partridge, Professor, Swank Chair in Rural-Urban Policy, Department of Agricultural, Environmental, and Development Economics, The Ohio State University; (iii) William Leavy, Executive Director, Greater West Town Project, Chicago, IL, accompanied by Linda Thomas, Director of Client Services, Greater West Town Project, Chicago, IL; (iv) Tammy Slater, CEO, Goodwill Industries of Greater Nebraska.

On March 15, 2017, the Subcommittee on Human Resources received testimony on the Reauthorization of the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program from: (i) Beth Russell, Nurse Home Visitor, Penn Medicine Lancaster General Nurse-Family Partnership (NFP), PA; (ii) Rosa Valentin, Client, Penn Medicine Lancaster General Nurse-Family Partnership (NFP), PA; (iii) Eric Bellamy, Home Visiting Manager, Children's Trust of South Carolina; (iv) Diana Rauner, President, The Ounce of Prevention Fund.

On May 17, 2017, the Subcommittee on Human Resources received testimony on Opportunities for Youth and Young Adults to Break the Cycle of Poverty from: (i) Gerald Chertavian, Founder and CEO, Year Up; (ii) Jameela Roland, Graduate, Year Up; (iii) Martrice Manuel, Senior Program Director, Youth Scholars, Skills, and Services Program, Chicago, IL; (iv) Cheryl A. Oldham, Vice President of Education Policy, U.S. Chamber of Commerce.

On September 6, 2017, the Subcommittee on Human Resources received testimony on Missing from the Labor Force: Examining Declining Employment among Working-Age Men from: (i) Brent Orrell, Vice President, Family and Economic Stability, ICF Inter-

national, Inc.; (ii) Mike Henderson, President and CEO, Associated Builder and Contractors (ABC) Baltimore, MD; (iii) Tyrone Ferrens, Graduate, Project JumpStart; (iv) Anthony Lowery, Director, Policy & Advocacy, Safer Foundation, Chicago, IL.

On April 12, 2018, the Subcommittee on Human Resources received testimony on Jobs and Opportunity: Local Perspectives on the Jobs Gap, the difference between the demand for workers from employers to keep the economy growing and the supply of workers from the labor force at a time when labor force participation has been at historic lows, from: (i) Connie Wilhelm, Chief Executive Officer, Home Builders Association of Central Arizona; (ii) Toby Thomas, President, Austin Electric, LLC, Avondale, AZ; (iii) Brian Potaczek, Employee, Austin Electric, LLC, Mesa, AZ, (iv) Kelly Tessitore, Vice President of Advancement, Jewish Vocational Service, Boston, MA; (v) Heather Terenzio, CEO, Techtonic Group, LLC, Boulder, CO; (vi) Justin Welner, Vice President, Human Resources, Spirit AeroSystems, Wichita, KS; (vii) Andrew Wells, Director of Workforce Development, The Chicago Urban League; (viii) Peter Barrett, Senior Vice President, Marketing and Corporate Development, Smoker Craft, Inc, New Paris, IN.

On April 25, 2018, the Subcommittee on Human Resources received testimony on Jobs and Opportunity: Employer Perspectives on the Jobs Gap from: (i) David Ard, Senior Vice President and Global Head of People and Communications, Gap, Inc, New York, NY; (ii) Julie Shapiro, Executive Director, The Door, New York, NY; (iii) Steve Staub, President and Owner, Staub Manufacturing Solutions, Dayton, OH; (iv) Dr. Dan Lustig, Psy.D. CAADC MISA II, President and CEO, Haymarket Center, Chicago, IL; (v) Glenn Johnson, Manufacturing Workforce Development Leader, BASF Corporation, Houston, TX; (vi) Barb Pilarski, Head of Human Resources, FCA (Fiat-Chrysler) US LLC, Auburn Hills, MI.

On May 9, 2018, the Subcommittee on Human Resources received testimony on Jobs and Opportunity: Legislative Options to Address the Jobs Gap from: (i) Jennifer Meek Eells, Executive Director, Workforce Development Board, OhioMeansJobs Stark and Tuscarawas Counties; (ii) Nisha Patel, Institute Fellow, Urban Institute; (iii) Robert Doar, Morgridge Fellow in Poverty Studies, American Enterprise Institute.

On July 24, 2018, the Subcommittee on Human Resources received testimony on The Opioid Crisis: Implementation of the Family First Prevention Services Act (FFPSA) from Jerry Milner, Associate Commissioner, Children's Bureau, and Acting Commissioner, Administration on Children, Youth and Families, United States Department of Health and Human Services.

SUBCOMMITTEE ON HEALTH

Actions Taken

FULL COMMITTEE HEARINGS

On June 8, 2017, the Committee received testimony on the Department of Health and Human Services Fiscal Year 2018 Budget Request from Honorable Thomas E. Price, M.D., Secretary, U.S. Department of Health and Human Services.

On February 14, 2018, the Committee received testimony on the Department of Health and Human Services' Fiscal Year 2019

Budget Request from Honorable Alex Michael Azar II, Secretary, U.S. Department of Health and Human Services.

SUBCOMMITTEE HEARINGS

On May 18, 2017, the Subcommittee on Health received testimony on the current status of the Medicare Program, payment systems, and extenders from: Mark Miller, Executive Director, Medicare Payment Advisory Commission.

On June 7, 2017, the Subcommittee on Health received testimony on promoting integrated and coordinated care for Medicare beneficiaries from: (i) Gretchen Jacobson, PhD, Associate Director, Kaiser Family Foundation's Program on Medicare Policy; (ii) Cheryl Wilson, RN, Chief Executive Officer, St. Paul's Senior Services; (iii) David Grabowski, PhD, Professor of Health Care Policy, Department of Health Care Policy at Harvard Medical School; (iv) A. Mark Fendrick, MD, Executive Director, University of Michigan Center for Value-Based Insurance Design.

On February 6, 2018, the Subcommittee on Health received testimony on the Opioid Crisis removing barriers to prevent and treat opioid abuse and dependence in Medicare from: (i) Phil Scott, Governor, State of Vermont, joined by Al Gobeille, Secretary of Human Services; (ii) Dr. Ramsin M. Benyamin, M.D., President and Founder, Millennium Pain Center; Board of Directors, American Board of Interventional Pain Physicians; (iii) Jason Kletter, Ph.D., President, BayMark Health Services and Bay Area Addiction Research and Treatment (BAART); (iv) Harold L. Paz, M.D., M.S., Executive Vice President and Chief Medical Officer, Aetna; (v) Laura Hungiville, PharmD, Chief Pharmacy Officer, WellCare Health Plans, Inc.

On March 21, 2018, the Subcommittee on Health received testimony on implementation of MACRA's physician payment policies from: Demetrios L. Kouzoukas, Principal Deputy Administrator, Centers for Medicare and Medicaid Services, joined by Dr. Kate Goodrich, Chief Medical Officer, Centers for Medicare and Medicaid Services.

On April 26, 2018, the Subcommittee on Health received testimony on innovation in health care from: (i) Matthew S. Philip, M.D., Physician, Breakthrough Care Center, DuPage Medical Group joined by Paul F. Merrick, M.D., President, DuPage Medical Group; (ii) Oliver Kharraz, M.D., Chief Executive Officer & Founder, Zocdoc; (iii) Becki Hafner-Fogarty, M.D., Senior Vice President, Policy and Strategy, Zipnosis, Inc.; (iv) Dan Paoletti, Chief Executive Officer, The Ohio Health Information Partnership; (v) Sean Cavanaugh, Chief Administrative Officer Aledade.

On May 8, 2018, the Subcommittee on Health received testimony on the current status of and quality in the Medicare Advantage Program from: (i) Karoline Mortensen, Ph.D., Associate Professor, Health Sector Management & Policy, University of Miami Business School; (ii) Andrew Toy, Chief Technology Officer, Clover Health; (iii) Daphne Klausner, Senior Vice President, Senior Markets, Independence Blue Cross; (iv) Jack Hoadley, Ph.D., Georgetown University Health Policy Institute.

On June 6, 2018, the Subcommittee on Health received testimony on lowering costs and expanding access to health care through consumer-directed health plans from (i) Roy Ramthun,

President and Founder, HSA Consulting Services, LLC; (ii) Matt Eyles, President & CEO, America's Health Insurance Plans (AHIP); (iii) Jody Dietel, Chief Compliance Officer, WageWorks, Inc.; (iv) Sherry Glied, Dean, New York University, Robert F. Wagner Graduate School of Public Service.

On July 17, 2018, the Subcommittee on Health received testimony on modernizing Stark Law to ensure the successful transition from volume to value in the Medicare program from: (i) Eric Hargan, Deputy Secretary, Department of Health and Human Services; (ii) Gary M. Kirsh, M.D., President, The Urology Group; (iii) Mike Lappin, Chief Integration Officer, AdvocateAuroraHealth; (iv) Brian DeBusk, Ph.D., M.B.A., President and Chief Executive Officer, DeRoyal; (v) Claire M. Sylvia, Partner, Phillips & Cohen LLP.

SUBCOMMITTEE ON SOCIAL SECURITY

Actions Taken

SUBCOMMITTEE HEARINGS

On February 7, 2017, the Subcommittee on Social Security and the Subcommittee on Oversight received testimony at a hearing entitled "Examining the Social Security Administration's Representative Payee Program: Determining Who Needs Help" from: (i) Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, Social Security Administration; (ii) Dr. Paul Appelbaum, Elizabeth K. Dollard Professor of Psychiatry, Medicine & Law, Columbia University; (iii) Lindsay Nichols, Senior Attorney, The Law Center to Prevent Gun Violence/Americans for Responsible Solutions; (iv) Gale Stallworth Stone, Acting Inspector General, Social Security Administration. The hearing focused on the capability determination process used by the Social Security Administration (SSA) to assess whether an individual needs a representative payee to manage benefit payments on their behalf. The witnesses discussed how capability determinations are made, concerns with the SSA's current process, and recommendations for improvement.

On March 22, 2017, the Subcommittee on Oversight and the Subcommittee on Social Security received testimony on Social Security's Representative Payee Program from: (i) Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, Social Security Administration; (ii) Gale Stallworth Stone, Acting Inspector General, Social Security Administration; (iii) Marty Ford, Senior Executive Officer, Public Policy, The Arc, on behalf of the Consortium for Citizens with Disabilities Social Security Task Force; (iv) Brenda Uekert, Principal Court Research Consultant, National Center for State Courts; (v) David Slayton, Administrative Director, Office of Court Administration, Texas Judicial Branch. This was the second hearing on the Representative Payee Program and was entitled "Examining the Social Security Administration's Representative Payee Program: Who Provides Help." Witnesses discussed how the SSA selects and monitors payees as well as concerns with how the SSA administers its own rules and regulations. Witnesses also discussed state guardianship programs and how these programs can inform the SSA's efforts to improve the representative payee program.

On April 26, 2017, the Subcommittee on Social Security received testimony at a hearing entitled “Stopping Disability Fraud: Risk, Prevention, and Detection” from: (i) Sean Brune, Assistant Deputy Commissioner, Office of Budget, Finance, Quality and Management, Social Security Administration; (ii) Seto J. Bagdoyan, Director, Forensic Audits and Investigative Service, Government Accountability Office. The hearing focused on the agency’s ability to identify and manage fraud risk, and the status of the SSA’s anti-fraud initiatives. Witnesses discussed what the SSA has done to improve its fraud detection and prevention, as well as the steps that need to be taken to improve the agency’s fraud risk management.

On May 23, 2017, the Subcommittee on Social Security and the Committee on Oversight and Government Reform, Subcommittee on Information Technology received testimony at a hearing entitled “Protecting Americans’ Identities: Examining Efforts to Limit the Use of Social Security Numbers” from: (i) Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; (ii) Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, Social Security Administration; (iii) David DeVries, Chief Information Officer, Office of Personnel Management; (iv) Karen Jackson, Deputy Chief Operating Officer, Centers for Medicare and Medicaid Services; (v) John Oswalt, Executive Director for Privacy, Office of Information and Technology, Department of Veterans Affairs. The hearing focused on efforts by federal agencies to reduce the use of Social Security numbers (SSNs) and the challenges these agencies face in doing so. The panel discussed the origin of the SSN and its widespread use as a personal identifier. The witnesses also discussed the internal and external challenges that agencies face in reducing SSN use and the progress that has been made to date.

On June 29, 2017, the Subcommittee on Social Security and the Subcommittee on Oversight received testimony at a hearing entitled “The Complexities and Challenges of Social Security Coverage and Payroll Tax Compliance for State and Local Governments” from: (i) Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, Social Security Administration; (ii) Sunita Lough, Commissioner, Tax Exempt and Government Entities Division, Internal Revenue Service; (iii) Maryann Motza, Ph.D., Legislative Committee Chair and Past President, National Conference of State Social Security Administrators. The hearing focused on the roles the SSA, the Internal Revenue Service (IRS), and State Social Security Administrators play in administering Social Security coverage for state and local governments. Members discussed how the SSA, IRS and State Social Security Administrators can improve coordination to ensure proper administration of Section 218 agreements and increase payroll tax compliance.

On July 14, 2017, the Subcommittee on Social Security received testimony on Social Security’s Trust Funds at a hearing entitled “Social Security’s Solvency Challenge: Status of the Social Security Trust Funds” from Stephen C. Goss, Chief Actuary, Social Security Administration. The hearing focused on the findings in the 2017 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Trust Funds and the demographic and economic factors that affect the financial condi-

tion of Social Security's Trusts Funds. The Social Security Trustees project the combined Trust Funds will be exhausted in 2034. The Trustees also project that the Disability Insurance (DI) Trust Fund will be exhausted in 2028, 5 years later than the 2016 projection. The 75-year unfunded liability increased from \$11.4 trillion in 2016 to \$12.5 trillion in 2017.

On September 6, 2017, the Subcommittee on Social Security received testimony at a hearing entitled "Determining Eligibility for Disability Benefits: Challenges Facing the Social Security Administration" from: (i) Bea Disman, Acting Chief of Staff, Social Security Administration; (ii) Kathryn Larin, Director of Education, Workforce, and Income Security Issues, Government Accountability Office; (iii) Elizabeth McLaren, Bureau Chief, Iowa Disability Determination Services on behalf of National Council of Disability Determination Directors; (iv) Marilyn Zahm, President, Association of Administrative Law Judges; (v) Lisa Ekman, Director of Government Affairs, National Organization of Social Security Claimants' Representatives on behalf of the Consortium for Citizens with Disabilities Social Security Task Force. The hearing focused on the SSA's plan to reduce the hearing backlog and claimant wait times, other efforts to modernize and improve the disability determination process, and tools available to expedite decisions for those with certain severe conditions. Witnesses discussed the SSA's plan to reduce the disability hearing backlog and methods to improve the disability determination process. At the hearing, Members and witnesses agreed that the record high hearing backlog of more than one million pending cases and wait times of approximately 600 days for a hearing decision were unacceptable. Members and witnesses also discussed the need for the SSA to use the resources they have more efficiently.

On February 7, 2018, the Subcommittee on Social Security received testimony at a hearing entitled "Ensuring Social Security Serves America's Veterans" from Gina Clemons, Associate Commissioner, Office of Disability Policy, Social Security Administration. The witness discussed how the SSA expedites veterans' DI claims and uses electronic health records to reduce wait times, as well as the SSA's efforts to hire veterans. The witness also discussed the SSA's outreach efforts to educate veterans about DI for service members and the SSA's updated medical listing for war injuries. The Members discussed ways to improve the DI claims process and how the SSA can increase efficiencies to help veterans and non-veterans as workloads continue to increase.

On March 7, 2018, the Subcommittee on Social Security received testimony at a hearing entitled "Lacking a Leader: Challenges Facing the SSA after over 5 Years of Acting Commissioners" from: (i) Elizabeth Curda, Director, Education, Workforce, and Income Security, Government Accountability Office; (ii) Valerie Brannon, Legislative Attorney, Congressional Research Service; (iv) Max Richtman, President and CEO, National Committee to Preserve Social Security and Medicare; (v) Max Stier, President and CEO, Partnership for Public Service. The hearing focused on the need for a Senate-confirmed Commissioner to lead the SSA, the challenges and limitations faced by the SSA when it is led by an Acting Commissioner, and the legal framework that governs a vacancy at the SSA. Prior to the hearing, on March 6, 2018, the Government Ac-

countability Office (GAO) issued an opinion that the SSA has been in violation of the Federal Vacancies Reform Act of 1998 since November 17, 2017. Witnesses discussed the negative impact of being without a Senate-confirmed Commissioner for more than five years, as well as the challenges facing the agency. Witnesses also discussed the interaction between the Federal Vacancies Reform Act of 1998 and Section 702 of the Social Security Act which provide the statutory framework for filling a vacancy at the SSA. Members expressed concern with the complexity of the statutory framework and the limited ability of an Acting Commissioner to address problems at the SSA.

On May 17, 2018, the Subcommittee on Social Security received testimony at a hearing entitled “Securing Americans’ Identities: The Future of the Social Security Number” from: (i) Nancy Berryhill, Acting Commissioner, Social Security Administration; (ii) Elizabeth Curda, Director, Education, Workforce, and Income Security, Government Accountability Office; (iii) Samuel Lester, Consumer Privacy Counsel, Electronic Privacy Information Center; (iv) Paul Rosenzweig, Senior Fellow, R Street Institute; (v) Steve Grobman, Senior Vice President and Chief Technology Officer, McAfee, LLC; (vi) Jeremy A. Grant, Coordinator, Better Identity Coalition; (vii) James Lewis, Senior Vice President, Technology Policy Program, Center for Strategic and International Studies. The hearing focused on the dangers of the use of the SSN as both an identifier and authenticator, and examined policy considerations and possible solutions to mitigate the consequences of SSN loss or theft. Members and witnesses discussed the SSN’s continued use as an identifier and the danger of the use of SSNs as an authenticator. Witnesses also discussed options, such as publication of all SSNs, to make the use of SSNs safer. Additionally, Members and witnesses discussed the use of the Social Security card and the need to improve the SSA’s policies to make it easier for identity theft victims to receive new SSNs.

On June 7, 2018, the Subcommittee on Social Security received testimony at a hearing entitled “Examining Social Security’s Solvency Challenge: The Status of Social Security’s Trust Funds” from Stephen C. Goss, Chief Actuary, Social Security Administration. The hearing focused on the findings in the 2018 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds and the factors that affect the actuarial condition of Social Security’s Trust Funds. Mr. Goss discussed the main changes from the 2017 Trustees Report to the 2018 Trustees Report, including the increase in Social Security’s 75-year actuarial deficit and 75-year unfunded liability and the improvement in the DI Trust Fund. Social Security’s actuarial deficit increased from 2.83 percent of taxable payroll in 2017 to 2.84 percent of taxable payroll in 2018 and the program’s unfunded liability increased from \$12.5 trillion to \$13.2 trillion over this time period, while the projected reserve depletion date for the DI Trust Fund improved from 2028 to 2032. Mr. Goss noted that the solvency improvement for the DI Trust Fund is due to a decrease in DI applications and awards, but the reason for the decline in DI applications is still not well understood. The hearing also clarified that the Trustees Report’s economic assumptions do

not account for the effects of the Tax Cuts and Jobs Act since these assumptions were finalized prior to the law's passage.

On July 25, 2018, the Subcommittee on Social Security received testimony at a hearing entitled "Examining Changes to Social Security's Disability Appeals Process" from: Patricia Jonas, Deputy Commissioner, Analytics, Review, and Oversight, Social Security Administration; (ii) Elizabeth Curda, Director, Education, Workforce, and Income Security Issues, Government Accountability Office; (iii) Will Morton, Analyst in Income Security, Congressional Research Service; (iv) Jeff Price, Legislative Director, National Association of Disability Examiners; (v) Lisa Ekman, Director of Government Affairs, National Organization of Social Security Claimants' Representatives, on behalf of the Consortium for Citizens with Disabilities Social Security Task Force; (vi) Hon. Ronald A. Cass, President, Cass & Associates, PC. The hearing focused on recent and planned changes to the SSA's disability appeals process, how the SSA evaluates process changes, and the progress the SSA has made in reducing the disability backlog. At the hearing, Members and witnesses discussed the SSA's decision to reinstate the reconsideration stage of appeal nationwide with Members expressing bipartisan concern regarding that decision.

On September 27, 2018, the Subcommittee on Social Security received testimony at a hearing entitled "The State of Social Security's Information Technology" from: (i) Rajive Mathur, Deputy Commissioner of Systems and Chief Information Officer, Social Security Administration; (ii) Gale Stallworth Stone, Acting Inspector General, Social Security Administration; (iii) Carol C. Harris, Director, Information Technology Management Issues, Government Accountability Office. The hearing focused on the SSA's efforts to modernize the agency's information technology (IT) systems. Members and witnesses discussed the challenges posed by the SSA's out of date systems, the need for the SSA to engage with the private sector to identify solutions to its IT needs, and the progress the SSA has made after the release of its modernization plan in October 2017.

III. PUBLIC HEARINGS

During the 115th Congress, the Committee on Ways and Means along with its six Subcommittees held numerous public hearings. Many of these hearings dealt with broad subject matter including the President's fiscal year 2019 budget proposals, tax reform, trade, health and Social Security issues.

As the statistics below indicate, during the 115th Congress, the full Committee and its six Subcommittees held public hearings aggregating a total of 56 days, during which time 244 witnesses testified. There was one field hearing.

The following table specifies the statistical data on the number of days and witnesses on each of the subjects covered by public hearings in the full Committee during the 115th Congress.

TABLE 1—PUBLIC HEARINGS CONDUCTED BY THE FULL COMMITTEE ON WAYS AND MEANS

Subject and Date	Number of—	
	Days	Witnesses
2017:		
Hearing on How Tax Reform Will Grow Our Economy and Create Jobs, <i>May 18</i>	1	5
Hearing on Increasing U.S. Competitiveness and Preventing American Jobs from Moving Overseas, <i>May 23</i>	1	5
Hearing on the President's Fiscal Year 2018 Budget Proposals with U.S. Secretary of the Treasury Steven Mnuchin, <i>May 24</i>	1	1
Hearing on the Department of Health and Human Services' Fiscal Year 2018 Budget Request, <i>June 8</i>	1	1
Hearing on U.S. Trade Policy Agenda, <i>June 22</i>	1	1
Total for 2017	5	13
2018:		
Hearing on the Department of Health and Human Services' Fiscal Year 2019 Budget Request, <i>February 14</i>	1	1
Hearing on FY 2019 Budget Proposals for the Department of Treasury, <i>February 15</i>	1	1
Hearing on U.S. Trade Policy Agenda, <i>March 21</i>	1	1
Hearing with Commerce Secretary Ross, <i>March 22</i>	1	1
Hearing on the Effects of Tariff Increases on the U.S. Economy and Jobs, <i>April 12</i>	1	7
Hearing on Jobs and Opportunity: Federal Perspectives on the Jobs Gap, <i>April 17</i>	1	1
Hearing Series on Tax Reform: Growing Our Economy and Creating Jobs, <i>May 16</i>	1	4
Total for 2018	7	16
Total for 115th Congress	12	29

The six Subcommittees of the Committee on Ways and Means were also very active in conducting public hearings during the 115th Congress. The following table specifies in detail the number of days and witnesses for each of the Subcommittees.

TABLE 2—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS

[January 3, 2017–January 3, 2019]

Subject and Date	Number of—	
	Days	Witnesses
SUBCOMMITTEE ON HUMAN RESOURCES		
2017:		
Hearing on the Geography of Poverty, <i>February 15</i>	1	4
Hearing on the Reauthorization of the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program, <i>March 15</i>	1	4
Hearing on Opportunities for Youth and Young Adults to Break the Cycle of Poverty, <i>May 17</i>	1	4
Hearing on Missing from the Labor Force: Examining Declining Employment among Working-Age Men, <i>September 6</i>	1	4
Total for 2017	4	16
2018:		
Hearing on Jobs and Opportunity: Local Perspectives on the Jobs Gap, <i>April 12</i>	1	9
Hearing on Jobs and Opportunity: Employer Perspectives on the Jobs Gap, <i>April 25</i>	1	6
Hearing on Jobs and Opportunity: Legislative Options to Address the Jobs Gap, <i>May 9</i>	1	3
Hearing on the Opioid Crisis: Implementation of the Family First Prevention Services Act (FFPSA), <i>July 24</i>	1	1
Total for 2018	4	19
Total for 115th Congress	8	35
SUBCOMMITTEE ON OVERSIGHT		
2017:		
Hearing on Examining the Effectiveness of the Individual Mandate under the Affordable Care Act, <i>January 24</i>	1	3
Joint Hearing on Social Security's Representative Payee Program, <i>March 22</i>	1	5
Hearing on the 2017 Tax Filing Season, <i>April 26</i>	1	3
Hearing with the National Taxpayer Advocate, <i>May 19</i>	1	1
Hearing on Efforts to Combat Waste, Fraud, and Abuse in the Medicare Program, <i>July 19</i>	1	2
Hearing on the Internal Revenue Service's Record Retention Policies, <i>July 25</i>	1	3

TABLE 2—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS
AND MEANS—Continued
[January 3, 2017–January 3, 2019]

Subject and Date	Number of—	
	Days	Witnesses
Hearing on Reforming How the IRS Resolves Taxpayer Disputes, <i>September 13</i>	1	4
Hearing on the Internal Revenue Service's Information Technology Modernization Efforts, <i>October 4</i>	1	4
Hearing on the Taxpayer Experience with the Internal Revenue Service, <i>December 13</i>	1	4
Total for 2017	9	29
2018:		
Hearing on "The Opioid Crisis: The Current Landscape and CMS Actions to Prevent Opioid Misuse", <i>January 17</i>	1	3
Hearing on Legislation to Improve Tax Administration, <i>January 30</i>	1	7
Hearing on Internal Revenue Service and U.S. Department of Justice Efforts to Return Taxpayers' Seized Funds, <i>June 20</i>	1	2
Hearing on Combating Fraud in Medicare: A Strategy for Success, <i>July 17</i>	1	3
Hearing on the Internal Revenue Service's Taxpayer Online Authentication Efforts, <i>Sep- tember 26</i>	1	4
Total for 2018	5	19
Total for 115th Congress	14	48
SUBCOMMITTEE ON SOCIAL SECURITY		
2017:		
Joint Hearing on Social Security's Representative Payee Program, <i>February 7</i>	1	4
Hearing on Stopping Disability Fraud: Risk, Prevention, and Detection, <i>April 26</i>	1	2
Hearing on Protecting Americans' Identities: Examining Efforts to Limit the Use of Social Security Numbers (Joint with OGR), <i>May 23</i>	1	5
Joint Hearing on the Complexities and Challenges of Social Security Coverage and Pay- roll Tax Compliance for State and Local Governments, <i>June 29</i>	1	3
Hearing on Social Security's Solvency Challenge: Status of the Social Security Trust Funds, <i>July 14</i>	1	1
Hearing on Determining Eligibility for Disability Benefits: Challenges Facing the Social Security Administration, <i>September 6</i>	1	5
Total for 2017	6	20
2018:		
Hearing on Ensuring Social Security Serves America's Veterans, <i>February 7</i>	1	1
Lacking a Leader: Challenges Facing the SSA after over 5 Years of Acting Commis- sioners, <i>March 7</i>	1	4
Hearing on Securing Americans' Identities: The Future of the Social Security Number, <i>May 17</i>	1	7
Hearing on Examining Social Security's Solvency Challenge: The Status of Social Secu- rity's Trust Funds, <i>June 7</i>	1	1
Hearing on Examining Changes to Social Security's Disability Appeals Process, <i>July 25</i> ...	1	6
Hearing on the State of Social Security's Information Technology, <i>September 27</i>	1	3
Total for 2018	6	22
Total for 115th Congress	12	42
SUBCOMMITTEE ON TAX POLICY		
2017:		
Hearing on How Tax Reform Will Help America's Small Businesses Grow and Create New Jobs, <i>July 13</i>	1	4
Hearing on How Tax Reform Will Simplify Our Broken Tax Code and Help Individuals and Families, <i>July 19</i>	1	4
Total for 2017	2	8
2018:		
Hearing on Post Tax Reform Evaluation of Recently Expired Tax Provisions, <i>March 14</i>	1	21
Hearing on Tax Reform and Small Businesses: Growing Our Economy and Creating Jobs, <i>May 23</i>	1	5
Total for 2018	2	26
Total for 115th Congress	4	34
SUBCOMMITTEE ON TRADE		
2017:		
Hearing on Modernization of the North American Free Trade Agreement (NAFTA), <i>July 18</i> Hearing on Opportunities to Expand U.S. Trade Relationships in the Asia-Pacific Region, <i>October 11</i>	1	9
	1	5

TABLE 2—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS—Continued
[January 3, 2017–January 3, 2019]

Subject and Date	Number of—	
	Days	Witnesses
Hearing on the Miscellaneous Tariff Bill: Providing Tariff Relief to U.S. Manufacturers Through the New MTB Process, <i>October 25</i>	1	3
Total for 2017	3	17
2018:		
Hearing on the Opioid Crisis: Stopping the Flow of Synthetic Opioids in the International Mail System, <i>April 25</i>	1	2
Hearing on the Effects of Tariffs on U.S. Agriculture and Rural Communities, <i>July 18</i>	1	6
Hearing on Product Exclusion Process for Section 232 Tariffs on Steel and Aluminum, <i>July 24</i>	1	5
Total for 2018	3	13
Total for 115th Congress	6	30

IV. MARKUPS

TABLE 3—PUBLIC MARKUPS CONDUCTED BY THE FULL COMMITTEE ON WAYS AND MEANS

Subject and Date	Number of—	
	Days	Bills
2017:		
Ways and Means Announces Organizational Meeting, January 12	1	— — —
—Consideration of Committee Rules for 115th Congress.		
Ways and Means to Hold Meeting, February 14	1	— — —
—Ways and Means Committee Authorization and Oversight Plan for 115th Congress.		
—Ways and Means Committee Views and Estimates on the Fiscal Year 2018 Federal Budget.		
—Ratification of Ways and Means Committee Subcommittee assignments.		
—Ratification of Appointments to the Joint Committee on Taxation.		
Budget Reconciliation Recommendations to Repeal and Replace Obamacare, March 8	1	— — —
—Budget Reconciliation Legislative Recommendations Relating to Remuneration from Certain Insurers.		
—Budget Reconciliation Legislative Recommendations Relating to Repeal of Tanning Tax.		
—Budget Reconciliation Legislative Recommendations Relating to Repeal of Certain Consumer Taxes.		
—Budget Reconciliation Legislative Recommendations Relating to Repeal of Net Investment Income Tax.		
—Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of Health-Related Tax Policy.		
Markup of H. Res. 186, “Of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump.”, March 28	1	1
—H. Res. 186, “Of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump.”.		
Markup of Legislation to Further Expand Health Care Options for Americans, May 24	1	3
—H.R. 2372, “Veterans Equal Treatment Ensures Relief and Access Now Act”.		
—H.R. 2579, “Broader Options for Americans Act”.		
—H.R. 2581, “Verify First Act”.		
Markup of Bipartisan Bills to Strengthen Families, June 14	1	6
—H.R. 2742, “Modernizing the Interstate Placement of Children in Foster Care Act”.		
—H.R. 2857, “Supporting Families in Substance Abuse Treatment Act”.		
—H.R. 2834, “Partnership Grants to Strengthen Families Affected by Parental Substance Abuse Act”.		
—H.R. 2866, “Reducing Barriers for Relative Foster Parents Act”.		
—H.R. 2847, “Improving Services for Older Youth in Foster Care Act”.		
—H.R. 2842, “Accelerating Individuals into the Workforce Act”.		
Markup of Legislation to Modify the Nuclear Production Tax Credit, June 15	1	1

TABLE 3—PUBLIC MARKUPS CONDUCTED BY THE FULL COMMITTEE ON WAYS AND MEANS—
Continued

Subject and Date	Number of—	
	Days	Bills
—H.R. 1551, “To amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities”.		
Markup of Bills to Strengthen Medicare Programs and Protect Taxpayers, July 13	1	3
—H.R. 3178, “Medicare Part B Improvement Act of 2017”.		
—H.R. 3168, “SNP Reauthorization Act of 2017”.		
—H.R. 1843, “Restraining Excessive Seizure of Property through the Exploitation of Civil Forfeiture Tools Act”.		
Markup of H. Res. 479, “Of Inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax return information of President Donald J. Trump as well as the tax returns of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e”, September 7	1	1
—H. Res. 479, “Of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax return information of President Donald J. Trump as well as the tax returns of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e.”.		
Markup of Legislation to Improve Medicare Programs and Policies, Expand Evidence-Based Welfare Solutions, September 13	1	5
—H.R. 3726, “Stark Administrative Simplification Act of 2017”.		
—H.R. 3727, “ITAM Act”.		
—H.R. 3729, “Comprehensive Operations, Sustainability, and Transport Act of 2017”.		
—H.R. 2824, “Increasing Opportunity through Evidence-Based Home Visiting Act”.		
—H.R. 2792, “Control Unlawful Fugitive Felons Act of 2017”.		
Markup of Bill to Improve Senior's access to Medicare: H.R. 849, “Protecting Seniors' Access to Medicare Act of 2017”, October 4	1	1
—H.R. 849, “Protecting Seniors' Access to Medicare Act of 2017”.		
Markup of Tax Cuts and Jobs Act, November 6	4	1
—H.R. 1, Tax Cuts and Jobs Act.		
Total for 2017	15	22
2018:		
Ways and Means to Hold Meeting, February 27	1	— — —
—Views and Estimates on the Fiscal Year 2019 Federal Budget.		
Markup of Bills to Better Serve and Protect Taxpayers, April 11	1	12
—H.R. 5444, “To amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.”.		
—H.R. 5445, “To amend the Internal Revenue Code of 1986 to improve cybersecurity and taxpayer identity protection, and modernize the information technology of the Internal Revenue Service, and for other purposes.”.		
—H.R. 2901, “Volunteer Income Tax Assistance Permanence Act of 2017”.		
—H.R. 5440, “To require notice from the Secretary of the Treasury in the case of any closure of a Taxpayer Assistance Center.”.		
—H.R. 5438, “To amend the Internal Revenue Code of 1986 to allow officers and employees of the Department of the Treasury to provide to taxpayers information regarding low-income taxpayer clinics.”.		
—H.R. 5446, “To amend the Internal Revenue Code of 1986 to restrict the immediate sale of seized property by Secretary of the Treasury to perishable goods.”.		
—H.R. 5437, “To require the Secretary of the Treasury to establish a program for the issuance of identity protection personal identification numbers.”.		
—H.R. 5439, “To provide for a single point of contact at the Internal Revenue Service for the taxpayers who are victims of tax-related identity theft.”.		
—H.R. 5443, “To amend the Internal Revenue Code of 1986 to require electronic filing of the annual returns of exempt organizations and provide for making such returns available for public inspection.”.		
—H.R. 4403, “Moving Americans Privacy Protection Act”.		
—H.R. 1512, “Social Security Child Protection Act of 2017”.		
—H.R. 5192, “Protecting Children from Identity Theft Act”.		
Markup of Bills to Combat the Opioid Crisis, May 16	1	7
—H.R. 5774, “Combating Opioid Abuse for Care in Hospitals (COACH) Act of 2018”.		
—H.R. 5775, “Providing Reliable Options for Patients and Educational Resources (PROPER) Act of 2018”.		
—H.R. 5776, “Medicare and Opioid Safe Treatment (MOST) Act”.		
—H.R. 5773, “Preventing Addiction for Susceptible Seniors (PASS) Act of 2018”.		

TABLE 3—PUBLIC MARKUPS CONDUCTED BY THE FULL COMMITTEE ON WAYS AND MEANS—
Continued

Subject and Date	Number of—	
	Days	Bills
—H.R. 5676, “Stop Excessive Narcotics in our Retirement (SENIOR) Communities Protection Act of 2018”.		
—H.R. 5723, “Expanding Oversight of Opioid Prescribing and Payment Act of 2018”.		
—H.R. 5788, “STOP Act of 2018”.		
Markup of H.R. 5861, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act, May 23	2	1
—H.R. 5861, The “Jobs and Opportunity with Benefits and Services (JOBS) for Success Act”.		
Markup of Bills from the Subcommittees on Tax Policy, Health, Social Security, and Oversight, June 21	1	6
—H.R. 6138, “Ambulatory Surgical Center Payment Transparency Act of 2018”.		
—H.R. 4952, “Improving Seniors’ Access to Quality Benefits Act”.		
—H.R. 3500, The “Ensuring Integrity in the IRS Workforce Act of 2017”.		
—H.R. 519, The “Water and Agriculture Tax Reform Act of 2017”.		
—H.R. 6124, The “Tribal Social Security Fairness Act of 2018”.		
—H.R. 6084, The “Improving Social Security’s Service to Victims of Identity Theft Act”.		
Full Committee Markup, July 11	2	11
—H.R. 6301, “Promoting High-Value Health Care Through Flexibility for High Deductible Health Plans Act of 2018”.		
—H.R. 6317, “Primary Care Enhancement Act of 2018”.		
—H.R. 6305, “Bipartisan HSA Improvement Act of 2018”.		
—H.R. 6312, “Personal Health Investment Today (PHIT) Act”.		
—H.R. 6309, “Allowing Working Seniors to Keep Their Health Savings Accounts Act of 2018”.		
—H.R. 6199, “Restoring Access to Medication and Modernizing Health Savings Accounts Act of 2018”.		
—H.R. 6306, “Health Care Security Act of 2018”.		
—H.R. 6313, “Responsible Additions and Increases to Sustain Employee Health Benefits Act of 2018”.		
—H.R. 4616, “Employer Relief Act of 2018”.		
—H.R. 6314, “Health Savings Act of 2018”.		
—H.R. 6311, “Increasing Access to Lower Premium Plans and Expanding Health Savings Accounts Act of 2018”.		
Full Committee Markup of Bills from the Subcommittees on Social Security and Tax Policy, July 18	1	2
—H.R. 3309, “Social Security Online Tools Innovation Act”.		
—H.R. 6377, “Save Community Newspaper Act of 2018”.		
Full Committee Markup, September 5	1	4
—H.R. 6662, “Empowering Seniors’ Enrollment Decision Act of 2018”.		
—H.R. 6690, “Fighting Fraud to Protect Care for Seniors Act of 2018”.		
—H.R. 6561, “Comprehensive Care for Seniors Act of 2018”.		
—H.R. 3635, “Local Coverage Determination Clarification Act of 2017”.		
—H. Res. 1018, “Requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China.”.		
Full Committee Markup for Tax Reform 2.0, September 13	1	3
—H.R. 6760, “Protecting Family and Small Business Tax Cuts Act of 2018”.		
—H.R. 6757, “Family Savings Act of 2018”.		
—H.R. 6756, “American Innovation Act of 2018”.		
Total for 2018	11	46
Total for 115th Congress	26	68

Appendix I. Jurisdiction of the Committee on Ways and Means

A. U.S. CONSTITUTION

Article I, Section 7, of the Constitution of the United States provides as follows:

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

In addition, Article I, Section 8, of the Constitution of the United States provides the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and . . . To borrow Money on the credit of the United States.

B. RULE X, CLAUSE 1, RULES OF THE HOUSE OF REPRESENTATIVES

Rule X, clause 1(t), of the Rules of the House of Representatives, in effect during the 110th Congress, provides for the jurisdiction of the Committee on Ways and Means, as follows:

(t) Committee on Ways and Means.

(1) Customs revenue, collection districts, and ports of entry and delivery.

(2) Reciprocal trade agreements.

(3) Revenue measures generally.

(4) Revenue measures relating to insular possessions.

(5) Bonded debt of the United States, subject to the last sentence of clause 4(f). Clause 4(f) requires the Committee on Ways and Means to include in its annual report to the Committee on the Budget a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt that should be set forth in the concurrent resolution on the budget.

(6) Deposit of public monies.

(7) Transportation of dutiable goods.

(8) Tax exempt foundations and charitable trusts.

(9) National Social Security (except health care and facilities programs that are supported from general revenues as opposed to payroll deductions and except work incentive programs).

C. BRIEF DESCRIPTION OF COMMITTEE'S JURISDICTION

The foregoing recitation of the provisions of House Rule X, clause 1, paragraph (t), does not convey the comprehensive nature of the jurisdiction of the Committee on Ways and Means. The following summary provides a more complete description:

(1) Federal revenue measures generally—The Committee on Ways and Means has the responsibility for raising the revenue required to finance the Federal Government. This includes individual and corporate income taxes, excise taxes, estate taxes, gift taxes, and other miscellaneous taxes.

(2) The bonded debt of the United States—The Committee on Ways and Means has jurisdiction over the authority of the Federal Government to borrow money. Title 31 of Chapter 31 of the U.S. Code authorizes the Secretary of the Treasury to conduct any necessary public borrowing subject to a maximum limit on the amount of borrowing outstanding at any one time. On October 17, 2013, the President signed into law H.R. 2775, “The Continuing Appropriations Act, 2014” (Public Law 113–46) suspending the statutory limit on the amount of public debt (“the debt ceiling”) until February 7, 2014. All debt occurred during the time period of October 17, 2013 and February 7, 2014, will be added to the previous debt ceiling of \$16.699 trillion. The Committee’s jurisdiction also includes conditions under which the U.S. Department of the Treasury manages the Federal debt, such as restrictions on the conditions under which certain debt instruments are sold.

(3) National Social Security program—The Committee on Ways and Means has jurisdiction over most of the programs authorized by the Social Security Act, which includes not only those programs that are normally referred to colloquially as “Social Security” but also social insurance programs and a whole series of grant-in-aid programs to State governments for a variety of purposes. The Social Security Act, as amended, contains 21 titles (a few of which have either expired or have been repealed). The principal programs established by the Social Security Act and under the jurisdiction of the Committee on Ways and Means in the 112th Congress can be outlined as follows:

(a) Old-age, survivors, and disability insurance (Title II)—At present, there are approximately 163 million workers in employment covered by the program, and for calendar year 2012, \$774.8 billion in benefits were paid almost 57 million individuals.

(b) Medicare (Title XVIII)—Finances health care benefits through the Hospital Insurance trust fund for 41.8 million persons over the age of 65 and for 8.5 million disabled persons. Finances voluntary health care benefits through the Supplementary Medical Insurance trust fund for 38.7 million aged persons and 7.7 million disabled persons. Total program outlays through these trust funds were \$574.2 billion in 2012.

(c) Supplemental Security Income (SSI) (Title XVI)—The SI program was inaugurated in January 1974 under the provisions of P.L. 92–603, as amended. It replaced the former Federal-State programs for the needy aged, blind, and disabled. In January 2011, 8.9 million individuals received Federal SSI benefits on a monthly basis. Of these 8.9 million persons, approximately 2.1 million were eligible on the basis of age, and 6.8 million on the basis of blindness or disability. Federal expenditures for cash SSI payments in 2012 totaled \$48.8 billion, while State expenditures for federally administered SSI supplements totaled \$3.3 billion.

(d) Temporary Assistance for Needy Families (TANF) (part A of Title IV)—The TANF program is a block grant of about \$16.5 billion awarded to States to provide income assistance to poor families, to end dependency on welfare benefits to prevent non-marital births, and to encourage marriage, among other purposes. In most cases, Federal TANF benefits for individuals are limited to 5 years and individuals must work to maintain their eligibility. In June 2013, about 1.7 million families and 4.0 million individuals received benefits from the TANF program.

(e) Child support enforcement (Part D of Title IV)—In fiscal year 2012 Federal administrative expenditures totaled \$5.6 billion for child support enforcement program. Child support collections for the year totaled \$27.7 billion.

(f) Child welfare, foster care, and adoption assistance (parts B and E of Title IV)—Titles IV B and E provide funds to States for child welfare services for abused and neglected children; foster care for children who meet Aid to Families with Dependent Children eligibility criteria; and adoption assistance for children with special needs. In fiscal year 2013, Federal funding for child welfare services totaled \$688 million. Federal funding for foster care and adoption assistance were approximately \$6.7 billion.

(g) Unemployment compensation programs (Titles III, IX, and XII)—These titles authorize the Federal-State unemployment compensation program and the permanent extended benefits program. In fiscal year 2012, an estimated \$68.0 billion was paid in unemployment compensation, with approximately 8.3 million workers receiving their first unemployment compensation payment.

(h) Social services (Title XX)—Title XX authorizes the Federal Government to reimburse the States for money spent to provide persons with various services. Generally, the specific services provided are determined by each State. In fiscal year 2012, \$1.7 billion was appropriated. These funds are allocated on the basis of population.

(4) Trade and tariff legislation—The Committee on Ways and Means has responsibility over legislation relating to tariffs, import trade, and trade negotiations. In the early days of the Republic, tariff and customs receipts were major sources of revenue for the Federal Government. As the Committee with jurisdiction over revenue-raising measures, the Committee on Ways and Means thus evolved as the primary Committee responsible for international trade policy.

The Constitution vests the power to levy tariffs and to regulate international commerce specifically in the Congress as one of its enumerated powers. Statutes including the Reciprocal Trade Agreements Acts beginning in 1934, Trade Expansion Act of 1962, Trade Act of 1974, Trade Agreements Act of 1979, Trade and Tariff Act of 1984, Omnibus Trade and Competitiveness Act of 1988, North American Free Trade Agreement (NAFTA) Implementation Act, Uruguay Round Agreements Act, Trade Act of 2002, and other legislation implementing U.S. obligations under trade agreements implementing bills provide the basis for U.S. bargaining with other

countries and the means to achieve the mutual reduction of tariff and nontariff trade barriers under reciprocal trade agreements.

The Committee's jurisdiction includes the following authorities and programs:

(a) The tariff schedules and all tariff preference programs, such as the General System of Preferences, the Caribbean Basin Initiative, the Africa Growth and Opportunity Act, the Andean Trade Preferences Act, and the Haitian Hemispheric Opportunity through Growth Act;

(b) Laws dealing with unfair trade practices, including the antidumping law, countervailing duty law, section 301, and section 337;

(c) Other laws dealing with import trade, including section 201 (escape clause), section 232 national security controls, section 22 agricultural restrictions, international commodity agreements, textile restrictions under section 204, and any other restrictions or sanctions affecting imports;

(d) General and specific trade negotiating authority, as well as implementing authority for trade agreements and the grant of normal-trade-relations (NTR) status;

(e) Trade Adjustment Assistance programs for workers, firms, farmers, and communities;

(f) Customs administration and enforcement, including rules of origin and country-of origin marking, customs classification, customs valuation, customs user fees, and U.S. participation in the World Customs Organization (WCO);

(g) Trade and customs revenue functions of the Department of Homeland Security and the Department of the Treasury; and

(h) Authorization of the budget for the International Trade Commission (ITC), functions of the Department of Homeland Security under the Committee's jurisdiction (including the Bureau of Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE), and the Office of the U.S. Trade Representative (USTR).

D. REVENUE ORIGINATING PREROGATIVE OF THE HOUSE OF REPRESENTATIVES

The Constitutional Convention debated adopting the British model in which the House of Lords could not amend revenue legislation sent to it from the House of Commons. Eventually, however, the Convention proposed and the States later ratified the Constitution providing that "All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills." (Article 1, Section 7, clause 1.)

In order to pass constitutional scrutiny under this "origination clause," a tax bill must be passed first by the House of Representatives. After the House has completed action on a bill and approved it by a majority vote, the bill is transmitted to the Senate for formal action. The Senate may have already reviewed issues raised by the bill before its transmission. For example, the Senate Committee on Finance frequently holds hearings on tax legislative proposals before the legislation embodying those proposals is transmitted

from the House of Representatives. On occasion, the Senate will consider a revenue bill in the form of a Senate or “S.” bill, and then await passage of a revenue “H.R.” bill from the House. The Senate then will add or substitute provisions of the “S.” bill as an amendment to the “H.R.” bill and send the “H.R.” bill back to the House of Representatives for its concurrence or for conference on the differing provisions.

E. THE HOUSE’S EXERCISE OF ITS CONSTITUTIONAL PREROGATIVE:
“BLUE SLIPPING”

When a Senate bill or amendment to a House bill infringes on the constitutional prerogative of the House to originate revenue measures, that infringement may be raised in the House as a matter of privilege. That privilege has also been asserted on a Senate amendment to a House amendment to a Senate bill (see 96th Congress, 1st Session, November 8, 1979, Congressional Record p. H10425).

Note that the House in its sole discretion may determine that legislation passed by the Senate infringes on its prerogative to originate revenue legislation. In the absence of such determination by the House, the Federal courts are occasionally asked to rule a certain revenue measure to be unconstitutional as not having originated in the House (see *U.S. v. Munoz-Flores*, 495 U.S. 385 (1990)).

Senate bills or amendments to non-revenue bills infringe on the House’s prerogative even if they do not raise or reduce revenue. Such infringements are referred to as “revenue affecting.” Thus, any import ban which could result in lost customs tariffs must originate in the House (100th Congress, 1st Session, July 30, 1987 100th Congress, 2nd Session, June 16, 1988, Congressional Record p. H4356). Offending bills and amendments are returned to the Senate through the passage in the House of a House Resolution which states that the Senate provision: “in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privilege of the House and that such bill be respectfully returned to the Senate with a message communicating this resolution” (e.g., 100th Congress, 1st Session, July 30, 1987, Congressional Record p. H6808). This practice is referred to as “blue slipping” because the resolution returning the offending bill to the Senate is printed on blue paper. In other cases, the Committee of the Whole House has passed a similar or identical House bill in lieu of a Senate bill or amendment (e.g., 91st Congress, 2nd Congress, May 11, 1970, Congressional Record pp. H14951–14960). The Committee on Ways and Means has also reported bills to the House which were approved and sent to the Senate in lieu of Senate bills (e.g., 93rd Congress, 1st Session, November 6, 1973, Congressional Record pp. 36006–36008). In other cases, the Senate has substituted a House bill or delayed action on its own legislation to await a proper revenue affecting bill or amendment from the House (see 95th Congress, 2nd Session, September 22, 1978, Congressional Record p. H30960; January 22, 1980, Congressional Record p. S107).

Any Member may offer a resolution seeking to invoke Article I, Section 7. However, the determination that a bill violates the Orig-

nation Clause has been traditionally made by Members of the Committee on Ways and Means, and the resolution has been offered by the Chairman or another Member of the Committee on Ways and Means. Because Article I, Section 7 involves the privileges of the House, a blue-slip resolution offered by the Chairman or other Members of the Committee on Ways and Means has been typically adopted by voice vote on the House Floor. There have been instances where the House has agreed to not deal directly with the issue by tabling a resolution.^{1 2}

On July 24, 2018, through House Resolution 1019, Chairman Brady raised a question of the privileges of the House as the conference report accompanying H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military personnel strengths for such fiscal year, and for other purposes contravened the first clause of the seventh section of the first article of the Constitution of the United States and was an infringement of the privileges of this House. House Resolution 1019 was agreed to without objection, and H.R. 5515 was therefore recommitted to the Committee on Conference. House Resolution 1019 marked the first time the House adopted a resolution that assessed a committee on conference had “originated” a revenue measure.

¹In cases where the Chairman of the Committee on Ways and Means did not believe that the bill in question violated the Origination Clause or the objection had been dealt with in another manner, resolutions offered by other Members of the House have been tabled. [See adoption of motion by Representative Rostenkowski to table H. res. 571, 97–2, p. 22127.]

²This was an instance where the Chairman of the Committee on Ways and Means raised a question of the privilege of the House pursuant to Article I, Section 7, of the U.S. Constitution on H.R. 4516, Legislative Branch Appropriations. The motion was laid on the table.

Appendix II. Statistical Review of the Activities of the Committee on Ways and Means

A. NUMBER OF BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE

During the 115th Congress, through December 14, 2018, a total of 1,497 bills were referred to the Committee, representing 167.9 percent of all the public bills introduced in the House of Representatives.

The following table gives a more complete statistical review since 1967.

TABLE 1—NUMBER OF BILLS AND RESOLUTION REFERRED TO THE COMMITTEE 90TH THROUGH 115TH CONGRESS

	Introduced in House	Referred to Committee	Percentage
90th Congress	24,227	3,806	15.7
91st Congress	23,575	3,442	14.6
92nd Congress	20,458	3,157	15.4
93rd Congress	21,096	3,370	16
94th Congress	19,371	3,747	19.3
95th Congress	17,800	3,922	22
96th Congress	10,196	2,337	22.9
97th Congress	9,909	2,377	26.4
98th Congress	8,104	1,904	23.5
99th Congress	7,522	1,568	20.8
100th Congress	7,043	1,419	22.1
101st Congress	7,640	1,737	22.7
102nd Congress	7,771	1,972	25.4
103rd Congress	6,645	1,496	22.5
104th Congress	5,329	1,071	20.1
105th Congress	5,976	1,509	25.2
106th Congress	6,942	1,762	25.3
107th Congress	7,029	1,941	27.6
108th Congress	6,953	1,541	22.2
109th Congress	8,152	2,152	26.4
110th Congress	9,319	2,386	25.6
111th Congress	8,780	1,764	20.1
112th Congress	7,842	2,581	32.9
113th Congress	15,908	1,380	8.7
114th Congress	6,529	1,559	23.9
115th Congress	8,856	1,497	16.9

B. NUMBER AND FINAL STATUS OF BILLS REPORTED FROM THE COMMITTEE ON WAYS AND MEANS IN THE 115TH CONGRESS

During the 115th Congress, the Committee reported to the House a total of 115 bills favorably. There were 56 bills containing provisions within the purview of the Committee that were passed by the House; 53 were enacted into law. This is not indicative of the total number of bills considered by the Committee.

Appendix III. Chairmen of the Committee on Ways and Means and Membership of the Committee from the 1st through the 115th Congresses

A. CHAIRMEN OF THE COMMITTEE ON WAYS AND MEANS, 1789 TO PRESENT

Name	State	Party	Term of Service
Thomas Fitzsimons	Pennsylvania	Federalist	1789
William L. Smith	South Carolina	Federalist	1794 to 1797
Robert G. Harper	South Carolina	Federalist	1797 to 1800
Roger Griswold	Connecticut	Federalist	1800 to 1801
John Randolph	Virginia	Jeffersonian Republican	1801 to 1805, 1827
Joseph Clay	Pennsylvania	Jeffersonian Republican	1805 to 1807
George W. Campbell	Tennessee	Jeffersonian Republican	1807 to 1809
John W. Eppes	Virginia	Jeffersonian Republican	1809 to 1811
Ezekiel Bacon	Massachusetts	Jeffersonian Republican	1811 to 1812
Langdon Cheves	South Carolina	Jeffersonian Republican	1812 to 1813
John W. Eppes	Virginia	Jeffersonian Republican	1813 to 1815
William Lowndes	South Carolina	Jeffersonian Republican	1815 to 1818
Samuel Smith	Maryland	Jeffersonian Republican	1818 to 1822
Louis McLane	Delaware	Jeffersonian Republican	1822 to 1827
George McDuffie	South Carolina	Democrat	1827 to 1832
Gulian C. Verplanck	New York	Democrat	1832 to 1833
James K. Polk	Tennessee	Democrat	1833 to 1835
C. C. Cambreleng	New York	Democrat	1835 to 1839
John W. Jones	Virginia	Democrat	1839 to 1841
Millard Fillmore	New York	Whig	1841 to 1843
James Iver McKay	North Carolina	Democrat	1843 to 1847
Samuel F. Vinton	Ohio	Whig	1847 to 1849
Thomas H. Bayly	Virginia	Democrat	1849 to 1851
George S. Houston	Alabama	Democrat	1851 to 1855
Lewis D. Campbell	Ohio	Republican	1855 to 1857
J. Glancy Jones	Pennsylvania	Democrat	1857 to 1858
John S. Phelps	Missouri	Democrat	1858 to 1859
John Sherman	Ohio	Republican	1859 to 1861
Thaddeus Stevens	Pennsylvania	Republican	1861 to 1865
Justin S. Morrill	Vermont	Republican	1865 to 1867
Robert C. Schneck	Ohio	Republican	1867 to 1871
Samuel D. Hooper	Massachusetts	Republican	1871
Henry L. Dawes	Massachusetts	Republican	1871 to 1875
William R. Morrison	Illinois	Democrat	1875 to 1877
Fernando Wood	New York	Democrat	1877 to 1881
John R. Tucker	Virginia	Democrat	1881
William D. Kelley	Pennsylvania	Republican	1881 to 1883
William R. Morrison	Illinois	Democrat	1883 to 1887
Roger Q. Mills	Texas	Democrat	1887 to 1889
William McKinley, Jr.	Ohio	Republican	1889 to 1891
William M. Springer	Illinois	Democrat	1891 to 1893
William L. Wilson	West Virginia	Democrat	1893 to 1895
Nelson Dingley, Jr.	Maine	Republican	1895 to 1899
Seren E. Payne	New York	Republican	1899 to 1911
Oscar W. Underwood	Alabama	Democrat	1911 to 1915
Claude Kitchin	North Carolina	Democrat	1915 to 1919
Joseph W. Fordney	Michigan	Republican	1919 to 1923
William R. Green	Iowa	Republican	1923 to 1928
Willis C. Hawley	Oregon	Republican	1929 to 1931
James W. Collier	Mississippi	Democrat	1931 to 1933
Robert L. Doughton	North Carolina	Democrat	1933 to 1947, 1949 to 1953
Harold Knutson	Minnesota	Republican	1947 to 1949
Daniel A. Reed	New York	Republican	1953 to 1955
Jere Cooper	Tennessee	Democrat	1955 to 1957
Wilbur D. Mills	Arkansas	Democrat	1957 to 1975
Al Ullman	Oregon	Democrat	1975 to 1981
Dan Rostenkowski	Illinois	Democrat	1981 to 1994

Name	State	Party	Term of Service
Sam Gibbons, Acting Chairman	Florida	Democrat	1994 to 1995
Bill Archer	Texas	Republican	1995 to 2001
William W. Thomas	California	Republican	2001 to 2007
Charles B. Rangel	New York	Democrat	2007 to 2010
Sander M. Levin, Acting Chairman	Michigan	Democrat	2010 to 2011
Dave Camp	Michigan	Republican	2011 to 2015
Paul Ryan	Wisconsin	Republican	2015
Kevin Brady	Texas	Republican	2015 to 2018

B. TABLES SHOWING MEMBERSHIP OF THE COMMITTEE

MEMBERS OF THE COMMITTEE ON WAYS AND MEANS FROM THE 1ST THROUGH THE 115TH CONGRESS, BY STATE

[Beginning with the 104th Congress, Intra-Congress Committee
Membership changes are footnoted]

MEMBERS	CONGRESS(ES)
Alabama:	
John McKinley	23
David Hubbard	26
Dixon H. Lewis	27–28
George S. Houston	29–30, 32–33
James F. Dowdell	35
Hilary A. Herbert	48
Joseph Wheeler	53–55
Oscar W. Underwood	56, 59–63
Ronnie G. Flippo	98–101
Arthur Davis	110–111
Terri Sewell	115–
Arizona:	
J.D. Hayworth	105–109
David Schweikert	115–
Arkansas:	
James K. Jones	48
Clifton R. Breckinridge	49–51, 53
William A. Oldfield	64–70
Heartsill Ragon	70–73
William J. Driver	72
Claude A. Fuller	73–75
Wilbur D. Mills	77–94
Jim Guy Tucker, Jr.	94
Beryl Anthony, Jr.	95
Tim Griffin	113
California:	
Joseph McKenna	51–52
Victor H. Metcalf	57–58
James C. Needham	58–62
William H. Evans	73
Frank H. Buck	74–77
Bertrand W. Gearhart	76–80
Cecil R. King	78–79, 81–90
James B. Utt	83, 86–91
James C. Corman	90–96
Jerry L. Pettis	91–94
William M. Ketchum	94–95
Fortney Pete Stark	94–112
John H. Rousselot	95–97
Robert T. Matsui	ⁱ 97–104
William M. Thomas	98–109
Wally Herger	103–112
Xavier Becerra	103–114
Mike Thompson	109
Devin Nunes	ⁱⁱ 109–

MEMBERS	CONGRESS(ES)
Linda Sanchez	113
Judy Chu	iii 115–
Colorado:	
Robert W. Bonyng	60
Charles B. Timberlake	66–72
John A. Carroll	81
Donald G. Brotzman	92–93
George H. “Hank” Brown	100–101
Scott McInnis	106–108
Bob Beauprez	109
Connecticut:	
Jeremiah Watson	1
Uriah Tracy	3
James Hillhouse	4
Nathaniel Smith	4–5
Joshua Coit	5
Roger Griswold	5–8
John Davenport	8
Jonathon O. Moseley	9, 14, 16
Benjamin Tallmadge	10–11
Timothy Pitkin	12–13, 15
Ralph I. Ingersoll	21–22
Samuel D. Hubbard	30
James Phelps	45–46
Charles A. Russel	54–57
Ebenezer J. Hill	58–62, 64–65
John Q. Tilson	66–68
Antoni N. Sadlak	83–85
William R. Cotter	94–97
Barbara B. Kennelly	98–105
Nancy L. Johnson	101–109
John B. Larson	109–
Delaware:	
John Vining	1
Henry Latimer	3
John Patten	4
James A. Bayard, Sr.	5, 7
Caesar A. Rodney	8
Louis McLane	16–19
Florida:	
A. S. Herlong, Jr.	84–90
Sam M. Gibbons	91–104
L. A. “Skip” Bafalis	94–97
E. Clay Shaw, Jr.	100–109
Karen L. Thurman	105–107
Mark Foley	iv 104–109
Kendrick Meek	110–111
Ginny Brown-Waite	111
Vern Buchanan	112–
Carlos Curbelo	115
Georgia:	
James Jackson	1
Abraham Baldwin	3–5
Benjamin Taliaferro	6
John Milledge	7
David Meriwether	8–9
William W. Bibb	12–13
Joel Abbott	15
Joel Crawford	15–16
Wiley Thompson	17–18
George R. Gilmer	20
Richard H. Wilde	22–23
George W. Owens	24–25
Charles E. Haynes	25
Mark A. Cooper	26
Absalom H. Chappell	28

MEMBERS	CONGRESS(ES)
Seaborn Jones	29
Robert Toombs	30–31
Alexander H. Stephens	31–31, 33
Marshall J. Wellborn	31
Howell Cobb	34
Martin J. Crawford	35–36
Benjamin H. Hill	44
Henry R. Harris	45, 49
William H. Felton	46
Emory Speer	47
James H. Blount	48
Henry G. Turner	50–54
Charles F. Crisp	54
James M. Griggs	60–61
William G. Brantley	61–62
Charles R. Crisp	64–72
Albert S. Camp	78–83
Phillip M. Landrum	89–94
Ed Jenkins	95–102
Wyche Fowler, Jr.	96–99
John Lewis	103–
Mac Collins	104–108
John Linder	109–111
Tom Price	v 112–115
Hawaii:	
Cecil “Cec” Heftel	96–99
Illinois:	
Daniel P. Cook	19
John A. McClernand	37
John Wentworth	39
John A. Logan	40
Samuel S. Marshall	41
Horatio C. Burchard	42–45
William R. Morrison	44, 46–49
William M. Springer	52
Albert J. Hopkins	52–57
Henry S. Boutell	58–61
Henry T. Rainey	62–66, 68–72
John A. Sterling	65
Ira C. Copley	66–67
Carl R. Chindblom	68–72
Chester C. Thompson	74–75
Raymond S. McKeough	76–77
Charles S. Dewey	78
Thomas J. O'Brien	79, 81–88
Noah M. Mason	80–87
Harold C. Collier	88–93
Dan Rostenkowski	88–103
Abner J. Mikva	94–96
Philip M. Crane	94–108
Marty Russo	96–102
Mel Reynolds	103
Jerry Weller	105–110
Rahm Emanuel	109–110
Danny K. Davis	111, 113
Peter Roskam	111–
Aaron Schock	112–114
Robert J. Dold	114
Darin LaHood	vi 115–
Indiana:	
David Wallace	27
Cyrus L. Dunham	32
William E. Niblack	40, 43
Godlove S. Orth	41
Michael C. Kerr	42
Thomas M. Browne	48–50

MEMBERS	CONGRESS(ES)
William D. Bynum	50, 53
Benjamin F. Shively	52
George W. Steele	54–57
James E. Watson	58–60
Edgar D. Crumpacker	60–61
Lincoln Dixon	62–65
Harry C. Canfield	71–72
John W. Boehne, Jr.	73–77
Robert A. Grant	80
Andy Jacobs, Jr.	94–104
Chris Chocola	109
Todd Young	113–114
Jackie Walorski	115–
Iowa:	
John A. Kasson	38, 43, 47–48
William B. Allison	39–41
John H. Gear	51, 53
Jonathon P. Dolliver	54–56
William R. Green	63–70
C. William Ramseyer	70–71
Otha D. Wearin	75
Lloyd Thurston	75
Thomas E. Martin	80–83
Fred Grandy	102–103
Jim Nussel	104–109
Kansas:	
Dudley C. Haskell	47
Chester I. Long	56–57
Charles Curtis	58–59
William A. Calderhead	60–61
Victor Murdock	63
Guy T. Helvering	64–65
Frank Carlson	76–79
Martha E. Keys	94–95
Lynn Jenkins	112–115
Kentucky:	
Alexander D. Orr	3
Christopher Greenup	4
Thomas T. Davis	5
John Boyle	8
Richard M. Johnson	11–12
Thomas Montgomery	13
David Trimble	15–16
Nathan Gaither	22
John Pope	25
Thomas F. Marshall	27
Garrett Davis	28
Charles S. Morehead	30–31
John C. Breckinridge	33
Robert Mallory	38
James B. Beck	42–43
Henry Watterson	44
John G. Carlisle	46–47, 51
Joseph C.S. Blackburn	48
William C.P. Breckinridge	49–50
Alexander B. Montgomery	52–53
Walter Evans	54–55
Ollie M. James	62
Augustus O. Stanley	63
Frederick M. Vinson	72–75
Noble J. Gregory	78–85
John C. Watts	86–92
Jim Bunning	102–105
Ron Lewis	106–110
Geoff Davis	vii 110–112
Louisiana:	
Thomas B. Robertson	14

MEMBERS	CONGRESS(ES)
William L. Brent	19–20
Walter H. Overton	21
Lionel A. Sheldon	43
Randall L. Gibson	45–46
Charles J. Boatner	54
Samuel F. Robertson	55–59
Robert F. Boussard	61
Whitmell P. Martin	65–70
Paul H. Mahoney	76, 78–79
Thomas Hale Boggs, Sr.	81–91
Joe D. Waggoner, Jr.	92–95
W. Henson Moore III	96–99
William J. Jefferson	103, ^{viii} 105–109
Jim McCrery	103–110
Jimmy Hayes	^{ix} 104
Charles W. Boustany, Jr.	111–114
Maine:	
Peleg Sprague	19–20
Francis O.J. Smith	24
George Evans	26
Israel Washburn, Jr.	36
James G. Blaine	44
William P. Frye	46
Thomas B. Reed	48–50, 52–53
Nelson Dingley, Jr.	51, 54–55
Daniel J. McGillicuddy	64
Maryland:	
William Smith	1
Gabriel Christie	3
William Vans Murray	4
William Hindman	4–5
William Craik	5
Joseph H. Nicholson	6–9
Nicholas R. Moore	8
Roger Nelson	9
John Montgomery	10–11
Alexander McKim	13
Stevenson Archer	13
Samuel Smith	14–17
Isaac McKim	18, 23–25
Henry W. Davis	34–36
Phillip F. Thomas	44
David J. Lewis	72–75
Rogers C.B. Morton	91–92
Benjamin L. Cardin	101–109
Massachusetts:	
Elbridge Gerry	1
Fisher Ames	3
Theodore Sedgwick	4
Theophilus Bradbury	4
Harrison Gray Otis	5–6
Samuel Sewall	5
Isaac Parker	5
Bailey Bartlett	6
Nathan Read	7
Seth Hastings	8
Josiah Quincy	9
Ezekial Bacon	11–12
Ebenezer Seaver	11
Henry Shaw	16
Henry W. Dwight	19–21
Benjamin Gorham	23
Abbott Lawrence	24, 26
Richard Fletcher	25
George N. Briggs	25
Leverett Saltonstall	26

MEMBERS	CONGRESS(ES)
Robert C. Winthrop	29
Charles Hudson	30
George Ashmun	31
William Appleton	32–33, 37
Alexander De Witt	34
Nathaniel P. Banks	35, 45
Samuel Hooper	37–41
Henry L. Dawes	42–43
Chester W. Chapin	44
William A. Russell	47–48
Moses T. Stevens	52–53
Samuel W. McCall	56–62
Andrew J. Peters	62–63
Augustus P. Gardner	63–65
John T. Mitchell	63
Allen T. Treadway	65–78
Peter F. Tague	67–68
John W. McCormack	72–76
Arthur D. Healey	77
Charles L. Gifford	79–80
Angier L. Goodwin	80, 82–83
James A. Burke	87–95
James M. Shannon	96–98
Brian J. Donnelly	99–102
Richard E. Neal	103–
Michigan:	
William A. Howard	34–36
Austin Blair	41
Henry Waldron	43
Omar D. Conger	46
Jay A. Hubbell	47
William C. Maybury	49
Julius C. Burrows	50–53
Justin R. Whiting	52–53
William A. Smith	59
Joseph W. Fordney	60–67
James C. McLaughlin	68–72
Roy O. Woodruff	73–82
John D. Dingell	74–84
Victor A. Knox	83, 86–88
Thaddeus M. Machrowicz	84–87
Martha W. Griffiths	87–93
Charles E. Chamberlain	91–93
Richard F. Vander Veen	93–94
Guy Vander Jagt	94–102
William M. Brodhead	95–97
Sander M. Levin	100–
Dave Camp	103–113
Mike Bishop	x 115
Minnesota:	
Mark A. Dunnell	46–47
James A. Tawney	54–58
James T. McCleary	59
Winfield S. Hammond	62–63
Sydney Anderson	63
Harold Knutson	73–80
Eugene J. McCarthy	84–85
Joseph E. Karth	92–94
Bill Frenzel	94–101
Jim Ramstad	104–110
Erik Paulsen	111–115
Mississippi:	
Jacob Thompson	31
John Sharp Williams	58–59
James W. Collier	63–72
Aaron Lane Ford	77

	MEMBERS	CONGRESS(ES)
Missouri:		
James S. Green		31
John S. Phelps		32–37
Henry T. Blow		38
John Hogan		39
Gustavus A. Finkelburg		42
John C. Tarsney		53–54
Seth W. Cobb		54
Champ Clark		58–61
Dorsey W. Shackelford		62–63
Clement C. Dickinson	63–66, 68–70, 72–73	
Charles L. Faust		69–70
Richard M. Duncan		74–77
Thomas B. Curtis		83–90
Frank M. Karsten		84–90
Richard A. Gephardt		95–101
Mel Hancock		103–104
Kenny Hulshof		105–110
Jason Smith		114
Montana:		
Lee W. Metcalf		86
James F. Battin		89–91
Nebraska:		
William J. Bryan		52–53
Charles H. Sloan		63–65
Ashton C. Shallenberger		73
Carl T. Curtis		79–83
Hal Daub		99–100
Peter Hoagland		103
Jon Christensen		104–105
Adrian Smith		112–
Nevada:		
Francis G. Newlands		56–57
John Ensign		104–105
Jon Porter		109–110
Shelley Berkley		110–112
Dean Heller	xi	111–112
New Hampshire:		
Samuel Livermore		1
Nicholas Gilman		3–4
Abiel Foster		5
Nathaniel A. Haven		11
Henry Hubbard		23
Charles G. Atherton		25–27
Moses Norris, Jr.		28–29
Harry Hibbard		31–33
Judd A. Gregg		99–100
New Jersey:		
Lambert Cadwalader		1
Elias Boudinot		3
Isaac Smith		4
Thomas Sinnickson		5
James H. Imlay		6
William Cox, Jr.		13
John L. N. Stratton		37
William Hughes		62
Isaac Bacharach		66–74
Donald H. McLean		76–78
Robert W. Kean		78–85
Henry Helstoski		94
Frank J. Guarini		96–102
Dick Zimmer		104
Bill Pascrell		110–
New Mexico:		
Clinton P. Anderson		79
New York:		
John Laurance		1

MEMBERS	CONGRESS(ES)
John Watts	3
Ezekial Gilbert	4
James Cochran	5
Hezekiah L. Hosmer	5
Jonas Platt	6
Killian K. Van Rensselaer	7
Joshua Sands	8
Erastus Root	11
John W. Taylor	13
Jonathon Fisk	13
Thomas J. Oakley	13
James W. Wilkin	14
James Tallmadge, Jr.	15
Albert H. Tracy	16
Nathaniel Pitcher	17
Churchill C. Cambreleng	17–18, 23–25
Dudley Marvin	19
Gulian C. Verplanck	20–22
Aaron Vanderpoel	26
Millard Filmore	27
Daniel D. Barnard	28
David L. Seymour	28
George O. Rathbun	28
Orville Hungerford	29
Henry Nicoll	30
James Brooks	31–32, 39–40, 42
William Duer	31
Solomon G. Haven	33
Russell Sage	34
John Kelly	35
William B. MacLay	
Elbridge G. Spaulding	36–37
Erastus Corning	37
Reuben E. Fenton	38
De Witt C. Littlejohn	38
Henry G. Stebbins	38
John V. L. Pruyn	38
Roscoe Conkling	39
Charles H. Winfield	39
John A. Griswold	40
Dennis McCarthy	41
Ellis H. Roberts	42–43
Fernando Wood	43–46
Abram S. Hewitt	48–49
Frank Hiscock	48–49
Sereno E. Payne	51–63
Roswell P. Flower	51
William B. Cochran	52–53, 58–60
George B. McClellan	55–58
John W. Dwight	61
Francis B. Harrison	61–63
Michael F. Conry	64
George W. Fairchild	64–65
John F. Carew	65–71
Luther W. Mott	66–67
Alanson B. Houghton	67
Ogden L. Mills	67–69
Frank Crowther	68–77
Thaddeus C. Sweet	70
Frederick M. Davenport	70–71
Thomas H. Cullen	71–78
Christopher D. Sullivan	72–76
Daniel A. Reed	73–86
Walter A. Lynch	78–81
Eugene J. Keogh	82–89
Albert H. Bosch	86

MEMBERS	CONGRESS(ES)
Steven B. Derounin	87–88
Barber B. Conable, Jr.	90–98
Jacob H. Gilbert	90–91
Hugh L. Carey	91–93
Otis G. Pike	93–95
Charles B. Rangel	94–114
Thomas J. Downey	96–102
Raymond J. McGrath	99–102
Michael R. McNulty	103, ^{xii} 104–110
Amo Houghton	103–108
Thomas M. Reynolds	109–110
Joseph Crowley	110–115
Brian Higgins	111
Christopher Lee	^{xiii} 112–
Tom Reed	^{xiv} 112–
North Carolina:	
William B. Grove	3
Thomas Blount	4–5
Robert Williams	5
David Stone	6
James Holland	7
Willis Alston	10–11, 13
William Gaston	13–14
Abraham Rencher	25, 27
Henry W. Conner	26
James I. McKay	28–30
Edward Stanly	32
William M. Robbins	45
Edward W. Pou	60–61
Claude Kitchin	62–67
Robert L. Doughton	69–82
James G. Martin	94–98
Bob Etheridge	111
George Holding	114–
North Dakota:	
Martin N. Johnson	54–55
George M. Young	66–68
Byron L. Dorgan	98–102
Earl Pomeroy	107–111
Rick Berg	112
Ohio:	
William Creighton, Jr.	13
Thomas R. Ross	16
Thomas Corwin	23–24
Thomas L. Hamer	25
Taylor Webster	25
Samson Mason	26–27
John B. Weller	28
Samuel F. Vinton	29–31
Lewis B. Campbell	34–35
John Sherman	36
Valentine B. Horton	37
George B. Pendleton	38
James A. Garfield	39, 44–46
Robert C. Schenck	40–41
Charles Foster	43
Milton Saylor	45
William McKinley, Jr.	46–47, 49–51
Frank H. Hurd	48
Charles H. Grosvenor	53–59
Nicholas Longworth	60–62, 64–67
Timothy T. Ansberry	62–63
Alfred G. Allen	64
George White	65
Charles C. Kearns	68–71
Charles F. West	73

MEMBERS	CONGRESS(ES)
Thomas A. Jenkins	73–85
Arthur P. Lamneck	74–75
Stephen M. Young	81
Jackson E. Betts	86–92
Donald D. Clancy	93–94
Charles A. Vanik	89–96
Bill Gradison	95–103
Don J. Please	97–102
Rob Portman	xv 104–109
Stephanie Tubbs Jones	xvi 108–110
Pat Tiberi	xvii 110–115
Jim Renacci	113–115
Brad Wenstrup	xviii 115–
Oklahoma:	
Thomas A. Chandler	67
James V. McClintic	73
Wesley E. Disney	74–78
James R. Jones	94–99
Bill K. Brewster	103
Wes Watkins	105–107
Oregon:	
William R. Ellis	61
Willis C. Hawkey	65–72
Albert C. Ullman	87–96
Mike Kopetski	103
Earl Blumenauer	110–
Pennsylvania:	
Thomas Fitzsimons	1, 3
Albert Gallatin	4–6
Henry Woods	6
John Smilie	6–7, 10–12
Joseph Clay	8–9
John Rea	11
Jonathon Roberts	12–13
Samuel D. Ingham	13–14, 18
John Sergeant	15, 25
John Tod	17
John Gilmore	21–22
Horace Binney	23
Richard Biddle	26
Joseph R. Ingersoll	24, 27–29
James Pollock	30
Moses Hampton	31
J. Glancy Jones	32, 35
John Robbins	33
James H. Campbell	34
Henry M. Phillips	35
Thaddeus Stevens	36–38
James K. Moorehead	39–40
William D. Kelley	41–50
Russell Errett	47
Samuel J. Randall	47
William L. Scott	50
Thomas M. Bayne	51
John Dalzell	52–62
John J. Casey	64, 68
Henry W. Watson	66–73
Harris J. Bixler	69
Harry A. Estep	70–72
Thomas C. Cochran	73
Joshua T. Brooks	74
Patrick J. Bolland	76–77
Benjamin Jarrett	76–77
James P. McGranery	77–78
Herman P. Eberhart	78–85
Richard M. Simpson	78–86

MEMBERS	CONGRESS(ES)
William J. Green, Jr.	86–88
John A. Lafore, Jr.	86
Walter M. Mumma	86–87
George M. Rhodes	88–90
Herman T. Schneebeli	87–94
William J. Green, III	90–94
Raymond F. Lederer	95–96
Dick Schulze	95–102
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ⁱ Reelected to the 109th Congress, died January 1, 2005.

ⁱⁱ Appointed May 5, 2005.

ⁱⁱⁱ Appointed February 7, 2017.

^{iv} Resigned September 29, 2006.

^v Resigned February 10, 2017.

^{vi} Appointed January 9, 2018.

^{vii} Resigned July 31, 2012.

^{viii} Appointed January 25, 1996.

^{ix} Appointed January 25, 1996.

^x Appointed February 14, 2017.

^{xi} Appointed to Senate April 27, 2011.

^{xii} Died, August 20, 2008.

^{xiii} Resigned February 9, 2011.

^{xiv} Appointed June 13, 2011.

^{xv} Resigned April 29, 2005.

^{xvi} Died August 21, 2008.

^{xvii} Resigned January 15, 2018.

^{xviii} Appointed May 16, 2018.

^{xix} Resigned April 27, 2018.

^{xx} Appointed July 10, 1995.

^{xxi} Appointed March 15, 2011.