

**116th Congress**  
**1st Session**

**H. Res. \_\_**

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**H.R. 3 - Elijah E. Cummings Lower Drug Costs Now Act**  
**H.R. 5038 - Farm Workforce Modernization Act of 2019**  
**Conference Report to accompany S. 1790 - National Defense**  
**Authorization Act for Fiscal Year 2020**

1. Structured rule for H.R. 3.
2. Provides four hours of general debate, with three hours equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and Labor, Energy and Commerce, and Ways and Means, and one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees.
3. Waives all points of order against consideration of the bill.
4. Provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-41, modified by the amendment printed in Part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read.
5. Waives all points of order against provisions in the bill, as amended.
6. Makes in order only those further amendments printed in Part B of the Rules Committee report. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
7. Waives all points of order against the amendments printed in Part B of the report.
8. Provides one motion to recommit with or without instructions.
9. Closed rule for H.R. 5038.
10. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

11. Waives all points of order against consideration of the bill.
12. Provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-42, modified by the amendment printed in Part C of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read.
13. Waives all points of order against provisions in the bill, as amended.
14. Provides one motion to recommit with or without instructions.
15. Provides for consideration of the Conference Report to accompany S. 1790.
16. Waives all points of order against the conference report and against its consideration.
17. Provides that the conference report shall be considered as read.
18. Provides one hour of debate on the conference report, divided pursuant to clause 8(d) of rule XXII.
19. Provides one motion to recommit if applicable.
20. Provides that the chair of the Permanent Select Committee on Intelligence may insert in the Congressional Record not later than December 13, 2019, such material as he may deem explanatory of intelligence authorization measures for the fiscal years 2018, 2019, and 2020.
21. Provides that it shall be in order at any time through the legislative day of December 20, 2019, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.
22. Waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported through the legislative day of December 20, 2019.
23. Section 7 provides that on any legislative day of the first session of the 116th Congress after December 12, 2019: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.
24. Section 8 provides that on any legislative day of the second session of the 116<sup>th</sup> Congress before January 7, 2020: the Speaker may dispense with organizational and legislative business; the Journal of the proceedings of the previous day shall be considered as approved if applicable; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.
25. Provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the periods addressed by sections 7 and 8.
26. Provides that each day during the periods addressed by sections 7 and 8

shall not constitute calendar days for the purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

27. Provides that each day during the periods addressed by sections 7 and 8 shall not constitute a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry).
28. Provides that each day during the periods addressed by sections 7 and 8 shall not constitute a legislative day for purposes of clause 7 of rule XV (Consensus Calendar).

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## RESOLUTION

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3) to establish a fair price negotiation program, protect the Medicare program from excessive price increases, and establish an out-of-pocket maximum for Medicare part D enrollees, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed four hours, with three hours equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and Labor, Energy and Commerce, and Ways and Means, and one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on Education and Labor, Energy and Commerce, and Ways and Means now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-41, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in

the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5038) to amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–42, modified by the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

Sec. 3. Upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1790) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

Sec. 4. The chair of the Permanent Select Committee on Intelligence may insert in the Congressional Record not later than December 13, 2019, such material as he may deem explanatory of intelligence authorization measures for the fiscal years 2018, 2019, and 2020.

Sec. 5. It shall be in order at any time through the legislative day of December 20, 2019, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or her designee shall consult

with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

Sec. 6. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 20, 2019.

Sec. 7. On any legislative day of the first session of the One Hundred Sixteenth Congress after December 12, 2019—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

Sec. 8. On any legislative day of the second session of the One Hundred Sixteenth Congress before January 7, 2020—

(a) the Speaker may dispense with organizational and legislative business;

(b) the Journal of the proceedings of the previous day shall be considered as approved if applicable; and

(c) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

Sec. 9. The Speaker may appoint Members to perform the duties of the Chair for the duration of the periods addressed by sections 7 and 8 of this resolution as though under clause 8(a) of rule I.

Sec. 10. Each day during the periods addressed by sections 7 and 8 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

Sec. 11. Each day during the periods addressed by sections 7 and 8 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

Sec. 12. Each day during the periods addressed by sections 7 and 8 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XV.

**SUMMARY OF AMENDMENT IN PART A PROPOSED TO BE**

## CONSIDERED AS ADOPTED

<b>Sponsor</b>	<b># Description</b>
<b>1. Pallone (NJ), Neal (MA), Scott, Bobby (VA)</b>	<b>#44 (MANAGER'S)</b> Makes technical change to the underlying bill, adjusts effective dates of certain provisions and makes changes to the Fair Drug Price Negotiation program.

### SUMMARY OF AMENDMENTS IN PART B PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Walden (OR), Brady (TX), Collins, Doug (GA), Foxx (NC)</b>	<b>#3 (REVISED) (SUBSTITUTE)</b> An amendment in the nature of a substitute, which include bi-partisan provisions related to (1) Medicare Parts B & D, (2) drug price transparency, (3) Medicare Part D benefit redesign and other Part D provisions, (4) MedPAC, (5) Medicaid, (6) FDA (including CREATES Act; Pay-for-delay; BLOCKING Act; Purple Book; Orange Book; Advancing education on biosimilars; Streamlining transition of biological products; OTC monograph safety, innovation, and reform; and other provisions), (7) revenue provisions, and (8) other bi-partisan provisions.	(10 minutes)
<b>2. Tonko (NY)</b>	<b>#25</b> Requires CMS to create and implement a measure in the Star Ratings program evaluating Medicare Advantage and Part D plans on how well they provide access to biosimilar drugs.	(10 minutes)
<b>3. Peters (CA), Cisneros (CA)</b>	<b>#1 (REVISED)</b> To amend the Public Health Service Act to authorize a pilot program to develop, expand, and enhance the commercialization of biomedical products, and	(10 minutes)

for other purposes.

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| <b>4. Kennedy (MA)</b>  | <b>#13 (REVISED)</b> Requires another Senate confirmed officer with HHS to carry out the negotiation duties should the Secretary of HHS have a conflict of interest. The General Counsel of HHS would be responsible for identifying these conflicts.   | (10 minutes) |
| <b>5. O'Halleran (AZ), Axne (IA), Brindisi (NY), Bustos (IL), Cuellar (TX), Cunningham (SC), Davids (KS), Finkenauer (IA), Horn (OK), Lee, Susie (NV), Loeb sack (IA), Peterson (MN), Schrader (OR), Spanberger (VA), Torres Small, Xochitl (NM), Van Drew (NJ), Kuster (NH), Correa (CA), Costa (CA), Blunt Rochester (DE)</b> | <b>#24 (REVISED)</b> Creates a grant program within HHS for hospitals located in rural and medically underserved areas, including Critical Access Hospitals, to cover the start-up costs for establishing a Graduate Medical Education (GME) program or a partnership with a hospital that has an existing program. It includes a reporting requirement for GAO to analyze whether residents continue to practice in a rural or medically underserved area after completing their training. | (10 minutes) |
| <b>6. Jackson Lee (TX)</b>  | <b>#4</b> Expresses the Sense of Congress regarding the impact of the high cost of prescription drugs on communities of color and persons living in rural   | (10 minutes) |

or sparsely populated areas of the United States.

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| <b>7.<br/>Gottheimer<br/>(NJ)</b>  | <b>#30 (REVISED)</b> Requires an HHS study to identify conditions without an FDA-approved treatment where the development of a treatment would fill an unmet medical need for a serious or life-threatening condition or rare disease. Requires HHS to identify appropriate incentives that would lead to the development of such treatments. | (10<br>minutes) |
| <b>8. Axne (IA)</b>                | <b>#10</b> Establishes a grant program for states to reduce the burdens associated with health care administrative work and reduces HHS administrative costs by 50% over 10 years.  | (10<br>minutes) |
| <b>9.<br/>Finkenauer<br/>(IA)</b>  | <b>#23 (REVISED)</b> Requires drug companies to disclose truthful and non-misleading pricing information about prescription drugs and biological products when they advertise these products directly to consumers.   | (10<br>minutes) |
| <b>10. Luria<br/>(VA)</b>          | <b>#36</b> Makes clear that federal employee health plans are covered by the price reduction provisions of the bill.  | (10<br>minutes) |
| <b>11.<br/>Cunningham<br/>(SC)</b> | <b>#41</b> Allows the Veteran's Administration to benefit from Maximum Fair Pricing guidelines.   | (10<br>minutes) |
| <b>12. Scanlon<br/>(PA)</b>        | <b>#38</b> Increases funding for clinical trials at NIH and bans the use of spread pricing by PBMs as it relates to Medicaid.   | (10<br>minutes) |

**SUMMARY OF AMENDMENT IN PART C PROPOSED TO BE  
CONSIDERED AS ADOPTED**

- | <b>Sponsor</b>            | <b># Description</b>  |
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| <b>1. Nadler<br/>(NY)</b> | <b>#14 (MANAGER'S)</b> Sets the year-round visas for sheep and goat herding to 500. |