

Opening Statement of Ranking Member Robert C. "Bobby" Scott (VA-03)

Full Committee Markup

H.R. 8736, Restoration of Employment Choice for Adults with Disabilities Act

H.R. 8705, CHARLIE Act

H.R. 7362, Form 5500 Filing Simplification Act

H.R. 7895, PBM Kickback Prohibition Act

H.R. 8684, Transparency in Billing Act of 2026

2175 Rayburn House Office Building

Thursday, May 21, 2026 | 10:15 a.m.

Thank you, Mr. Chairman.

Mr. Chairman, this Committee has the responsibility to pass legislation that ensures that students will receive a quality education, that protects workers, [and] expands access to affordable, quality care. While I appreciate the bipartisan work reflected in some of the measures before us, several of these bills unfortunately continue a pattern of advancing divisive political priorities and weakening protections that workers, students, and families rely on.

The first bill we will consider is H.R. 8736, the *Restoration of Employment Choice for Adults with Disabilities Act*.

Under the present law, Section 511 of the *Rehabilitation Act*, as amended by the *Workforce Innovation and Opportunity Act*, establishes safeguards for workers. Particularly for workers under the age [of] 24, it prevents employers operating under Section 14(c) certificates from paying subminimum wages to disabled workers until certain conditions have been met.

This bill would weaken those requirements by allowing younger, disabled workers to be paid subminimum wages without first completing all existing transition and vocational rehabilitation steps. The legislation also creates additional exceptions to the counseling and referral requirements [for] individuals already working at subminimum wage employment.

14(c) subminimum wage is a relic of the past, where employers are legally permitted to discriminate against individuals with disabilities in the workplace, and workers with disabilities did not have access to federal protections. It is past time that we phase out this harmful provision that denies equal opportunities for workers. One strategy to facilitate that transition is to adopt legislation that I've introduced: the *Transformation to Competitive Integrated Employment Act*. This Act would support workers as they transition from 14(c) subminimum wage to regular employment.

So, instead of making it easier for employers to pay disabled workers less money, Congress should be working to fully integrate disabled workers into the general workforce so we can fulfill the core goals of the *Americans*

with Disabilities Act: and that is Equal opportunity, full participation, independent living, and economic self-sufficiency.

And so, for those reasons, I will be recommending a not vote.

Next, we will consider H.R. 8705, the *CHARLIE Act*.

Under current law, Title II of the *Elementary and Secondary Education Act* promotes history and civics education programs by funding grants for teacher training, student resources, and innovative instruction in history, civics, government, and geography.

This legislation would prohibit federal funds from being used for what the bill defines as “discriminatory equity ideology” or “gender ideology,” and would also prevent the Department of Education from prioritizing race, sex, sexual orientation, gender identity, or immigration status when awarding grants in this program.

Moreover, this bill is named to honor Charlie Kirk, who was known for regressive politics and hateful rhetoric, including statements such as:

- “We made a huge mistake when we passed the *Civil Rights Act* in the mid-1960s.”
- Or “Large dedicated Islamic areas are a threat to America.”
- And referred to trans individuals as a “throbbing middle finger to God” and an “abomination.”

I strongly condemn the manner in which Charlie Kirk’s life was taken. But he is not a role model for our children, and we should not be advancing legislation inspired by his legacy. This bill is part of a broader political agenda targeting how history and identity are discussed in educational settings.

Students should learn accurate and comprehensive American history, including the civil rights movement, immigration history, and other foundational movements in our nation’s story. This bill does not advance those objectives, and for those reasons, I’ll be recommending a no vote.

The *Form 5500 Filing Simplification Act* is the subject of the third bill we will be considering.

H.R. 7362, the Form 5500, is an important source of information on the funding, investments, fees, and operations of pension and other employee benefit plans. Congress, federal agencies, researchers, and many private sector stakeholders use and rely on Form 5500 data. Hundreds of thousands of pension plans and tens of thousands of other employee benefit plans meet the current Form 5500 filing deadline. And for those plans that need a little extra time to file, particularly large ones that must complete an annual audit, there is already an easy way for plans to obtain an automatic extension of up to 2.5 months. It doesn’t appear to be a problem that needs to be solved here. Yet H.R. 7362 would automatically extend the statutory deadline for all Form 5500 filers, even those meeting the current deadline.

As my colleagues may know, there is already a multi-year lag in compiling and publishing Form 5500 data. I worry that this bill would cause further delays. Further, the bill is drafted in a way that, at best, leaves it unclear whether plans could also receive an additional extension on top of the already delayed statutory deadline provided under the bill.

It is regrettable that Committee Republicans needlessly rushed this bill to markup, believing that the legislative hearing box was checked after one member mentioned the bill during questions at a recent HELP Subcommittee. H.R. 7362 deserved far more attention and scrutiny than it received. I plan to oppose the bill and urge my colleagues to do the same.

The last two bills before us today relate to health care. They address important issues impacting both consumers and employers alike.

Pharmacy benefit managers (PBMs) play an important role in negotiating prescription drug prices and administering pharmacy benefits. While we have made progress in improving transparency regarding PBMs, concerns remain about their business practices and potential conflicts of interest.

Currently, PBMs pay referral fees to brokers, consultants, or other similar entities that many believe influence their recommendations to health plan sponsors regarding which PBM they should choose. Under the bill, the *PBM Kickback Prohibition Act*, that would amend the *Employee Retirement Income Security Act* (ERISA) to prohibit PBMs from paying such referral fees to brokers and consultants.

I support the goal of the legislation. I regret that we were not given the opportunity to engage in a bipartisan process during the creation of the legislation, nor provided the opportunity to strengthen the bill and to ensure it achieves its intended policy objective.

And finally, we will consider H.R. 8684, the *Transparency in Billing Act of [2026]*.

Under changes enacted by the *Consolidated Appropriations Act, 2026*, Medicare will soon require hospitals to obtain a unique national provider identifier to allow payers to accurately determine the setting where care was delivered. This will address the often opaque and exorbitant fees charged by hospital outpatient departments that contribute to higher health care costs. However, those same transparency requirements will not apply in the private insurance market, including for ERISA-covered health plans.

This bill is bipartisan legislation that I introduced with Dr. Foxx (NC-01) last Congress. It would amend ERISA to extend similar transparency standards to the private sector by requiring hospitals to include the unique identifiers for hospital outpatient departments before billing consumers or health plans.

This is an important, bipartisan effort to improve transparency and accountability in health care billing, and I support the legislation.

With that, Mr. Chairman, I yield back.