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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. PANETTA).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 7, 2022.

I hereby appoint the Honorable JIMMY PANETTA to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Almighty God, hear our prayers as the country lies divided before You. And yet there is not one person in this room who doesn't want to relieve our children of fear or to ensure the safety of the day-to-day lives of American citizens.

How then do we address faithfully the rash of tragedies that have plagued our communities and gripped the Nation with turmoil and terror, frustration, and fear?

Holy God, how do we respond appropriately to the devastation that has infiltrated our schools and our playgrounds, haunted nightclubs, and grocery stores, and taken over city streets and neighborhood graduation parties?

Lord, how do we discern the way to peaceful dialogue without our personal prejudices getting in the way?

And how do we avoid our inclination to be right but seek instead the wisdom of Your righteousness?

As we approach You, whether from the depths of our sadness or the heat of our anger, remind us that these days and every day belong to You. Though the discussions in which we engage ourselves seem fraught with discord, You alone have the power to bring order to our chaos.

Call us then to set our minds not on our own self-interests but to adopt a more faithful attitude that leads to life and peace—an attitude that comes only from Your holy spirit.

Inspire us to yield ourselves, our deliberations, and our lives to Your guidance that our Nation would be restored.

We pray in the power of Your name to serve You faithfully in all that we face this day.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar.

VICTORIA GALINDO LOPEZ

The SPEAKER pro tempore. The Clerk will call the first bill on the calendar.

The Clerk called the bill (H.R. 187) for the relief of Victoria Galindo Lopez.

There being no objection, the Clerk read the bill as follows:

H. R. 187

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

SECTION 1. PERMANENT RESIDENT STATUS FOR VICTORIA GALINDO LOPEZ.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Victoria Galindo Lopez shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Victoria Galindo Lopez enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) WAIVER OF GROUNDS FOR REMOVAL OR DENIAL OF ADMISSION.—

(1) IN GENERAL.—Notwithstanding sections 212(a) and 237(a) of the Immigration and Nationality Act, Victoria Galindo Lopez may not be removed from the United States, denied admission to the United States, or considered ineligible for lawful permanent residence in the United States by reason of any ground for removal or denial of admission that is reflected in the records of the Department of Homeland Security or the Visa Office of the Department of State on the date of the enactment of this Act.

(2) RESCISSION OF OUTSTANDING ORDER OF REMOVAL.—The Secretary of Homeland Security shall rescind any outstanding order of removal or deportation, or any finding of inadmissibility or deportability, that has been entered against Victoria Galindo Lopez by reason of any ground described in paragraph (1).

(d) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(e) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant

visa or permanent residence to Victoria Galindo Lopez, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

(f) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Victoria Galindo Lopez shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARPITA KURDEKAR, GIRISH KURDEKAR, AND VANDANA KURDEKAR

The SPEAKER pro tempore. The Clerk will call the first bill on the calendar.

The Clerk called the bill (H.R. 680) for the relief of Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar.

There being no objection, the Clerk read the bill as follows:

H. R. 680

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

SECTION 1. PERMANENT RESIDENT STATUS FOR ARPITA KURDEKAR, GIRISH KURDEKAR, AND VANDANA KURDEKAR.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Arpita Kurdekar, Girish Kurdekar, or Vandana Kurdekar enters the United States before the filing deadline specified in subsection (c), he or she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 202(e) of such Act.

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REBECCA TRIMBLE

The SPEAKER pro tempore. The Clerk will call the next bill on the calendar.

The Clerk called the bill (H.R. 681) for the relief of Rebecca Trimble.

There being no objection, the Clerk read the bill as follows:

H.R. 681

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

SECTION 1. PERMANENT RESIDENT STATUS FOR REBECCA TRIMBLE.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Rebecca Trimble shall be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of that Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Rebecca Trimble enters the United States before the filing deadline specified in subsection (c), Rebecca Trimble shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) WAIVER OF GROUNDS FOR REMOVAL OR DENIAL OF ADMISSION.—

(1) IN GENERAL.—Notwithstanding sections 212(a) and 237(a) of the Immigration and Nationality Act, Rebecca Trimble may not be removed from the United States, denied admission to the United States, or considered ineligible for lawful permanent residence in the United States by reason of any ground for removal or denial of admission that is reflected in the records of the Department of Homeland Security or the Visa Office of the Department of State on the date of the enactment of this Act.

(2) RESCISSION OF OUTSTANDING ORDER OF REMOVAL.—The Secretary of Homeland Security shall rescind any outstanding order of removal or deportation, or any finding of inadmissibility or deportability, that has been entered against Rebecca Trimble by reason of any ground described in paragraph (1).

(d) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of immigrant visas or the application for adjustment of status are filed with appropriate fees within two years after the date of the enactment of this Act.

(e) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas or permanent residence to Rebecca Trimble, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Rebecca Trimble under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Rebecca Trimble under section 202(e) of that Act (8 U.S.C. 1152(e)).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDIAN EL-MOUSTRAH

The SPEAKER pro tempore. The Clerk will call the next bill on the calendar.

The Clerk called the bill (H.R. 739) for the relief of Median El-Moustrah.

There being no objection, the Clerk read the bill as follows:

H.R. 739

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

SECTION 1. PERMANENT RESIDENT STATUS FOR MEDIAN EL-MOUSTRAH.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Median El-Moustrah shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Median El-Moustrah enters the United States before the filing deadline specified in subsection (c), he shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) WAIVER OF GROUNDS FOR REMOVAL OR DENIAL OF ADMISSION.—

(1) IN GENERAL.—Notwithstanding sections 212(a) and 237(a) of the Immigration and Nationality Act, Median El-Moustrah may not be removed from the United States, denied admission to the United States, or considered ineligible for lawful permanent residence in the United States by reason of any ground for removal or denial of admission that is reflected in the records of the Department of Homeland Security or the Visa Office of the Department of State on the date of the enactment of this Act.

(2) RESCISSION OF OUTSTANDING ORDER OF REMOVAL.—The Secretary of Homeland Security shall rescind any outstanding order of removal or deportation, or any finding of inadmissibility or deportability, that has been entered against Median El-Moustrah by reason of any ground described in paragraph (1).

(d) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(e) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Median El-Moustrah, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of

the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

(f) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Median El-Moustrah shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 2. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA ISABEL BUESO BARRERA, ALBERTO BUESO MENDOZA, AND KARLA MARIA BARRERA DE BUESO

The SPEAKER pro tempore. The Clerk will call the next bill on the calendar.

The Clerk called the bill (H.R. 785) for the relief of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso.

There being no objection, the Clerk read the bill as follows:

H.R. 785

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

SECTION 1. PERMANENT RESIDENT STATUS FOR MARIA ISABEL BUESO BARRERA, ALBERTO BUESO MENDOZA, AND KARLA MARIA BARRERA DE BUESO.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, or Karla Maria Barrera De Bueso enters the United States before the filing deadline specified in subsection (d), he or she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) WAIVER OF GROUNDS FOR REMOVAL OR DENIAL OF ADMISSION.—

(1) IN GENERAL.—Notwithstanding sections 212(a) and 237(a) of the Immigration and Nationality Act, Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso may not be removed from the United States, denied admission to the United States, or considered ineligible for lawful permanent residence in the United States by reason of any ground for removal or denial of admission that is reflected in the records of the Department of Homeland Security or the Visa Office of the Department of State on the date of the enactment of this Act.

(2) RESCISSION OF OUTSTANDING ORDER OF REMOVAL.—The Secretary of Homeland Security shall rescind any outstanding order of removal or deportation, or any finding of inadmissibility or deportability, that has been entered against Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, or Karla Maria Barrera De Bueso by reason of any ground described in paragraph (1).

(d) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(e) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 202(e) of such Act.

(f) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 2. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

HONORING JILLIAN ALBAYATI

(Mr. CORREA asked and was given permission to address the House for 1 minute.)

Mr. CORREA. Mr. Speaker, today I rise to honor Anaheim High School's Jillian Albayati, the young athlete making history for women in men's high school baseball.

Jillian became the first girl to pitch in a CIF-Southern Section men's baseball final, allowing one run on eight hits in nine innings in a Division 6 championship for the Anaheim High School Colonists.

She can also hit the ball. At the championships, she drove in the Colonists' run with an RBI single and finished the season with an average of over 300. And she plays first base.

Jillian was also the first girl to be selected to play in the Orange County Men's All-Star Baseball Game. One of her goals is to play for the USA National Baseball Team, and she will be trying out for that in July.

With a high school career of 60 strikeouts in 79 innings, 11 wins in the regular season, and four CIF baseball wins, we can say that Jillian plays like a girl.

We are proud of Jillian and congratulate her.

Go Colonists.

GAS PRICES

(Mr. JOYCE of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOYCE of Pennsylvania. Mr. Speaker, this week, as gasoline prices climb to over $5 a gallon at home, Pennsylvania families are now paying twice what they paid when President Biden first took office just 18 months ago.

By Biden's canceling of new drilling leases and decision to impose burdensome standards on our energy producers, the President has turned his back on the energy crisis that our communities right now are facing.

A new report out this week finds that at this rate, Americans are on track to pay over $5,000 a year for gasoline. These prices are unsustainable, and instead of addressing the problem, President Biden has chosen to side with the far-left activists instead of the working-class Americans who are paying these prices at the pump.

The answer is clear: We need to produce American energy for American families to lower the cost of gas and stop the runaway inflation that is right now crippling our Nation.

GUN VIOLENCE EPIDEMIC

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. The avalanche of horrible news about mass shootings, especially at schools, has been painful but instructive.

America is not unique. But what is unique is that America has accepted the slaughter, unlike Britain, Canada, Australia, New Zealand, and Norway, who have acted decisively to reduce gun violence and proven that it works.

We have stood by allowing the carnage to continue to our shame. America should not be the only rich country that cannot protect its children.

This should be one of the defining issues of this election cycle. If candidates can't support simple, commonsense, and proven steps to reduce gun violence, then what is their answer?

It is no longer acceptable for gun violence enablers to hide behind thoughts and prayers.

If other countries can protect their families, then why can't we?

American families deserve to know where each politician stands.

STUDENT LOAN FORGIVENESS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, with his poll numbers tanking, President Biden is trying to buy off voters with mass student loan forgiveness. While this elitist handout may win over his radical progressive base, it is a slap in the face to taxpayers, especially those who never went to college or spent years paying off their own loans.

Make no mistake, blanket loan forgiveness is simply retroactive free college.

Why should a farmer in Idaho or a construction worker in New Jersey pay the tuition bills of an Ivy League lawyer or a wealthy doctor?

Taxpayers are already footing the bill for Biden's student loan repayment moratorium at the cost of $5 billion every month. Now the Biden administration wants to take hundreds of billions more for his student loan forgiveness scam.

This is wrong and unfair.

INFLATION IS NOT JOE BIDEN'S FAULT

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, during the break, I had the opportunity to participate in the Transatlantic Dialogue. We had members of parliaments from maybe six or seven different nations: Ireland, Germany, Serbia, and Croatia—all over Europe.

I asked what the rate of inflation was, and in every country, it was 8, 9, and 10 percent. And I asked them if their parliaments didn't blame Biden for it? They laughed. Of course, they laughed.

Inflation is a worldwide problem. We are doing what we can. It is caused by the awful coronavirus and the effects it has had on production in China. And it has hurt our opportunities to continue our manufacturing as we saw it before.

Gasoline prices have increased the same amount in Europe as they have here.

And is it Joe Biden's fault?

No. It is OPEC, and it is Russia. Prices have gone up about 30 percent since they invaded Ukraine.

All Americans should want and should work together to reduce inflation and oil prices. But it is not Joe Biden's fault. It is a worldwide problem.

BIDENFLATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, costs for everyday products and services continue to rise, and American families are suffering. Gas costs have doubled under Biden, reaching the highest level ever for the price of gas today.

In the last year we have all experienced price increases for everyday items, including: eggs up 22 percent, chicken up 16 percent, bacon up 17 percent, milk up 14 percent, roasted coffee up 14 percent, and breakfast cereal up 12 percent.

It is not uncommon for a can of soup on the shelf to be marked at 65 cents, but at checkout, it registers $1. A Dollar Store had all merchandise for $1 until Valentine's Day, but now all merchandise is $1.25.

Due to policies pushed by Biden and Democrats, everyday families are left to suffer the effects. America should resume the Trump policies of all-of-the-above energy.

In conclusion, God bless our troops who successfully protected America for 20 years in the global war on terrorism as it continues moving from the Afghanistan safe haven to America.

VETERANS DESERVE WORLD-CLASS HEALTH CARE

(Mr. MRVAN asked and was given permission to address the House for 1 minute.)

Mr. MRVAN. Mr. Speaker, I rise today in appreciation that H.R. 4951, the VA Electronic Health Record Transparency Act, legislation I introduced and was approved by the House last year, has now been approved by the Senate and is being sent to the President's desk to be signed into law.

Throughout my career, I have been privileged to have close working relationships with veterans and veteran service organizations throughout northwest Indiana. These established relationships are what motivated me to secure a position to the House Veterans' Affairs Committee.

As chairman of the Technology Modernization Subcommittee, I have seen the great need for Congress to conduct oversight and have accurate information to ensure that the electronic health record modernization program is able to meet the needs of our veterans.

I thank the leaders of the Senate for also seeing the value of this legislation. And as we move forward, I look forward to obtaining the requested information and continuing our work to ensure that all veterans receive the world-class healthcare they deserve.

□ 1415

FOOD SECURITY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, President Biden recently promised us food shortages in the United States. This is the country that leads the world in production. Well, that is one heck of a campaign promise being kept. Food shortages, along with energy skyrocketing; what a reset.

Indeed, my home State of California, which produces so much of what America relies on, due to Federal and State policies, the water has been taken away. Up on the Klamath Basin, zero water allocation.

I just drove around part of my west side of the district the other day, and there are miles and miles of open land that is not growing rice; that they are trying to put all that water toward trying to keep orchards alive. The waterfowl are not coming in. The jobs are not happening; all because of a backwards campaign promise, evidently, to put food shortages out there for people.

Empty shelves in the supermarket; it is unbelievable that this is what this administration—and what are they doing? What are they doing?

We are not getting more water facilities built. We are not getting more storage made. No, we are just continuing down the same path to try and save fish that don't exist in the delta, or that are being marketed by people catching them up on the rivers and out in the ocean.

I guess that is why everybody is leading the charge these days in cheering for: Let's go, Brandon.

SAVING LIVES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Buffalo, Tulsa, Philadelphia. Mr. Speaker, I won't be talking about guns. I will be talking about saving lives.

My deepest sympathy to my colleague in Texas that represents Uvalde, and to the people of Texas. And I am going to be repetitive this week. It is going to be about saving lives and explaining to the American people that people take guns to kill. It may be suicide, but it is certainly mass murders. We are up to 200 mass murders up to this date.

But the most stark of what we see is that grocery store shoppers in Buffalo, killed by white supremacy and guns, automatic weapons; here in Uvalde, these precious children, killed by guns, automatic weapons.

We have to pass protecting our children's act, and we must also pass a 7-day waiting period, which I will be introducing to deal with automatic weapons because guns kill.

And the question that all of my colleagues must ask: Do you believe in humanity? Do you have courage? And can you act? That is the only question to save lives.

OUR BORDER IS NOT SECURE

(Mr. SMITH of Missouri asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Missouri. Mr. Speaker, as the Republican leader of the House Budget Committee, I led a group of 12 Members of Congress last week to the Rio Grande Valley to see firsthand the real cost of President Biden's disastrous immigration agenda.

There were major gaps in border wall and open areas that make it easier for the Mexican cartels to make millions of dollars trafficking humans and illegal drugs over the border. And yet, we saw $350 million worth of rusted border wall materials sitting unused because of President Biden's illegal decision to freeze border wall funding.

Border Patrol agents told me they are seeing 10,000 encounters each week in the Rio Grande Valley sector alone, including 174 different nationalities who have been apprehended on the southern border. The rest of the world has figured out that our border is not secure, whether the Biden administration realizes it or not.

I will continue fighting to secure the border and protect families from President Biden's disastrous agenda.

HONORING THE LIFE OF ALBERT EARL KLEIN, SR.

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in memory of Albert Earl Klein, Sr., known as Al, a veteran, a fellow pharmacist, and a small business owner.

Born in Mt. Pleasant in 1925, Al acquired a love for the outdoors, playing multiple sports, and spending his free time boating, becoming an accomplished fisherman at the young age of 18.

Al went on to serve in the Army, training at Fort Bragg and eventually traveling to Guam as a rescue boat operator. He was honorably discharged after receiving multiple citations and decorations.

Upon returning home, Al earned his doctorate degree in pharmacy at the College of Charleston and obtained his Georgia pharmacy license shortly thereafter.

Al opened several drug stores, one of them in my beautiful hometown of Pooler, Georgia, and he enjoyed a successful career of over 60 years.

After retirement, Al and his wife, Ethel, enjoyed traveling, gardening, and visiting their four children and 12 grandchildren.

Al was a veteran, an honorable business owner, and a family man whose love for the outdoors made sure he lived life to the fullest. He will surely be missed.

NEW YORK'S 22ND DISTRICT CONGRESSIONAL ART COMPETITION

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, I rise today to recognize the participants of this year's Congressional Art Competition in New York's 22nd Congressional District.

Each year, dozens of high school students from across the 22nd District submit pieces of art that they have spent countless hours and put tremendous effort into perfecting; although every work of art is abandoned, it is never perfect.

Last year's winner, Gavin Schiavi from New Hartford, submitted a beautiful piece done completely with colored pencil, and our judges were thoroughly impressed with the attention to detail and the amazing work done by Gavin.

This year, we made a few additions to the competition. During the last week of April, we held two community art shows where the students' artwork was on display for the public. Over 100 people attended these viewings, voting on two pieces as their favorite; those from Gianna Yacobucci of New Hartford, and Salwa Nadeem of Vestal.

Following these events, our independent judges voted on the winners. The first-place winner was Nadja Wall, with her painting ''The Aquarium.'' In second was Anita Grant from New Hartford; third, Olivia Muse from Vestal; and fourth, Emily Carlson from Holland Patent. Our judges agreed this is one of the best years we have seen in terms of competition and the quality of work submitted.

I thank all of the teachers and students for their work, and the parents as well, for their support of these remarkable students and their fantastic work.

I look forward to viewing everyone's work from all Members of Congress in the hallways of Congress.

POLITICIZING THE UVALDE TRAGEDY

(Mr. ROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROY. Mr. Speaker, I noticed my colleague from Texas down here a little bit earlier talking about the tragedy in Uvalde. And I can tell you, as someone who represents central Texas and the district and the county that shares a border with Uvalde County, it hits close to home.

But I would note that the President of the United States and my colleagues have suddenly found Uvalde and south Texas on a map. When we have got 15,000 people in a caravan coming to Texas; we have 700-some people, migrants, who have died along the border; we have mobile morgues being used in south Texas along the Rio Grande; and now suddenly, to go exploit a tragedy for political purposes, my colleagues on the other side of the aisle can find Uvalde on a map. Because they sure as hell haven't been able to find Uvalde on a map over the last year and a half of this administration.

We will have more to talk this week about the politicization of this tragedy in Uvalde, and targeting the pretext and the false use by my colleague from Texas of ''automatic weapons'' as opposed to semi-automatic weapons.

But let's be clear: Our borders remain wide open, and Americans are dying in droves; hundreds and thousands of people across this country who are dying because of open borders. We will talk about it this week.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore Brown on Friday, June 3, 2022:

H.R. 1298, to designate the facility of the United States Postal Service located at 1233 North Cedar Street in Owasso, Oklahoma, as the ''Technical Sergeant Marshall Roberts Post Office Building'';

H.R. 3579, to designate the facility of the United States Postal Service located at 200 East Main Street in Maroa, Illinois, as the Jeremy L. Ridlen Post Office'';

H.R. 3613, to designate the facility of the United States Postal Service located at 202 Trumbell Street in Saint Clair, Michigan, as the ''Corporal Jeffery Robert Standfest Post Office Building'';

H.R. 4168, to designate the facility of the United States Postal Service located at 6223 Maple Street, in Omaha, Nebraska, as the ''Petty Officer 1st Class Charles Jackson French Post Office''.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1501

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. JACKSON LEE) at 3 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

IMPROVING ACCESS TO WORKERS' COMPENSATION FOR INJURED FEDERAL WORKERS ACT OF 2022

Mr. COURTNEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6087) to amend chapter 81 of title 5, United States Code, to cover, for purposes of workers' compensation under such chapter, services by physician assistants and nurse practitioners provided to injured Federal workers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6087

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improving Access to Workers' Compensation for Injured Federal Workers Act of 2022''.

SEC. 2. INCLUSION OF PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS IN FEDERAL EMPLOYEES' COMPENSATION ACT.

(a) INCLUSION.—Section 8101 of title 5, United States Code, is amended—

(1) in paragraph (3), by inserting '', other eligible providers,'' after ''osteopathic practitioners'';

(2) by striking ''and'' at the end of paragraphs (18) and (19);

(3) by striking the period at the end of paragraph (20) and inserting ''; and''; and

(4) by adding at the end the following:

''(21) 'other eligible provider' means a nurse practitioner or physician assistant within the scope of their practice as defined by State law.''.

(b) CONFORMING AMENDMENTS.—Chapter 81 of title 5, United States Code, is amended—

(1) in section 8103(a)—

(A) by inserting ''or other eligible provider'' after ''physician'' in each instance; and

(B) in paragraph (3), by inserting ''or other eligible providers'' after ''physicians'';

(2) in section 8121(6), by inserting ''or other eligible provider'' after ''physician''; and

(3) in section 8123(a)—

(A) by inserting ''or other eligible provider'' after ''The employee may have a physician''; and

(B) by inserting ''or other eligible provider'' after ''United States and the physician''.

(c) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Secretary shall finalize rules to carry out the amendments made by this Act.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Michigan (Mr. WALBERG) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act

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

There was no objection.

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

Madam Speaker, today, we are considering a straightforward bipartisan bill that will alleviate some of the barriers Federal workers face seeking treatment and care after they have been injured on the job.

Right now, whether we represent urban districts or rural districts, we are all hearing about the very real shortage of physicians, whether it is in general practice or specialty practices. That is why it is important for Congress to surgically and intelligently reform outdated, antiquated policies in place that prevent qualified providers from treating patients who need their care.

This bill achieves that goal for Federal employees who need treatment for workplace injuries or illness and will allow qualified, licensed nurse practitioners and physician assistants to treat these patients safely and competently and be reimbursed under the Federal Employees' Compensation Act.

The bill explicitly states, in section 2, that such treatment must adhere to the scope of practice for nurse practitioners and physician assistants, as defined by State law. I repeat: The bill was carefully crafted so that it does not encroach on the authority of State health licensing boards to determine the scope of practice. That is one of the reasons why the Committee on Education and Labor came together on a bipartisan basis to unanimously endorse passage of this bill.

Right now, injured Federal workers who serve our Nation at agencies such as the Department of Homeland Security, the Postal Service, and our National Parks, to name a few, can only receive the care they are entitled to under the Federal workers' compensation law if it is provided by a physician, and only a physician can certify a claim regardless of whether the State the worker resides in allows nurse practitioners and PAs to practice independently.

As any healthcare patient in America knows, nurse practitioners and physician assistants are a growing portion of primary care and healthcare workforce nationwide, especially in rural areas. Patients are ably and safely treated by NPs and PAs in these settings every day and having the capability to be treated by a nurse practitioner or a physician assistant increases access to more timely treatment, particularly in parts of the country experiencing physician shortages.

The benefit of increased access was confirmed by the Congressional Budget Office in their analysis of this bill, which found that it would have no impact on direct spending by the government.

Given the challenges some Federal workers have in accessing their Federal workers' comp benefits, allowing these providers to be reimbursed for the care they provide within the scope of their practice is an extremely commonsense improvement. CBO has even stated that this legislation would help injured Federal workers return to the job faster. In this labor market, anything we can do to improve workers' healthy recovery and job retention is worthwhile.

This bill has been endorsed by the National Rural Health Association, the American Nursing Association, the American Association of Nurse Practitioners, the American Academy of Physician Assistants, as well as a diverse coalition of unions representing Federal employees, such as the National Treasury Employees Union and the National Postal Mail Handlers Union.

Further, the Department of Labor's Office of the Workers' Compensation Programs which administers the Federal Employees' Compensation Act for Federal workers in agencies as diverse as the Pentagon, Department of Homeland Security, Interior, and Veterans Affairs, has confirmed this legislation will help alleviate barriers that create delays for FECA claimants and would expand injured workers access to medical treatment.

Madam Speaker, I have the honor to represent the largest military installation in New England, Naval Submarine Base New London, which employs over 1,000 civilian Federal workers who perform outstanding work to support 16 attack submarines that deploy from that base.

Some of that work is physically demanding, such as firefighters, police, and crane operators, and injuries do happen. This bill will create healthcare parity for those patriots by ensuring that they will have their claims handled and treated the same as any other workers who reside in Connecticut and Rhode Island. This is an overdue and important, but commonsense, way to bring this program in line with the reality of 21st century healthcare delivery.

Madam Speaker, I thank my Republican counterpart, Mr. WALBERG, for his great support and work to bring this issue forward. I also thank Chairman SCOTT and Ranking Member FOXX for their bipartisan work supporting this bill and getting it through committee.

Madam Speaker, I strongly urge a ''yes'' vote on this bipartisan and commonsense measure, and I reserve the balance of my time.

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

Madam Speaker, H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act,

is a commonsense bill to improve access to care for workers under the Federal Employees' Compensation, or FECA, program.

I rise in support of this bill that I have co-led with my friend and colleague, Representative COURTNEY, and thank him, his staff, my staff, the staff of the Committee on Education and Labor for their diligent work on this legislation.

The bill simply allows nurse practitioners or physician assistants to care for Federal employees under the Federal workers' compensation program so long—and I make this clear—so long as that care is within their scope of practice under State law.

Under current Federal law, only a physician can diagnose, certify, and oversee the treatment of an injured Federal worker receiving compensation benefits. This requirement places an additional burden on Federal employees who may have to drive great distances to receive care from an approved provider.

Additionally, it limits the injured individual's choice, depriving them from receiving healthcare from the provider with whom they are most comfortable. A majority of States already allow NPs and PAs to diagnose, certify an injury, and oversee the patient's treatment and care for their State workers' compensation programs. So it is time that the Federal Government do the same under the Federal disability program. Furthermore, our bill will align the FECA program with other Federal programs.

Currently, the Federal Government allows care provided or overseen by PAs and NPs in Medicare, Medicaid, the Federal Employee Health Benefits Program, and TRICARE. Additionally, since 2017, the Social Security Administration has considered PAs and NPs, along with physicians, as acceptable sources of information for documenting the existence of an impairment for purposes of determining a disability.

Madam Speaker, across the country, nurse practitioners and physician assistants provide critical care, especially in rural communities where there may not be a physician within a reasonable distance. In Michigan, there are 5,300 practicing physician assistants and nearly 9,000 nurse practitioners. They are an important part of our primary care workforce in our State.

Our bill updates Federal law to grant Federal employees more choice in selecting their healthcare provider, improve access to care, and enable better continuity of care. Again, I sincerely thank my colleague, Representative COURTNEY, and his staff for their great work on this bipartisan, commonsense bill.

Madam Speaker, I urge all Members to support it, and I reserve the balance of my time.

Mr. COURTNEY. Madam Speaker, I again applaud Mr. WALBERG for his leadership on this legislation.

Madam Speaker, I yield 3 minutes to the gentleman from the great Commonwealth of Virginia (Mr. SCOTT), chairman of the Committee on Education and Labor.

Mr. SCOTT of Virginia. Madam Speaker, I thank the gentleman from Connecticut for yielding.

Madam Speaker, more than 2 million Federal employees provide key services to the public. In fact, during the height of the pandemic, Federal workers were critical in delivering vaccines, personal protective equipment, and other COVID relief to the American people. So it stands to reason that when a Federal worker gets sick or injured on the job, we are obligated to provide them and their families with the resources and medical care that they need.

Today, we can improve that effort by providing expanded healthcare access for injured Federal workers who are seeking healthcare covered by Federal workers' compensation. We live in a country where people are increasingly turning to nurse practitioners and physician assistants as their primary healthcare provider. This is particularly true in rural America where they are disproportionately impacted by physician shortages.

Unfortunately, Federal law now limits what can be reimbursed under Federal workers' compensation, forcing injured workers to see only a physician to certify the injury and disability as work-related and to deliver services. It is time to correct this lag in access to healthcare. After all, core Federal healthcare programs, including Medicare and the Veterans Affairs' system, already recognize services delivered by nurse practitioners and physician assistants if provided within the scope of practice allowed by State law.

This bill would allow nurse practitioners and physician assistants to receive reimbursement for healthcare services they are providing to injured Federal workers if, and only if, those services are already permissible under their State laws.

Madam Speaker, a ''yes'' vote on this bill is a step to expand the group of available healthcare providers consistent with existing State law so that we can ensure injured Federal workers and their families get the support and care they deserve.

I thank the gentleman from Connecticut (Mr. COURTNEY) for his leadership on the bill, along with the distinguished member of the Committee on Education and Labor, the gentleman from Michigan (Mr. WALBERG), and the committee's ranking member, Dr. Foxx, for their support of this legislation.

Madam Speaker, I urge my colleagues to support the Improving Access to Workers' Compensation for Injured Federal Workers Act.

Mr. WALBERG. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HARRIS), my friend, the MD.

Mr. HARRIS. Madam Speaker, I thank the gentleman for yielding the time.

Madam Speaker, I rise with concern about H.R. 6087, Improving Access to Workers' Compensation for Injured Federal Workers Act. It was mentioned that it is fine if healthcare practitioners are qualified to deliver workmen's comp. Certainly, in some States, nurse practitioners and physician assistants—nurse practitioners, specifically, can practice without a physician oversight, but the question is whether that is appropriate for workmen's compensation.

Remember, workmen's compensation includes people who have been injured or claimed to have been injured on the job. These employees deserve the highest level of care, the highest level of evaluation, of diagnosis, certification, and treatment. And what this bill does is turns over the qualifications for who is going to treat those injured Federal workers to the State to make the decision. Because it says, Well, if in a State they decide that a physician assistant practicing independently is just fine, well, that Federal worker is not going to have the benefit of having a physician involved in that care.

□ 1515

Madam Speaker, this is a serious policy debate. This debate should be taking place, I believe, not on a suspension calendar but actually come under a regular rule and be debated for whether or not this is the way we want to treat Federal employees, that we want to subject them to a State level of care as opposed to a level of care that we think is appropriate, again, for an injured Federal worker.

So, Madam Speaker, I include in the RECORD a letter from the American Medical Association strongly opposing H.R. 6087.

AMERICAN MEDICAL ASSOCIATION,
June 5, 2022.

Hon. NANCY PELOSI,
U.S. House of Representatives, Washington, DC.
Hon. KEVIN MCCARTHY,
U.S. House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER MCCARTHY: On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing in strong opposition to H.R. 6087, the ''Improving Access to Workers' Compensation for Injured Federal Workers Act.'' This legislation would allow nurse practitioners (NPs) and physician assistants (PAs) to diagnose, prescribe, treat, and certify an injury and extent of disability for purposes of compensating federal workers under the Federal Employees' Compensation Act (FECA).

Current law prohibits non-physician health professionals from making these determinations and reserves this function to physicians who have the education, training, and expertise to make these evaluations. The AMA remains steadfast in its commitment to patients who have said repeatedly that they want and expect physicians leading their health care team. In a recent survey of U.S. voters, 68 percent say it is very important for a physician to be involved in their

diagnosis and treatment decisions. However, H.R. 6087 effectively removes physicians from the care team and sets up our federal workers for suboptimal health outcomes and increased costs, without improving access to care. At a time when inflation is at an all-time high and our economy is still struggling to recover from the costs associated with the COVID–19 pandemic, now is especially not the time for Congress to enact this type of policy change.

EDUCATION MATTERS: PATIENTS WANT PHYSICIANS INVOLVED IN THEIR DIAGNOSIS AND TREATMENT DECISIONS

The AMA is concerned that H.R. 6087, while perhaps well-intentioned for speedier workers' compensation determinations, will actually jeopardize patient care. While the bill purports to allow NPs and PAs to diagnose, prescribe, treat, and certify an injury and extent of disability within their state scope of practice laws, the federal government dictating this scope expansion will have the effect of setting the benchmark for the states. We have seen this repeatedly with Medicare coverage determinations, for example, setting the benchmark for private plan coverage determinations. Moreover, while all health care professionals play a critical role in providing care to patients, and NPs and PAs are important members of the care team, their skillsets are not interchangeable with that of fully educated and trained physicians. This is fundamentally evident based on the difference in education and training between the distinct professions. Physicians complete four years of medical school plus a three-to-seven-year residency program, including 10,000–16,000 hours of clinical training. By contrast, NPs, complete only two to three years of education, have no residency requirement, and only 500–720 hours of clinical training. The current PA education model is two years in length with only 2,000 hours of clinical care and no residency requirement. Patients expect the most qualified person—physician experts with unmatched training, education, and experience—to be diagnosing and treating injured federal workers and making often complex clinical determinations on the nature of an injury and extent of disability. NPs and PAs do not have the education and training to make these determinations and we should not be offering a lower standard of care to our federal workers who are injured.

But it is more than just the vast difference in hours of education and training; it is also the difference in rigor and standardization between medical school/residency and NP and PA programs that matter and must be assessed. During medical school, students receive a comprehensive education in the classroom and in laboratories, where they study the biological, chemical, pharmacological, and behavioral aspects of the human condition. This period of intense study is supplemented by two years of patient care rotations through different specialties, during which medical students assist licensed physicians in the care of patients. During clinical rotations, medical students continue to develop their clinical judgment and medical decision-making skills through direct experience managing patients in all aspects of medicine. Following graduation, students must then pass a series of examinations to assess a physician's readiness for licensure. At this point, medical students ''match'' into a three-to-seven-year residency program during which they provide care in a select surgical or medical specialty under the supervision of experienced physician faculty. As resident physicians gain experience and demonstrate growth in their ability to care for patients, they are given greater responsibility and independence. NP programs do not have similar time-tested standardizations. For example, between 2010–2017, the number of NP programs grew by more than 30 percent with well over half of these programs offered mostly or completely online, meaning less in-person instruction and hands-on clinical experience. In addition, many programs require students to find their own preceptor to meet their practice hours requirement, resulting in much variation among students' clinical experiences. Our injured federal workers deserve better—they deserve and have a right to have physicians leading their health care team.

INCREASING SCOPE OF PRACTICE OF NPS AND PAS CAN LEAD TO INCREASED HEALTH CARE COSTS

There is strong evidence that increasing the scope of practice of NPs and PAs has resulted in increased health care costs due to overprescribing and overutilization of diagnostic imaging and other services. For example, a 2020 study published in the Journal of Internal Medicine found 3.8 percent of physicians (MDs/DOs) compared to 8.0 percent of NPs met at least one definition of overprescribing opioids and 1.3 percent of physicians compared to 6.3 percent of NPs prescribed an opioid to at least 50 percent of patients. The study further found that, in states that allow independent prescribing, NPs were 20 times more likely to overprescribe opioids than those in prescription-restricted states.

Multiple studies have also shown that NPs order more diagnostic imaging than physicians, which increases health care costs and threatens patient safety by exposing patients to unnecessary radiation. For example, a study in the Journal of the American College of Radiology, which analyzed skeletal x-ray utilization for Medicare beneficiaries from 2003 to 2015, found ordering increased substantially—more than 400 percent—by non-physicians, primarily NPs and PAs, during this time frame. A separate study published in JAMA Internal Medicine found NPs ordered more diagnostic imaging than primary care physicians following an outpatient visit. The study controlled for imaging claims that occurred after a referral to a specialist. The authors opined this increased utilization may have important ramifications on costs, safety, and quality of care. They further found greater coordination in health care teams may produce better outcomes than merely expanding NP scope of practice alone.

In addition, a recent study from the Hattiesburg Clinic in Mississippi found that allowing NPs and PAs to function with independent patient panels under physician supervision in the primary care setting resulted in higher costs, higher utilization of services, and lower quality of care compared to panels of patients with a primary care physician. Specifically, the study found that non-nursing home Medicare ACO patient spend was $43 higher per member, per month for patients on a NP/PA panel compared to those with a primary care physician. Similarly, patients with an NP/PA as their primary care provider were 1.8 percent more likely to visit the ER and had an 8 percent higher referral rate to specialists despite being younger and healthier than the cohort of patients in the primary care physician panel. On quality of care, the researchers examined 10 quality measures and found that physicians performed better on 9 of the 10 measures compared to the non-physicians.

The findings are clear: NPs and PAs tend to prescribe more opioids than physicians, order more diagnostic imaging than physicians, and overprescribe antibiotics—all which increase health care costs and threaten patient safety. The Hattiesburg Clinic study further confirms these findings and the need for physician-led team-based care. Before expanding the scope of practice of all NPs and PAs and essentially removing physicians from the care team, we encourage Congress to carefully review these studies. We believe you will agree that the results are startling and have significant impact on the assessment of risk to the health and welfare of patients, as well as the impact on the cost of health care in the United States.

Finally, proponents of H.R. 6087 cite recognition of NPs and PAs within the FECA as necessary in order to assist with diagnosing and treating patients who contract COVID–19 in the workplace. They claim that permitting NPs and PAs to diagnose and treat individuals suffering from COVID–19 injuries is believed to help patients get back to work faster so they can continue to provide for their families. Yet, COVID–19, a virus that is already responsible for the death of over one million individuals just in the United States, is a complex disease with varying impacts based on patient co-morbidities. Furthermore, pre-existing conditions and other complicating health factors have a tremendous impact on whether vaccines and therapeutics are appropriate for patients who have contracted COVID–19. These complexities highlight the fact that physician experts are best suited to be assessing, diagnosing, and treating patients in the FECA program.

SCOPE EXPANSIONS HAVE NOT PROVEN TO INCREASE ACCESS TO CARE IN RURAL AREAS

Proponents of scope expansion have argued that legislation like H.R. 6087 is necessary to expand access to care. This promise has been made for years by NPs and PAs seeking scope expansions at the state-level, but it has not proven true. In reviewing the actual practice locations of primary care physicians compared to NPs and PAs, it is clear that physicians and non-physicians tend to practice in the same areas of the state. This is true even in those states where, for example, NPs can practice without physician involvement. The Graduate Nurse Demonstration Project (the Project), conducted by the Centers for Medicare & Medicaid Services, confirmed this as well. One goal of the Project was to determine whether increased funding for Advanced Practice Registered Nursing (APRNs) programs would increase the number of APRNs practicing in rural areas. The results found that this did not happen. In fact, only 9 percent of alumni from the program went on to work in rural areas.

Moreover, workforce studies in various states have shown a growing number of NPs are not entering primary care. For example, the Oregon Center for Nursing found only 25 percent of NPs practice primary care. Similarly, the Center for Health Workforce Studies conducted a study on the NP workforce in New York that found, ''[w]hile the vast majority of NPs report a primary care specialty certification, about one-third of active NPs are considered primary care NPs, which is based on both NP specialty certification and practice setting.'' In addition, the study found newly graduated NPs were more likely to enter specialty or subspecialty care rather than primary care. In short, the evidence is clear that expanding scope for NPs and PAs will not necessarily lead to better access to care in rural America.

Rather than supporting an unproven path forward, Congress should consider proven solutions to increase access to care, including supporting physician-led team-based care. Evidence shows that states that require physician-led team-based care have seen a greater overall increase in the number of NPs compared to states that allow independent practice. The Congressional Budget Office estimates the cost of this legislation is zero

and includes in its assumptions that while some workers may get services more quickly, increasing costs to the federal government, that these workers might also return to work more quickly saving the federal government money for a net cost of zero. However, this analysis fails to take into account the cost to the health care system when patients do not receive the right care at the right time. Eliminating physicians from workers' compensation determinations increases this likelihood exponentially and is a gamble with the health of our federal workers that Congress should not be willing to take.

ENACTMENT UNDER SUSPENSION OF THE HOUSE RULES IS INAPPROPRIATE

The AMA is also concerned that the House of Representatives is attempting to pass H.R. 6087 under ''suspension of the rules,'' a procedural tactic that is often used to act expeditiously on legislation that is typically non-controversial. Bills considered ''under suspension'' receive limited floor debate, all floor amendments are prohibited, and a two-thirds vote of all members present is required for final passage.

H.R. 6087 does not meet the definition of a ''non-controversial'' bill and, therefore, should not be considered under suspension of the rules. First and foremost, the strong concerns we raise in this letter should be sufficient for lawmakers to recognize that legislation that would be detrimental to the health and welfare of federal workers should not be considered under this fast-track parliamentary procedure. While it passed out of the House Education and Labor Committee in mid-March 2022, H.R. 6087 was formally introduced two months ago and has only generated 18 total cosponsors. Bills enacted under suspension of the rules typically garner hundreds of cosponsors, thus indicating a high level of bipartisan support. It is unclear whether a strong collection of bipartisan members of the House of Representatives support this legislation that inappropriately expands non-physician practitioner scope of practice. While the AMA opposes final passage of this legislation, we urge the House of Representatives to reject enactment of this bill under suspension of the rules.

CONCLUSION

For all the reasons above, we strongly encourage you to protect the health and safety of our injured federal workers and oppose passage of H.R. 6087.

Sincerely,

JAMES L. MADARA, MD.

Mr. HARRIS. Madam Speaker, they give reasons. They say, look, education matters. Patients want physicians involved in their diagnosis and treatment decisions. I think that is true.

They say that increasing the scope of practice of nurse practitioners or physician assistants can lead to increased healthcare costs, specifically mentioning the fact that there are studies now that show that when a nurse practitioner is involved or a physician assistant——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALBERG. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. HARRIS. Madam Speaker, they mention that, for instance, opioid overprescribing occurs four times as much when a nurse practitioner is involved. Obviously, in a workers' comp case where injury may be determined, this could be significant. This is something we should deal with.

Finally, even the AMA recognized that they are concerned that we are attempting to pass this under suspension of the rules usually, typically, reserved for noncontroversial bills.

Madam Speaker, I thank the gentleman for yielding me time.

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

Just briefly, I agree with the gentleman from Maryland that the goal here should be what is best for Federal employees, who do critical work for our country, but I think also what we want is what is best for people who are protected by Social Security Disability Insurance, by the Federal Employees Health Benefits Program, which are programs in which independent practice of nurse practitioners and physician assistants has been well established and, again, subject to scope of practice in the State where the patient resides.

Again, this is just simply conforming Federal workers' compensation law with existing practice and a whole host of other Federal programs involving really important populations that all of us have a duty to protect.

Madam Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. ADAMS), a member of the Education and Labor Committee who does outstanding work on the Workforce Protections Subcommittee as its chair.

Ms. ADAMS. Madam Speaker, I thank the gentleman for yielding and for his work on this bill. I rise in support of the Improving Access to Workers' Compensation for Injured Federal Workers Act of 2022, a bill that I am proud to have cosponsored.

North Carolina is home to over 45,000 Federal employees who are restricted from having a nurse practitioner or physician assistant diagnose or oversee the patient's treatment and care for their workers' compensation claim. North Carolina is one of many States that currently authorize nurse practitioners to provide this care for non-Federal employees.

H.R. 6087 will increase patient choice for the tens of thousands of Federal employees in my State by making the Federal Employees' Compensation Act consistent with State law.

As chairwoman of the Workforce Protections Subcommittee, I am disheartened to hear that my colleagues on the other side of the aisle argue that we are rushing this bill.

H.R. 6087 has gone through the normal legislative order. My subcommittee held a hearing on this bill in December 2021, and the Education and Labor Committee held a markup on the bill in March just a few months ago.

Of note, the bill passed out of committee with a bipartisan, unanimous voice vote.

This is a commonsense bill, and I urge my colleagues to vote ''yes'' on H.R. 6087.

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

I add to the comments about concerns about the care that is being provided. Repeated studies over the decades have shown that NPs and PAs provide outstanding quality of care, improve health outcomes, and increase cost-effectiveness.

Additionally, these healthcare professionals have advanced degrees from nationally accredited programs that include both classroom and clinical rotations and must demonstrate clinical competency.

Once more, if there were legitimate concerns about the quality of care, whether it is a Federal program or State program, provided by NPs and PAs to injured workers, then States would not license them to treat or diagnose these workers under State workers' compensation programs. However, the vast majority of States do recognize nurse practitioners and physician assistants as eligible providers for diagnosing and treating disability claims.

Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. MURPHY), my good friend.

Mr. MURPHY of North Carolina. Madam Speaker, I thank the gentleman for allowing me to speak today.

I rise in opposition to H.R. 6087. I do this as a physician where I understand that diagnosing, treating, and certifying disability claims takes an expert's opinion—not general medicine, an expert's opinion—and physicians have exceedingly more training and experience in dealing with what are truly complex medical issues.

Let's be very clear: Disability is a complex issue. It is a lifelong problem. This particular instance requires diagnosis, treatment, and evaluations continually. There is nothing wrong with the system that we have in this country. In many instances, we find that we work together well as a team. But I think our Federal workers really, in this specific avenue, deserve better, and I urge them to understand that physicians are the best ones to do this.

Using the claim that there is a physician shortage should not be an excuse to lower what I believe are standards for expert care.

Madam Speaker, I urge my colleagues to vote ''no'' on this bill.

Mr. COURTNEY. Madam Speaker, I reserve the balance of my time.

Mr. WALBERG. Madam Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. FOXX), the ranking member of the Education and Labor Committee and my good friend and colleague.

Ms. FOXX. Madam Speaker, I thank my colleague from Michigan for yielding.

I rise in support of this bipartisan legislation to allow nurse practitioners and physician assistants to act as eligible providers under the Federal Employees' Compensation Act program

within the scope of their practice under State law.

Under current law, nurse practitioners and physician assistants are unable to treat Federal workers covered by FECA, even though most State workers' compensation programs authorize them to provide this care for private-sector employees.

To be clear, H.R. 6087 defers to State law and does not expand the scope of practice. This legislation aligns FECA with other Federal programs that already include care provided by nurse practitioners and physician assistants, such as Medicare and the Veterans Health Administration program.

H.R. 6087 would increase healthcare access and choice for Federal employees when many areas of our country are grappling with provider shortages, especially in rural areas.

According to the National Rural Health Association, nurse practitioners and physician assistants account for a third of all primary care clinicians treating Medicare beneficiaries nationwide, and they are closer to half of the primary care clinicians in rural areas.

Improving healthcare access for FECA beneficiaries would allow injured Federal employees to return to the workforce more quickly, benefiting both employees and taxpayers.

I urge my colleagues to support this commonsense, bipartisan improvement to our Federal workers' compensation program. I thank my committee colleagues, Representatives WALBERG and COURTNEY, and Chairman SCOTT for advancing this important legislation.

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

Just briefly, again, I thank the ranking member, Congresswoman FOXX, for her remarks and Mr. WALBERG, who I think very effectively and specifically addressed some of the issues that we have heard in this brief debate regarding whether or not this is opening the door to practitioners who really aren't qualified to engage in the handling of workers' compensation claims.

Right now, today, there are 27 States that actually allow nurse practitioners and physician assistants to handle workers' compensation claims under State law, including, by the way, North Carolina and Maryland. Just going down the list, it is from all different regions of the country, and, again, I think it has demonstrated that the system functions smoothly. As the Congressional Budget Office indicated, it allows for quicker care because you have more access when you have a broader, larger pool of qualified practitioners.

That is really what this bill is aimed at. It is just to make sure that Federal workers will have that same opportunity to access care, particularly when they are in underserved parts of the country.

To sort of frame it, I mentioned earlier the New London sub base where they have a really sizable firefighters contingent there. Again, fires on submarines and Navy ships is a demanding, highly specialized area of practice. If they get injured on the job, they do not have the same rights as a firefighter who works for the city of New London who gets injured on the job, in terms of having access to a nurse practitioner or a physician assistant to handle that individual's treatment and care and their disability claim.

That is really what this bill is doing. It is just simply establishing parity for Federal workers who reside in those 28 States that recognize independent practice by physician assistants and nurse practitioners.

I have some letters of support, Madam Speaker, which I include in the RECORD: one from the National Postal Mail Handlers Union, one from the National Treasury Employees Union, one from the National Rural Health Association, one from the American Association of Nurse Practitioners, and one from the American Association of Physician Assistants.

NATIONAL POSTAL MAIL
HANDLERS UNION,
Washington, DC.

Hon. JOE COURTNEY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN COURTNEY: On behalf of the National Postal Mail Handlers Union, which represents over 50,000 mail handlers across the country, I write in support of H.R. 6087, the Improving Access to Workers' Compensation for injured Federal Workers Act.

Your legislation is a commonsense solution to amend the Federal Employees' Compensation Act to grant injured postal and federal workers wider access medical care from eligible providers. This will ensure they are able to claim workers' compensation and receive necessary care in a timely manner.

As it can be difficult to expeditiously schedule appointments with physicians for work-related injuries, H.R. 6087 extends eligible providers to include physician assistants and nurse practitioners. It is an unfortunate fact that postal employees are the largest group of beneficiaries under current FECA regulations. Your legislation will ensure those injured on the job will have access to medical care and can see their preferred primary care provider.

I look forward to seeing H.R. 6087 gain support within the House Education and Labor Committee, and its advancement through the House.

In solidarity,

PAUL V. HOGROGIAN,
National President,
National Postal Mail Handlers Union.

THE NATIONAL TREASURY
EMPLOYEES UNION,
June 6, 2022.

DEAR REPRESENTATIVE: This week, the House of Representatives is expected to vote on suspension on the Improving Access to Workers' Compensation for Injured Federal Workers Act of 2022 (HR 6087). The National Treasury Employees Union (NTEU) strongly supports this legislation and urges you to vote YES.

This bill would improve access to benefits under the Federal Employees' Compensation Act (FECA), which serves as the workers' compensation program for federal employees. It does so by allowing workers to have their medical care provided by a Nurse Practitioner (NP) or Physician Assistant (PA), as well as have NPs and PAs provide certification of injury. This bipartisan bill was introduced by Rep. Joseph Courtney (CT) and Rep. Timothy Walberg (MI) and passed out of the Education & Labor Committee on a bipartisan basis.

Thank you for your consideration of our views. Please feel free to contact Kurt Vorndran of the NTEU Department of Legislation if you have any questions.

Sincerely,

ANTHONY M. REARDON,
National President.

NATIONAL RURAL
HEALTH ASSOCIATION,
Washington, DC, June 6, 2022.

Re H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act, under suspension in the House of Representatives.

Hon. NANCY PELOSI,
Speaker,
House of Representatives.
Hon. KEVIN MCCARTHY,
Minority Leader,
House of Representatives.

DEAR SPEAKER PELOSI AND MINORITY LEADER MCCARTHY: The National Rural Health Association (NRHA) writes in support of House passage for H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act, which is scheduled to be considered by the House of Representatives this week. This legislation would allow nurse practitioners (NP) and physician assistants (PA) to diagnose, treat, and provide care for federal employees who are injured at work, consistent with state scope of practice. In fact, most states already authorize NPs to provide this care for non-federal employees.

NRHA is a non-profit membership organization with more than 21,000 members nationwide that provides leadership on rural health issues. Our membership includes every component of rural America's health care, including rural community hospitals, critical access hospitals, doctors, nurses, and patients. We provide leadership on rural health issues through advocacy, communications, education, and research.

NRHA is supportive of this legislation as NPs and PAs are common primary care providers in rural communities. According to MedPAC, in 2018 advanced practice registered nurses (APRN) and PAs accounted for a third of all primary care clinicians treating Medicare beneficiaries nationwide. In rural communities, their presence is closer to half of the primary care clinicians. Because of the significant presence of NPs and PAs, and the quality of care they provide, NRHA urges swift passage of this legislation. This commonsense bill will ensure increased access to needed services in our rural areas.

Thank you for your consideration of this important legislation. If you have questions, please contact Josh Jorgensen.

Sincerely,

ALAN MORGAN,
Chief Executive Officer,
National Rural Health Association.

AMERICAN ASSOCIATION OF
NURSE PRACTITIONERS,
March 4, 2022.

Hon. JOE COURTNEY,
Washington, DC.
Hon. TIM WALBERG,
Washington, DC.

DEAR REPRESENTATIVES COURTNEY AND WALBERG: The American Association of Nurse Practitioners (AANP), representing more than 325,000 nurse practitioners (NPs) in the United States, is pleased to support H.R. 6087, the Improving Access to Workers'

Compensation for injured Federal Workers Act. This legislation would retire outdated barriers in the Federal Employees' Compensation Act (FECA) that limit the ability of NPs to provide care and treatment for injured or ill federal employees. AANP thanks you for you continued efforts to improve the health care system for our nation's federal employees.

Currently, federal employees can select an NP as their health care provider under the Federal Employees Health Benefits Program (FEHPB), and the majority of states authorize NPs to provide the diagnosis and treatment for a workplace related injury. However, contrary to the workers' compensation process in most states, FECA requires that only a physician can make the diagnosis, certify the injury and extent of the disability, and oversee the patient's treatment and care. This barrier places an additional burden on the over two million federal employees, depriving them from receiving health care from their provider of choice, as well as hindering timely access to care and continuity of care.

As you know, H.R. 6087 would update the federal workers' compensation program and authorize NPs to certify disabilities and oversee treatment for injured or ill federal employees under FECA. This would improve access to health care for injured or ill federal employees, particularly in rural and underserved communities, and better align the federal workers' compensation program with the majority of states and FEHBP. By updating FECA to authorize federal employees to select their health care provider of choice when they are injured or become ill in the course of their federal employment, greater access, overall efficiency and better continuity of care can be achieved. We thank you for this impactful legislation and look forward to continuing to work with you to ensure H.R. 6087 becomes law.

Thank you again for your tireless efforts on behalf of federal employees. Should you have comments or questions, please direct them to MaryAnne Sapio, V.P. Federal Government Affairs.

Sincerely,

JON FANNING, MS, CAE, CNED,
Chief Executive Officer,
American Association of Nurse Practioners.

AAPA,
Alexandria, VA, March 15, 2022.

Hon. JOE COURTNEY,
Washington, DC.
Hon. TIM WALBERG,
Washington, DC.

DEAR REPRESENTATIVES COURTNEY AND WALBERG: On behalf of the more than 151,000 PAs (physician assistants) throughout the United States, the American Academy of PAs (AAPA) lends strong support to H.R. 6087, the Improving Access to Worker's Compensation for Injured Federal Workers Act. AAPA thanks you for your continued support of the federal workforce and unwavering commitment to ensuring that all Americans have access to high-quality healthcare.

As you know, U.S. federal and postal employees receive workers compensation coverage through the Federal Employee's Compensation Act (FECA) for employment-related injuries and occupational disease. However, as currently written, FECA does not cover medical care provided by PAs within the definition of ''medical, surgical, and hospital services . . .'' and FECA claims signed by PAs are routinely denied. This undue restriction negatively impacts federal employees, especially those in rural and underserved areas, who receive primary care from PAs.

PAs practice in all medical and surgical specialties in all 50 states, the District of Columbia, U.S. territories, and the uniformed services. PAs provide high-quality, cost-effective medical care in every specialty and setting, undertake rigorous education and clinical training, and are well established as medical professionals. PAs are recognized as qualified healthcare providers under Medicare, Medicaid, and almost every state and federal healthcare program, including state workers' compensation programs. PAs are also included in the definition of an ''acceptable medical source'' by the Social Security Administration for the purposes of certifying that an individual has a medically determinable impairment. Further, thousands of PAs are employed by the federal government as healthcare providers and work within the Department of Veterans Affairs, the Department of Defense, the Public Health Service, and Indian Health Services. However, PAs are not considered healthcare providers within FECA, an oversight that does not align with state or other federal programs.

H.R. 6087 would ensure that federal employees can access high-quality healthcare from the provider of their choice, as well as further align FECA with state workers compensation programs which recognize PAs as covered providers. It is well within the education and training of PAs to provide treatment to federal employees who are injured in the course of their work for the government, and it is time to remove this outdated and unnecessary restriction.

AAPA appreciates your work and dedication to the federal workforce and our nation's healthcare system. If we can be of assistance to you on this or any issue, please do not hesitate to contact Tate Heuer, AAPA Vice President, Federal Advocacy.

Sincerely

LISA M. GABLES, CPA,
Chief Executive Officer.

Mr. COURTNEY. Madam Speaker, I reserve the balance of my time.

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

I appreciate that information being shared, but I would like to address some of the concerns that my good friends from the Doc Caucus have presented.

We have discussed this in committee representing districts that are rural, urban, and suburban, and the challenges that are there. Again, the issue of States' rights and the ability of States to make decisions, there is a primacy that is there that we ought to consider very strongly.

A majority of States already allow nurse practitioners and PAs to diagnose, certify an injury, and oversee patients' treatment. Furthermore, if we are talking about precedent, our bill will align the FECA program with other Federal programs currently in place. Currently, the Federal Government allows care provided or overseen by PAs and NPs in, I state it again, Medicare, Medicaid, the Federal Employees Health Benefits Program, and TRICARE.

That is significant. Those are textbook studies on how it is working already. Adding to this just seems like it is justified and very important to do.

Going back to the States' concerns, as well, if diagnosing or treating a particular workplace injury is outside of the scope of practice for a nurse practitioner or a physician assistant under their State's law, then they would not be covered under this bill, plain and simple. The bill preserves States' rights to make those determinations.

H.R. 6087 is simply expanding choice, important at this time, especially with inflation and the cost that is going on in coming out of a pandemic and getting in endemic situations.

The Congressional Budget Office, I repeat, noted that the bill would not affect direct spending. In fact, CBO noted in its score that the bill may result in injured workers receiving treatment faster and, as my colleague Representative COURTNEY said, thereby returning them to work and productivity more quickly and reducing the actual cost for some FECA costs in the process.

Getting workers healthy and back to work is not only good for the individual but also good for our economy as we look to get through these worrisome economic times.

□ 1530

I accept the concerns of the medical doctors. I understand that they have committed themselves to significant training and significant time in the classroom and in the hospital itself, but we also know that we have come of an age where doctors very regularly use the services and need the services of nurse practitioners and physician assistants.

There are communities in my district, in rural areas, where the doctor is a physician assistant. The people appreciate them and receive good care as well.

Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I thank my good friend, Mr. WALBERG, and appreciate his leadership on this issue and also, the bipartisanship that is being shown to the American people today to address an issue that is important—to Ranking Member FOXX, too—to our communities.

Madam Speaker, I rise in support of H.R. 6087 because of what has been said. The positive impact that this bill can have within our medical communities, and giving Americans access to the healthcare that they deserve is something that deserves all of our support.

This bill would include physician assistants and nurse practitioners in the Federal workers' compensation program and put them in line with the State scope of practice. It is also going to improve access to care for injured Federal workers and postal employers, especially in the areas that I serve—in rural and underserved areas—like central and southwestern Illinois.

Getting people back to work as soon as they can once they recover from an injury is now more important than ever given the record inflation we are seeing and the staggering 11.4 million open jobs in this country.

This is a commonsense piece of legislation. I am glad to support the work

of my friend, Congressman TIM WALBERG, on this bill to ensure that injured Federal employees return to the workforce quickly.

Madam Speaker, I encourage all of my colleagues to vote ''yes'' on this important bill.

Mr. COURTNEY. Madam Speaker, I include in the RECORD a letter from the Nursing Community Coalition, which represents 63 national nursing organizations all across America.

NURSING COMMUNITY COALITION,
June 7, 2022.

Hon. JOE COURTNEY,
Washington, DC.
Hon. TIM WALBERG,
Washington, DC.

DEAR REPRESENTATIVES COURTNEY AND WALBERG: On behalf of the Steering Committee of the Nursing Community Coalition (NCC), which represents 63 national nursing organizations, we are pleased to support H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act, which would retire outdated barriers in the Federal Employees' Compensation Act (FECA) that limit the ability of Nurse Practitioners (NPs) to provide care and treatment for injured or ill federal employees. The NCC is a cross section of education, practice, research, and regulation within the nursing profession representing Registered Nurses (RNs), Advanced Practice Registered Nurses (APRNs), nurse leaders, students, faculty, and researchers. We appreciate your continued efforts to improve the health care system for our nation's federal employees and strongly support passage of H.R. 6087.

Currently, federal employees can select an NP as their health care provider under the Federal Employees Health Benefits Program (FEHPB), and the majority of states authorize NPs to provide the diagnosis and treatment for a workplace related injury. However, contrary to the workers' compensation process in most states, FECA requires that only a physician can make the diagnosis, certify the injury and extent of the disability, and oversee the patient's treatment and care. This barrier places an additional burden on the over two million federal employees, depriving them from receiving health care from their provider of choice, as well as hindering timely access to care and continuity of care.

H.R. 6087 would update the federal workers' compensation program and authorize NPs to certify disabilities and oversee treatment for injured or ill federal employees under FECA. This would improve access to health care for injured or ill federal employees, particularly in rural and underserved communities, and better align the federal workers' compensation program with the majority of states and FEHBP. By updating FECA to authorize federal employees to select their health care provider of choice when they are injured or become ill in the course of their federal employment, greater access, overall efficiency and better continuity of care can be achieved.

We appreciate this important legislation and strongly support passage of H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act. Should you have any questions or if the Nursing Community Coalition can be of any additional assistance please contact the coalition's Executive Director, Rachel Stevenson.

Sincerely,

American Association of Colleges of Nursing, American Association of Nurse Anesthesiology, American Association of Nurse Practitioners, American Nurses Association, Association of Women's Health, Obstetric and Neonatal Nurses, National Association of Pediatric Nurse Practitioners, National Council of State Boards of Nursing, National League for Nursing, Oncology Nursing Society.

Mr. COURTNEY. Madam Speaker, I am prepared to close and I reserve the balance of my time.

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

Madam Speaker, we have all heard of the physician shortage in America. Nurse practitioners and physician assistants are a critical component in fulfilling the provider gap. There are 355,000 nurse practitioners and more than 150,000 physician assistants across the country.

These healthcare professionals have advanced degrees from nationally accredited programs and include both classroom and clinical rotations and must demonstrate clinical competency.

Allowing nurse practitioners and physician assistants to diagnose, certify, and treat injured Federal workers to the full extent of their State license is not only common sense but is smart economic policy to ensure workers get back to work more quickly and off government supported programs.

The bill will not remove physicians from providing care to an injured worker if that is who the patient chooses. The bill is simply giving injured workers more choice to get the timely care they need.

The CBO scored the bill as having insignificant impact on direct spending and noted, may result, in fact, in injured workers receiving treatment faster, thereby returning to work more quickly and reducing costs for the FECA program.

Lastly, the FECA program is virtually the last remaining Federal health program that does not recognize the role that PAs and NPs play in modern healthcare delivery. They can already provide and oversee care in Medicare, Medicaid, the Federal Employee Health Benefits program, the VA, DOD, Indian Health Service, and the Bureau of Prisons, and are recognized by the Social Security Administration.

Furthermore, the bill aligns with the majority of States which already authorize NPs and PAs to certify and oversee healthcare for patients in their State workers' compensation programs.

This is a commonsense, bipartisan bill that will make the Federal workers' compensation program more efficient and ensure workers have access to a health provider of their choice.

Madam Speaker, I thank Chairman SCOTT, Ranking Member FOXX, and Mr. COURTNEY for their support of this bill, and I urge the rest of my colleagues to support this bill. I yield back the balance of my time.

Mr. COURTNEY. Madam Speaker, I yield myself the balance of my time. Mr. WALBERG's eloquence, and comprehensive closing statement I think really said it all. I tip my hat to him, Ranking Member FOXX, Mr. DAVIS from the minority side of the aisle, and the speakers on this side that really represent a bipartisan message that we are prepared to get our Federal Employee Workers' Compensation Act modernized so that the hard work of nurse practitioners and physician assistants and the work that they do every single day around the country is now extended to a critical part of our healthcare system and also our Federal disability benefits system.

This is really about giving patients a choice. There is nothing in this bill that mandates that they can't go to a physician or that they don't have that option. In some areas people just don't have that choice. If you are in a place where the only real access is to a physician assistant or a nurse practitioner, sometimes for even a life-threatening injury, we need to open the door to give people that opportunity. That is precisely what this bill does.

It came out of committee with a unanimous vote. I strongly urge all of my colleagues from both sides of the aisle to follow the lead of the Education and Labor Committee and pass this bill with an overwhelming majority.

Madam Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, as a steadfast ally of the men and women serving in the federal government, I rise in support of H.R. 6087, the ''Improving Access to Workers' Compensation for Injured Federal Workers Act.''

This bill allows for injured federal workers to consult with nurse practitioners or physician assistants for the diagnosis and treatment of injuries covered by workers' compensation.

H.R. 6087 will make a needed correction to the Federal Employees Compensation Act, increasing the accessibility of healthcare for nearly three million federal employees.

Nurse practitioners and physician assistants represent a growing portion of American primary care providers, especially for medically underserved communities.

We must prioritize the needs of our invaluable federal workers. Lowering the bureaucratic obstacles blocking federal workers' access to benefits is a necessary measure to protect them.

When Congress has an opportunity to remedy real-world issues with bipartisan action, especially when it improves the lives of government employees, it is our responsibility to act.

H.R. 6087 is especially critical in the face of the increasing workplace risks associated with COVID–19, in which situation an expanded list of approved medical providers can help fill the coverage gap.

The pandemic has already stressed the health and wellbeing of federal workers. Amending the Federal Employees Compensation Act is imperative to lessen that burden.

According to the Office of Personnel Management, Texas has 143,087 federal workers. I will always fight for these workers by standing up for their access to healthcare.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr.

COURTNEY) that the House suspend the rules and pass the bill, H.R. 6087, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. GREENE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

PPP AND BANK FRAUD ENFORCEMENT HARMONIZATION ACT OF 2022

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7352) to amend the Small Business Act to extend the statute of limitation for fraud by borrowers under the Paycheck Protection Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7352

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''PPP and Bank Fraud Enforcement Harmonization Act of 2022''.

SEC. 2. FRAUD ENFORCEMENT HARMONIZATION.

(a) PAYCHECK PROTECTION PROGRAM.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended by adding at the end the following new subparagraph:

''(W) FRAUD ENFORCEMENT HARMONIZATION.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to a covered loan guaranteed under this paragraph shall be filed not later than 10 years after the offense was committed.''.

(b) PAYCHECK PROTECTION PROGRAM SECOND DRAW LOANS.—Section 7(a)(37) of the Small Business Act (15 U.S.C. 636(a)(37)) is amended by adding at the end the following new subparagraph:

''(P) FRAUD ENFORCEMENT HARMONIZATION.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to a covered loan guaranteed under this paragraph shall be filed not later than 10 years after the offense was committed.''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank all the members on the Small Business Committee for their work and support of the bills before us.

The legislation we are considering is, once again, a product of our committee's bipartisanship and shows that we are committed to our Nation's entrepreneurs.

The seven bipartisan bills we are considering will promote economic growth on our Main Streets in numerous ways.

The first two reaffirm our commitment to being good stewards of taxpayer dollars, and the importance of holding pandemic fraudsters accountable for their crimes.

The second pair of bills under consideration will help small firms attract and retain qualified employees by boosting apprenticeships and career and technical education programs.

Finally, we will consider three bills to improve the Federal procurement process and promote opportunities for small businesses to secure contracts from the Federal Government.

The first bill under consideration today is H.R. 7352, the PPP and Bank Fraud Enforcement Harmonization Act of 2022, introduced by myself and our ranking member from Missouri (Mr. LUETKEMEYER).

H.R. 7352 sets the statute of limitations for all cases of PPP fraud at 10 years, consistent with the statute of limitations for bank fraud.

Under current law, bank-originated PPP fraud is being prosecuted as bank fraud, which has a 10-year statute of limitations.

At the same time, PPP loans originated by nonbank lenders, including fintech companies, are often prosecuted as wire fraud, which carries a 5-year statute of limitations.

To address this difference, the bill extends the time for prosecutors to bring charges to 10 years for all cases of PPP fraud, regardless of whether the lender was a bank or fintech company.

SBA's Office of Inspector General identified over 70,000 PPP loans totaling over $4.6 billion in potentially fraudulent PPP loans, many of which originated with fintechs.

According to researchers at the University of Texas at Austin, fintech companies handled 75 percent of PPP loans connected to fraud by the DOJ, despite originating only 15 percent of the loans overall.

As of March 10, the DOJ's efforts have resulted in criminal charges against over a thousand defendants with alleged losses exceeding $1.1 billion and over 240 civil investigations into more than 1,800 individuals and entities for alleged misconduct in connection with pandemic relief loans totaling more than $6 billion.

Given the extent of potential fraud, especially among the subset of PPP loans originated by nonbank lenders, we must ensure prosecutors have enough time to fully investigate and bring fraud charges.

As of now, the statute of limitations for nonbank PPP loans secured in April 2020 will expire in 2025 in most cases, less than 3 years away. That is not enough time given the complexity of these fraud schemes.

As the chair of the Small Business Committee, I take my role over the SBA and its program very seriously. That is why I sponsored this bill to give the DOJ, FBI, and State and local law enforcement the resources and time they need to bring these bad actors to justice.

Madam Speaker, I thank Ranking Member LUETKEMEYER for joining me in leading this effort, and to the members of the Small Business Committee for their support.

Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

□ 1545

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

Madam Speaker, I rise in support of H.R. 7352, the PPP and Bank Fraud Enforcement Harmonization Act of 2022.

Inflation and price increases continue to hinder all Americans and especially small businesses and their workers. Prices at the pump and prices on the shelves rattle the mettle of the Nation's job creators. Month after month, small businesses face price increases that not only prevent expansion and growth but also hamper recovery. These economic conditions must improve, and we must get a firm grip on reckless spending coming out of Washington. Similarly, we must take on a stronger oversight role when it comes to investigating fraudulent COVID–19 behavior.

When America's small businesses faced State and local COVID shutdown orders, Congress moved quickly and stood up the Paycheck Protection Program. To ensure small businesses and their workers received PPP relief in an efficient and speedy manner, Congress required private-sector lenders to be the drivers of the program. The result speaks volumes with nearly $800 billion disbursed to small businesses.

As the Republican leader on the Committee on Small Business, I often hear about how important the program was for small businesses across our great Nation. It was the lifeline that many of them needed to be able to survive.

While most lenders' fraud defenses were strong due to Federal financial rules such as Know Your Customer, fraudulent behavior did take place. Investigations are underway, but more time will be needed and required to bring justice to those who defrauded the program.

Depending on the type of lender that participated in the program, the current statute of limitations ranges from 5 years for wire fraud that categorizes

many fintech lenders, who have been associated with problematic loans, to 10 years for banks and credit unions that fall under bank fraud.

H.R. 7352, the PPP and Bank Fraud Enforcement Harmonization Act of 2022, takes important steps to create an across-the-board 10-year statute of limitations on all loans handed out through the PPP program. This change will ensure all law enforcement and inspectors general have the time to track down all wrongdoing no matter the type of lender.

H.R. 7352 was created via voice vote in committee. I thank the chair for treating this issue with the priority it deserves and for working with me on the bills before us today. This bill is a step in the right direction, and I urge my colleagues to support it.

In closing, Madam Speaker, when Congress raced to save American small businesses, criminal actors lurked in the shadows. Although one of the most popular COVID–19 relief measures, the PPP program, has firmly moved into the loan forgiveness period, the investigations surrounding illicit behavior have just begun.

H.R. 7352 will wisely ensure all loans handed out through the program, no matter the type of lender, have a statute of limitations window of 10 years.

According to some of the most recent SBA inspector general reports, nearly $4.6 billion of the $800 billion could be potentially fraudulent. While these numbers will surely change, it is paramount that we provide law enforcement the runway to track down all fraudulent behavior. These are American taxpayer dollars on the line, and they must be protected.

Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, we must continue supporting the work of our Federal, State, and local law enforcement agencies as they investigate and prosecute pandemic loan fraud. It appears the bulk of PPP loan fraud was originated by nonbank lenders and fintech companies, which may not be prosecuted as bank fraud and is therefore subject to a much shorter statute of limitations.

This presents the possibility that pandemic loan fraudsters may get off the hook because the statute of limitations expired. We simply cannot let this happen. This bill would give law enforcement agencies the time needed to hold fraudsters accountable and bring them to justice.

Once again, I thank our ranking member, Mr. LUETKEMEYER, for working with me to lead this important effort, and all the members of the Small Business Committee for their bipartisan work on this bill.

Madam Speaker, I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in support of H.R. 7352—the ''PPP and Bank Fraud Enforcement Harmonization Act of 2022'' extends the statute of limitation and provides a timeframe in which criminal charges can be filed against those accused of fraud in connection with the ''Paycheck Protection Program'' and ''Paycheck Protection Program Second Draw Loans'' program.

The Paycheck Protection Program commonly known as the ''PPP'' loan was created as a part of the CARES Act—the Covid Aid, Relief, and Economic Security Act—of March 2020.

The PPP loan was established to help small businesses survive through the COVID–19 pandemic of 2020, so that they may be able to pay their employees and keep their businesses operating during the tumultuous challenges imposed by COVID–19.

I urge everyone to remember the times before the recent reemergence of a ''business as usual'' stance that many have now taken, and remember the omnipresent news reports about the horrific and ever-increasing death toll.

Any person who was willing, for their own financial gain, to take advantage of that situation and the emergency funding that was intended for those who needed it most during the gruesome pandemic deserves to be punished for their heinous actions.

H.R. 7352 would extend the statute of limitation for prosecution of loans classified within the PPP and Economic Injury Disaster Loan (EIDL) categories under the Small Business Act.

As it stands now, bank-originated PPP fraud is being prosecuted as bank fraud which carries a 10-year statute of limitations.

In contrast, loans that originated through financial technology avenues—known as Fintech—are currently subject to only a 5-year statute of limitations because they are governed by wire fraud laws.

H.R. 7352 will ensure that we are doing our duty to uphold justice and gather all necessary information and evidence, while extending the reach of the law against these violators.

PPP fraud comes at the expense of all Americans, tax-paying Americans who work hard for the money they earn.

H.R. 7352 will ensure that there's ample time allotted for special attention to the complex nature of PPP loan fraud.

Ensuring that the timeframe is fair and commensurate with the severity of the nature of loan fraud, H.R. 7352 will make sure that justice is served in every regard.

I ask that each of my colleagues joins me in support of H.R. 7352.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7352.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. GREENE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

COVID–19 EIDL FRAUD STATUTE OF LIMITATIONS ACT OF 2022

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7334) to extend the statute of limitations for fraud by borrowers under certain COVID–19 economic injury disaster loan programs of the Small Business Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7334

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''COVID–19 EIDL Fraud Statute of Limitations Act of 2022''.

SEC. 2. EXTENSION OF STATUTE OF LIMITATIONS FOR CERTAIN COVID–19 ECONOMIC INJURY DISASTER LOAN PROGRAMS.

(a) CERTAIN ECONOMIC INJURY DISASTER LOANS.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after paragraph (15) the following new paragraph:

''(16) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to a loan made under this subsection in response to COVID–19 during the covered period (as defined in section 1110(a) of the CARES Act) shall be filed not later than 10 years after the offense was committed.''.

(b) EIDL ADVANCES.—Section 1110(e) of the CARES Act (15 U.S.C. 9009(e)) is amended by adding at the end the following new paragraph:

''(9) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to the use of an advance received under this subsection shall be filed not later than 10 years after the offense was committed.''.

(c) TARGETED EIDL ADVANCES.—Section 331 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (15 U.S.C. 9009b) is amended by adding at the end the following new subsection:

''(i) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to the use of any amount received pursuant to this section shall be filed not later than 10 years after the offense was committed.''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 7334, the COVID–19 EIDL Fraud Statute of Limitations Act of 2022, introduced by the ranking member, Mr. LUETKEMEYER, and cosponsored by myself.

As with the PPP and Bank Fraud Enforcement Harmonization Act, this bill will extend the statute of limitations for COVID–19 EIDL fraud cases to 10 years to allow prosecutors more time to do their jobs. The bills are companion pieces of legislation and much-needed to help law enforcement investigate and bring fraud charges.

Congress amended the SBA disaster loan program at the start of the pandemic to allow small businesses facing economic injury due to COVID to apply for SBA disaster loans which were originally designed for natural disasters. At the same time, SBA lowered the guardrails and disbursed funds quickly to provide stability to the small business economy, which, as we all know, was facing unprecedented uncertainty in 2020.

In a very short time, the program went from one that responds to natural disasters in a few, distinct geographic areas, depending on the nature of the disaster, to one that was responding to a nationwide crisis almost overnight. Overall, the COVID EIDL program approved almost 4 million loans totaling over $378 billion.

The SBA administrator transitioned the program to the Office of Capital Access to dedicate additional management capacity. Since that transition, the office closed out a backlog of nearly 1 million applicants and increased loan officer productivity while improving the customer service experience and solidifying robust fraud controls. Nevertheless, throughout the pandemic, our committee held numerous oversight hearings with SBA's inspector general who testified that there is a great deal of potential fraud in this program, and it would be a decades-long effort to fully investigate.

The IG's office identified $78 billion in potentially fraudulent activity in the EIDL program as well as over $6 billion in loans and grants related to identity theft allegations. Given the degree of potential fraud, we need to give prosecutors more time to bring fraudsters to justice. This bill will give law enforcement the time needed to conduct their investigations of COVID EIDL fraud.

That is why I cosponsored this bill which will go a long way towards enhancing oversight and accountability.

Madam Speaker, I thank the ranking member, Mr. LUETKEMEYER, for introducing this important measure, and to the members of the Small Business Committee for unanimously approving this important piece of legislation.

I urge all Members to support this bill, and I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 7334, the COVID–19 EIDL Fraud Statute of Limitations Act of 2022.

Similar to the previous bill, the Paycheck Protection Program, the Small Business Administration's Economic Injury Disaster Loan program, known as EIDL, was also activated as the Nation's small businesses were being shut down due to COVID–19. However, unlike PPP, EIDL was a direct loan and grant program through the SBA. Unfortunately, the SBA acting as a direct lender and grantor has been problematic and has resulted in billions of potentially fraudulent dollars flowing to criminals.

In fact, the SBA's inspector general has reported that as much as $84.4 billion within the $400 billion program could be fraudulent. Moreover, over 1 million applications have been flagged for identity theft concerns. This is unacceptable and must be addressed.

H.R. 7334, the COVID–19 EIDL Fraud Statute of Limitations Act of 2022 takes the first step and establishes a 10-year statute of limitations window to ensure law enforcement and the SBA's inspector general have the time to investigate all wrongdoing. This change is even more important as the SBA continues to defer all EIDL payments, thus clouding the true extent of fraud within the program.

Madam Speaker, I thank the chair for working with me on this measure which passed out of committee unanimously earlier in May.

If we are to take COVID relief fraud seriously, then we need to ensure law enforcement has what it needs to catch and prosecute all criminals. H.R. 7334 provides them the time to act.

Madam Speaker, I wholeheartedly believe this bill is instrumental when it comes to fraud recoupment. I urge my colleagues to support it, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I continue to reserve the balance of my time.

Mr. LUETKEMEYER. Madam Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MEUSER), who is the ranking member of the Subcommittee on Economic Growth, Tax and Capital Access.

Mr. MEUSER. Madam Speaker, I thank the ranking member, Mr. LUETKEMEYER, for his leadership on this bill and in committee.

The EIDL program, Madam Speaker, was established to deliver relief to struggling small businesses during the pandemic. This is why I rise today in support of H.R. 7334.

Unlike the public-private partnership that was Paycheck Protection Program, the EIDL program was a direct loan program administered by the SBA, not in partnership with private lenders.

The SBA's inspector general has estimated that there is approximately $84.4 billion in potential fraudulent EIDL activity, over 20 percent of all EIDL loans extended.

With this massive level of potential fraud, it is imperative that this House passes Ranking Member LUETKEMEYER's bill to extend the current 5-year statute of limitations for SBA grants and loans to 10 years. In doing so we can allow for authorities to investigate the egregious amount of potential fraud in the EIDL program and ensure accountability for those who took advantage of the EIDL program to defraud the American people.

Madam Speaker, I note that this bill had strong bipartisan support and passed out of the Small Business Committee by voice vote last month. I urge my colleagues to support this important legislation.

Ms. VELÁZQUEZ. Madam Speaker, I continue to reserve the balance of my time.

Mr. LUETKEMEYER. Madam Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. TENNEY), who is the ranking member of the Subcommittee on Underserved, Agricultural, and Rural Business Development.

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Ms. TENNEY. Madam Speaker, since the onset of the pandemic, Congress has passed several COVID–19 relief bills totaling an unprecedented $5.3 trillion. While some of this spending was unwise, other programs, like the Paycheck Protection Program, provided much-needed relief to employers and businesses devastated by the pandemic.

One particular area of concern is the COVID–19 Economic Industry Disaster Loan program, otherwise known as EIDL. This program, unlike other relief programs, was direct lending by the SBA, the Small Business Administration. This means the agency did not partner with our local banks and credit unions and, instead, approved and administered these loans directly.

Since the COVID–19 EIDL funding passed, we have learned of countless cases of fraud, waste, and abuse. The Federal Government is simply not set up to be a direct lender.

This is one reason I introduced the House version of the Transparency in COVID–19 Expenditures Act, which would require an audit of all Federal COVID–19 relief spending. There is obviously room for improvement in providing additional oversight and returning fraudulently awarded funds back to the taxpayers.

In response, Ranking Member LUETKEMEYER has done great work introducing the COVID–19 Economic Industry Disaster Loans Fraud Statute of Limitations Act of 2022 that will help fix part of the shortcomings by expanding the statute of limitations for EIDL loans and fraud from 6 to 10 years, the same as bank fraud. This will give officials a greater window to track down fraudulent activity and hold bad actors accountable.

No one should be wrongly profiting from the need to distribute aid during this pandemic. The American taxpayers deserve better, and I applaud

the ranking member's efforts on this. I urge all my colleagues to support this.

Ms. VELAZQUEZ. Madam Speaker, I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. LUETKEMEYER. Madam Speaker, I have no further speakers, and I am prepared to close. I yield myself such time as I may consume.

Madam Speaker, fraud associated with the EIDL program is a serious matter. Due to mismanagement and poor oversight capabilities, the EIDL program has been overwhelmed with fraud.

As I mentioned earlier, the SBA's inspector general has found more than $80 billion within the $400 billion program that could potentially be fraudulent. This represents a double-digit fraud rate.

However, recouping these dollars has just begun and the current statute of limitations is limited. My bill, H.R. 7334, will ensure the statute of limitations runway is recalibrated and extended out to 10 years. By passing this bill, Congress will allow the time needed to correct all wrongdoing within the program.

I urge my colleagues to support H.R. 7334, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, our Federal, State, and local law enforcement agencies are diligently investigating and prosecuting pandemic loan fraud, and we must continue to support those efforts, whether in the COVID EIDL program or the Paycheck Protection Program.

We all agree that anyone who took advantage of this once-in-a-lifetime crisis to commit fraud and enrich themselves at the expense of hard-working Main Street businesses must be held accountable.

It is unacceptable to allow anyone to get off the hook for defrauding a government relief program simply because the statute of limitations expired. We cannot let this happen, and we must pass this bill.

Once again, I thank our Ranking Member, Mr. LUETKEMEYER, for introducing this important measure, and I am pleased to support it.

I also thank all the members of the Small Business Committee for their bipartisan work on this bill, and I urge my colleagues to vote ''yes.''

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7334.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. GREENE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

HUBZONE PRICE EVALUATION PREFERENCE CLARIFICATION ACT OF 2021

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5879) to amend the Small Business Act to clarify the application of the price evaluation preference for qualified HUBZone small business concerns to certain contracts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5879

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Hubzone Price Evaluation Preference Clarification Act of 2021''.

SEC. 2. APPLICATION OF PRICE EVALUATION PREFERENCE FOR QUALIFIED HUBZONE SMALL BUSINESS CONCERNS TO CERTAIN CONTRACTS.

(a) IN GENERAL.—Section 31(c)(3) of the Small Business Act (15 U.S.C. 657a(c)(3)) is amended by adding at the end the following new subparagraph:

''(E) APPLICATION TO CERTAIN CONTRACTS.—The requirements of subparagraph (A) shall apply to an unrestricted order issued under an unrestricted multiple award contract or the unrestricted portion of a contract that is partially set aside for competition restricted to small business concerns.''.

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this section, the Administrator of the Small Business Administration shall revise any rule or guidance to implement the requirements of this section.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 5879, the HUBZone Price Evaluation Preference Clarification Act of 2021.

The HUBZone program is a contracting assistance program based on locality. It helps small businesses in urban and rural communities gain preferential access to Federal procurement opportunities. By ensuring that small businesses in disadvantaged communities participate in the Federal marketplace, it, in turn, boosts job creation and economic growth.

One of the main incentives of the HUBZone program is the price evaluation preference. This tool gives a slight competitive advantage to HUBZone firms competing against large companies. In doing so, it meets the objectives of the program because every contract awarded to a qualified HUBZone firm is an opportunity for developing and uplifting America's most distressed communities.

Unfortunately, this tool is not being used as often as it should be due to agencies misinterpreting that it does not apply to orders. There is nothing in the Small Business Act that excludes the price evaluation preference from being used at the ordering level, and it is our intention that it be used at that level.

Given the prevalence of government-wide and agency-wide vehicles, it is now necessary to state in clear and unequivocal terms that the price evaluation preference does apply to orders. This is precisely the goal of H.R. 5879. With this clarification, this legislation incentivizes the use of this important tool so that one day we can finally meet the 3 percent HUBZone contracting goal and, ultimately, bring economic development to those communities that need it the most.

I thank Representatives NEWMAN and SALAZAR for leading this effort, which will bolster the HUBZone program.

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

Mr. LUETKEMEYER. Madam Speaker, I ask unanimous consent that the gentleman from Texas (Mr. WILLIAMS) be allowed to manage the remainder of the time for the minority.

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

There was no objection.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 5879, the HUBZone Price Evaluation Preference Clarification Act of 2021.

The SBA's contracting programs deliver for this Nation's smallest businesses and the country's smallest contractors. Unfortunately, consolidation with all of the Federal Government's contracting programs continues to be problematic. Our committee has examined many of these programs and has offered solutions that would deliver change.

H.R. 5879 takes important steps within the HUBZone program and ensures that the 10 percent price preference is available on all task orders within large multiple award contracts.

I thank the gentlewoman from Illinois (Ms. NEWMAN) and the gentlewoman from Florida (Ms. SALAZAR),

the ranking member of the Subcommittee on Contracting and Infrastructure, for working in a collaborative manner to address the HUBZone program. Bills like this have the ability to make a difference within Federal contracting, and I commend the Chair for bringing this bill forward.

I urge my colleagues to support H.R. 5879, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. NEWMAN).

Ms. NEWMAN. Madam Speaker, I thank Chairwoman VELÁZQUEZ for all her great work on the Small Business Committee.

I rise in strong support of my bipartisan bill, the HUBZone Price Evaluation Preference Clarification Act. This legislation is designed to expand contracting opportunities to millions of small businesses located in historically underutilized business zones.

More specifically, it would clarify the program's price evaluation language to ensure adequate spending toward HUBZone small businesses, giving more communities the resources they need to build vibrantly. We must ensure that small business in every community is and can benefit from Federal contracting.

By passing this legislation, we will take a crucial step toward a more equitable distribution of resources to small businesses throughout our country. I urge my colleagues to vote in favor of this legislation.

Mr. WILLIAMS of Texas. Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume.

Federal contracting remains a significant endeavor for many of the Nation's small businesses. H.R. 5879 ensures one of these programs, the HUBZone program, is ready to assist small business contractors. This legislation, which passed favorably out of committee by a voice vote, will level the playing field within the program.

I thank the Chair for bringing this legislation through regular order, and I thank the sponsor and cosponsor for working to address these issues. I urge my colleagues to support the bill, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

The statutory goal of awarding 3 percent of all prime Federal contracts to HUBZone firms has never been met. H.R. 5879 will enable agencies to better meet this goal by eliminating all ambiguity and clarifying that the HUBZone price evaluation preference applies to orders.

I commend the gentlewoman from Illinois (Ms. NEWMAN), the sponsor of the bill, and the gentlewoman from Florida (Ms. SALAZAR), the cosponsor, for working together on this sensible piece of legislation. H.R. 5879 will undoubtedly strengthen the HUBZone program which, in turn, will create jobs and stimulate local economies across the Nation.

I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise to speak in support of H.R. 5879 ''Hubzone Price Evaluation Preference Clarification Act''.

The Small Business Act is instrumental in allowing small businesses to remain competitive amid complex markets.

Small businesses are the engine of our economy and exist as the backbone of local communities across the nation. They are essential contributors to our society, as we must support their growth and progress.

The Hubzone program supports small businesses that are part of historically underutilized business zones. These zones are low-income communities that have increased levels of poverty and high unemployment rates.

The program works to target inequities that make it at times difficult for small businesses within these economically distressed communities to compete.

Within the Small Business Act, preferential price evaluations are given to small businesses participating in the Hubzone program.

Price evaluation preferences ensure that a price offered by a qualified Hubzone small business entity is deemed lower than the price offered by another offeror if the qualified Hubzone business's price is not more than 10 percent higher than the price offered by the otherwise lowest offeror.

These price evaluation preferences are a key feature which allow Hubzone contracts to act as an economic boost for small businesses within high unemployment and low-income areas.

These price evaluation preferences help level the playing field for small businesses that are often minority-owned. In Houston alone, nearly 35 percent of small businesses are minority-owned.

The Hubzone program gives these businesses a chance to compete in competitive markets. In the wake of the COVID–19 pandemic, these small businesses need institutional support more than ever.

H.R. 5879 is necessary to clarify how small businesses can be eligible for price evaluation preferences outlined in the Small Business Act.

The number of Hubzone locations, or areas with historically underutilized business zones, has nearly doubled in the past 20 years according to the Small Business Administration.

Small businesses and the communities they benefit depend on the success of the Hubzone program. It is vital to detail how small businesses can receive benefits from the program.

I ask my colleagues to join me in voting for passage of H.R. 5879.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 5879.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1615

SMALL BUSINESS WORKFORCE PIPELINE ACT OF 2022

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7622) to amend the Small Business Act to include requirements relating to apprenticeship program assistance for small business development centers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7622

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Workforce Pipeline Act of 2022''.

SEC. 2. SMALL BUSINESS DEVELOPMENT CENTER APPRENTICESHIP PROGRAM ASSISTANCE.

Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(1)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in clause (v) of the first subparagraph (U) (relating to succession planning), by striking the period at the end and inserting a semicolon;

(3) in second subparagraph (U) (relating to training on domestic and international intellectual property protections)—

(A) in clause (ii)(II), by striking the period at the end and inserting ''; and''; and

(B) by redesignating such subparagraph as subparagraph (V); and

(4) by adding at the end the following new subparagraph:

''(W) providing information and assistance to small business concerns, including by disseminating relevant information from the Department of Labor and other Federal agencies, on how to establish and improve—

''(i) work-based learning opportunities (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302));

''(ii) apprenticeship programs registered under the Act of August 16, 1937 (50 Stat. 664, chapter 663; commonly known as the 'National Apprenticeship Act'; 29 U.S.C. 50 et seq.);

''(iii) pre-apprenticeship programs; and

''(iv) job training programs.''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7622, the Small Business Workforce Pipeline Act of 2022, introduced by Mr. CROW and cosponsored by Mr. FITZGERALD.

H.R. 7622 allows small business development centers to disseminate information from the Department of Labor regarding job training programs like apprenticeships and pre-apprenticeships, as well as other work-based learning opportunities.

Throughout the past year, small businesses have been hit hard by tightening labor markets, often struggling to compete with their larger counterparts. As the recovery continues, unemployment drops, and job openings grow to record heights, the smaller firms in our economy have found it harder than ever to recruit and retain qualified workers.

One of the most effective workforce training methods used in the U.S. today is the registered apprenticeship program, an earn-while-you-learn system that combines classroom instruction with on-the-job training. According to the Department of Labor, the average starting salary for a graduate of an apprenticeship program is $72,000, and businesses retain these employees at a rate of 92 percent.

Not only do apprenticeships provide a reliable pathway into the middle class for workers, but they also provide top-quality talent to the business that trained them.

With assistance provided by the SBDC network, more small firms will have access to resources to attract and retain high-quality talent, helping them both establish and improve these programs for their businesses while providing training opportunities and job security to workers.

I thank Mr. CROW for leading on this issue with a variety of hearings on the topic and for listening to witnesses as he worked to craft this legislation with Mr. FITZGERALD, Ms. HOULAHAN, and Mr. GARBARINO. These bipartisan efforts will have a lasting impact on our Main Street firms.

I urge Members to support this bill, and I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 7622, the Small Business Workforce Pipeline Act of 2022.

Small businesses across the country are facing labor shortages and skills gaps as our Nation remains 820,000 jobs short compared to prior to the pandemic.

Just last week, the NFIB reported that over half of small businesses have unfilled job openings. This is more than double the almost 50-year historical average of 23 percent. Further, of those owners hiring or trying to hire, 92 percent of owners reported few or no qualified applicants for the positions they were trying to fill.

The Small Business Administration offers multiple resources to small businesses to help them face the current economic headwinds and labor challenges. One of these resources is the small business development centers, which have served to be a valuable tool for entrepreneurs and offer free training, counseling, and support for small businesses.

This legislation will further improve SBDCs by expanding their ability to assist small businesses in establishing and improving work-based learning opportunities and apprenticeship programs.

To be clear, this legislation supports all work-based learning opportunities.

I thank Congressman CROW as well as Congressman FITZGERALD, Congresswoman HOULAHAN, and Congressman GARBARINO for working in a bipartisan manner to ensure this bill reached the House floor. I also thank the chair for advancing this bill.

Madam Speaker, I encourage all of my colleagues to support H.R. 7622, which was unanimously reported out of our committee. I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. CROW).

Mr. CROW. Madam Speaker, I rise in support of H.R. 7622, the Small Business Workforce Pipeline Act of 2022.

As we help small businesses navigate the labor shortage, it is more important than ever that we support small businesses as they work to find quality workers and fill positions.

I am a huge proponent of work-based learning opportunities like apprenticeships that help small businesses fill job openings and help their workers get the skills they need so they can support their families. Work-based learning opportunities are a great way to attract quality candidates who may not be able to attend traditional education models.

The Small Business Workforce Pipeline Act of 2022 aims to empower small business development centers, like the Aurora-South Metro SBDC in my district, to help small businesses establish and improve their apprenticeship, pre-apprenticeship, and job training programs.

This bill would help workers gain the skills they need for in-demand jobs and help small businesses grow their business.

I thank Chairwoman VELÁZQUEZ and Ranking Member LUETKEMEYER for bringing this bill to the floor and Representatives FITZGERALD, HOULAHAN, and GARBARINO for their partnership on this bill.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 7622.

Mr. WILLIAMS of Texas. Madam Speaker, I yield such time as he may consume to my colleague from Wisconsin (Mr. FITZGERALD), a tireless advocate for small business in Wisconsin and around the country.

Mr. FITZGERALD. Madam Speaker, I thank my colleague from Texas (Mr. WILLIAMS) for yielding me time. I thank my colleagues, specifically Mr. CROW, for co-leading H.R. 7622, the Small Business Workforce Pipeline Act of 2022.

The bill would allow small business development centers to provide information and assistance to small businesses on how to establish and improve work-based learning opportunities. It also would enhance apprenticeship programs, pre-apprenticeship programs, and other job training programs that many of us are very familiar with.

I hear all the time from Wisconsin small businesses back in my district about how the country's labor shortage is affecting not only the recruitment of skilled employees but, in particular, manufacturing and, in my district, light manufacturing.

The latest National Federation for Independent Businesses' economic trends report showed that while optimism in recovering to prepandemic employment levels is increasing, we still are very much behind the eight ball. Sixty percent of manufacturing firms report unfilled job openings.

Apprenticeships and other job training programs provide a solution to address the needs of the manufacturing sector. Apprenticeships are among the most successful forms of workforce development, and through paid and on-the-job training programs, alongside classroom education, we can make significant strides.

This bill would directly benefit manufacturers and other businesses in Wisconsin's Fifth District by having apprenticeships and other job-training materials readily available to them.

Madam Speaker, I support the passage of this bill.

Ms. VELÁZQUEZ. Madam Speaker, I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, the SBDC program has delivered for small businesses for many years. The Small Business Workforce Pipeline Act of 2022 will help combat labor shortages by supporting apprenticeships and learning opportunities through SBDCs. This bill will help small businesses grow and equip American workers with new skills.

Madam Speaker, I urge my colleagues to support H.R. 7622, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, there is no question that small firms are facing the most dire consequences of a tight labor market. At a time when the economy is recovering and businesses are seeking to expand their operations, lack of access to a highly skilled workforce can be frustrating to business owners and harmful to their recovery.

Maintaining economic competitiveness on the world stage means investing in our workforce, and nobody is better equipped to do that than the

small businesses fueling our economic recovery.

H.R. 7622 empowers SBDCs to expand workforce training resources to small employers struggling to find workers, which will, in turn, grow the skill sets of workers and the workforces of businesses.

Madam Speaker, I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in support of H.R. 7622, ''The Small Business Workforce Pipeline Act of 2022.''

This bill's purpose is to amend the Small Business Act requirements relating to apprenticeship program assistance for small business development centers, and other purposes.

The COVID–19 pandemic has resulted in a labor shortage, that affected businesses in unimaginable ways, especially small businesses. Alarmingly, 23 percent of small businesses closed due to the pandemic and 20 percent of small businesses that were in their first year of operation also failed.

This is why now, more than ever, small businesses need our support by updating the laws that support them and to encourage apprenticeships.

I support this bill's effort to establish a clear and concise plan of action for programing and other resources from which small businesses and their employees can benefit.

I am in favor of this legislation because apprenticeships are tangible opportunities for successful workplace development. They enable young workers to gain on-the job training with educational resources that deliver practical experience and skills, equipping them for future career opportunities.

This ''learn as you work'' style gives access to people who may not be able to purse traditional educational routes.

Historically, apprenticeships focused on skills for a narrow range of industries that could also benefit from the academic credit and mentorship opportunities. For employers finding a hard time hiring qualified employees, apprenticeships are a direct investment that small businesses realize will successfully impact them.

Madam Speaker, this bill will provide much needed assistance to businesses and enable them to continue their good work of providing training skills that will allow opportunities for employees to succeed in the workplace. This legislation will prepare workers for the 21st century workforce, while helping businesses find the skilled employees they need to compete.

I urge all of my colleagues to join me in supporting passage of H.R. 7622.

SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7622.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

SUPPORTING SMALL BUSINESS AND CAREER AND TECHNICAL EDUCATION ACT OF 2022

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7664) to amend the Small Business Act to include requirements relating to graduates of career and technical education programs or programs of study for small business development centers and women's business centers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7664

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supporting Small Business and Career and Technical Education Act of 2022''.

SEC. 2. INCLUSION OF CAREER AND TECHNICAL EDUCATION.

(a) DEFINITION.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following new subsection:

''(gg) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).''.

(b) SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(1)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in clause (v) of the first subparagraph (U) (relating to succession planning), by striking the period at the end and inserting a semicolon;

(3) in second subparagraph (U) (relating to training on domestic and international intellectual property protections)—

(A) in clause (ii)(II), by striking the period at the end and inserting a semicolon; and

(B) by redesignating such subparagraph as subparagraph (V); and

(4) by adding at the end the following new subparagraphs:

''(W) assisting small businesses in hiring graduates from career and technical education programs or programs of study; and

''(X) assisting graduates of career and technical education programs or programs of study in starting up a small business concern.''.

(c) WOMEN'S BUSINESS CENTERS.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(4) assistance for small business concerns to hire graduates from career and technical education programs or programs of study; and

''(5) assistance for graduates of career and technical education programs or programs of study to start up a small business concern.''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7664, the Supporting Small Business and Career and Technical Education Act of 2022, introduced by my colleague from Texas (Mr. WILLIAMS) and my colleague from Illinois (Ms. NEWMAN).

After seeing massive layoffs in response to the pandemic, businesses are starting to expand their operations and grow their workforce. Unfortunately, this has created one of the tightest labor markets in U.S. history, and small firms are feeling this acutely.

Oftentimes, small businesses are not only faced with a shortage of applicants, but within that pool, they are seeing a shortage of applicants with the skill sets they need.

One of the best strategies for equipping students with skills needed to enter a market is career and technical education, or CTE. Aimed at secondary and postsecondary students, these programs don't replace academic training but, rather, expand upon it to give young people practical skills they can use, whether they enter the workforce or continue in their studies.

CTE programs can train students with a wide variety of skills in nearly every industry, and this program often works with local businesses to understand what skills are in demand to guide the curriculum.

This legislation directs small business development centers and women's business centers to assist small businesses in hiring graduates of CTE programs while also helping program graduates start their own businesses.

It takes a twofold approach of, one, creating a more adequate pipeline of trained young people for small businesses and, two, supporting those students who want to launch their own enterprise.

SBDCs and WBCs can help fill the gap between training programs and small firms by building awareness and fostering relationships between the private sector and our educational community.

Madam Speaker, I thank Mr. WILLIAMS and Ms. NEWMAN for their meaningful work on this bill. I urge Members to support this bipartisan piece of legislation, and I reserve the balance of my time.

□ 1630

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7664, the Supporting Small Business and Career and Technical

Education Act. This important piece of legislation will encourage younger generations to pursue CTE careers, knowing they will have support on the back end to help find a job.

Costly 4-year degrees create burdensome financial obligations and saddle students with decades of debt. It is important individuals have alternatives, such as CTE programs, when wanting to find meaningful careers at a fraction of the cost.

Skilled labor has become a high-demand market, and our country is in need of more plumbers, electricians, welders, and other skilled professionals who are the lifeblood of our economy. This growing skills gap is hurting small businesses across the country.

My bill will fill that void and connect graduates to high-demand occupations and opportunities that earn good wages and will help them provide for their family. Additionally, this bill provides valuable assistance so CTE graduates can translate their skills over to starting their own small business and help build long-term careers and employ more people.

I have been a small business owner for over 50 years, and I can tell you that leading sales meetings, signing the fronts of checks, and giving other people the opportunity to make a living is one of the most rewarding things, if not the most rewarding, I have ever done.

The American Dream is built on innovation and entrepreneurship, and this only continues when the next generation is willing to better themselves, be empowered to take risks, and understand that risk-reward is the dream.

It is our responsibility to unlock the potential of our next generation so we can keep America the greatest nation in the world and keep it strong.

I thank Chairwoman VELÁZQUEZ and Ranking Member LUETKEMEYER for helping to get this bill to the floor. I urge all my colleagues to vote in support of H.R. 7664.

Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume to close.

Madam Speaker, small businesses and the American worker are the backbone of our economy. By empowering the SBA's resource partners, including small business development centers and women's business centers, to engage with the career and technical education community, we will replenish our skilled workforce and grow our economy.

Madam Speaker, I encourage my colleagues to support H.R. 7664, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, while our economy continues to recover and job openings increase, it is important that we ensure there is an adequate pipeline of skilled workers in our small firms.

Fueling our economic recovery relies on them having the resources they need to thrive, including an adequate workforce. H.R. 7664 will go a long way in connecting small employers in need of workers to these programs and connect students to opportunities of launching their own firms.

I thank the gentleman from Texas (Mr. WILLIAMS) and the gentlewoman from Illinois (Ms. NEWMAN) for their hard work on this bill.

Madam Speaker, I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in support of H.R. 7664, the "Supporting Small Business and Career and Technical Education Act of 2022."

This bill would amend the Small Business Act to include requirements relating to graduates of career and technical education programs, and programs of study for small business development centers and women's business centers.

H.R. 7664 would assist small businesses in hiring graduates from career and technical education programs, and would assist graduates of these programs in starting up a small business.

Small businesses are the engine of our economy, creating two-thirds of the new jobs over the last 15 years, accounting for 44 percent of U.S. economic activity.

According to the U.S. Small Business Association (SBA), small businesses of 500 employees or fewer make up 99.9 percent of all U.S. businesses and 99.7 percent of firms with paid employees.

Not only do small businesses provide millions of jobs, they also advance careers and opportunities.

Successful small businesses put money back into their local community through paychecks and taxes, which can support the creation of new small businesses and improve local public services.

Small business is the portal through which many people enter the economic mainstream.

Business ownership allows individuals, including women and minorities, to achieve financial success, as well as bolster pride in their accomplishments.

While most small businesses are still owned by white males, the past two decades have seen a substantial increase in the number of businesses owned by women and minorities.

The more we create opportunities for career growth and development from a wide array of diverse backgrounds, the more opportunities we create for ourselves and our economy.

A critical workforce challenge currently in the United States is the skills gap, particularly among jobs that require either a high school diploma, postsecondary certificate, or associate's degree.

Jobs requiring these "middle skills" outnumber the adults in the workforce who possess them, and this gap presents a barrier to American economic competitiveness.

Due to global shifts in technology, automation and other sectors that had been occurring long before the pandemic, employers were raising alarms over a growing number of vital skills they noticed to be in short supply from incoming applicants.

Graduates from career and technical education (CTE) programs are perfectly suited to fill this gap.

CTE programs help students see the relevance of their studies for their future and motivates them to attend classes and study hard.

In 2019–20 there were 11.1 million CTE participants; 7.6 million at the secondary level and 3.5 million at the postsecondary level.

According to the Texas Education Agency's 2016–2017 Academic Excellence Indicator System State Profile Report, 1,523,779 secondary students in Texas (46.3 percent) were enrolled in Career and Technical Education programs.

We must make sure our legislation reflects the importance and value of small business, CTE program graduates, and the role they will play in growing our economy.

I urge all my colleagues to support H.R. 7664, the Supporting Small Business and Career and Technical Education Act of 2022.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7664.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

WOMEN-OWNED SMALL BUSINESS PROGRAM TRANSPARENCY ACT

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7670) to amend the Small Business Act to require a report on small business concerns owned and controlled by women, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7670

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Women-Owned Small Business Program Transparency Act'' or the ''WOSB Program Transparency Act''.

SEC. 2. REPORT ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.

(a) IN GENERAL.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended by adding at the end the following new paragraph:

''(9) REPORT.—Not later than May 1, 2023, and annually thereafter, the Administrator shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report on small business concerns owned and controlled by women. Such report shall include, for the fiscal year preceding the date of the report, the following:

''(A) The total number of concerns certified as small business concerns owned and

controlled by women, disaggregated by the number of concerns certified by—

''(i) the Administrator; or

''(ii) a national certifying entity approved by the Administrator.

''(B) The amount of fees, if any, charged by each national certifying entity for such certification.

''(C) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraph (2) or pursuant to a waiver granted under paragraph (3).

''(D) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraphs (7) and (8).

''(E) With respect to a contract incorrectly awarded pursuant to this subsection because it was awarded based on an industry in which small business concerns owned and controlled by women are not underrepresented—

''(i) the number of such contracts;

''(ii) the Federal agencies that issued such contracts; and

''(iii) any steps taken by Administrator to train the personnel of such Federal agency on the use of the authority provided under this subsection.

''(F) With respect to an examination described in paragraph (5)(B)—

''(i) the number of examinations due because of recertification requirements and the actual number of such examinations conducted; and

''(ii) the number of examinations conducted for any other reason.

''(G) The number of small business concerns owned and controlled by women that were found to be ineligible to be awarded a contract under this subsection as a result of an examination conducted pursuant to paragraph (5)(B) or failure to request an examination pursuant to section 127.400 of title 13, Code of Federal Regulations (or a successor rule).

''(H) The number of small business concerns owned and controlled by women that were decertified.

''(I) Any other information the Administrator determines necessary.''.

(b) TECHNICAL AMENDMENT.—Section 8(m)(2)(C) of the Small Business Act is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7670, the Women-Owned Small Business Program Transparency Act.

The Women-Owned Small Business program levels the playing field for female entrepreneurs who compete for Federal contracts. Additionally, it assists agencies in meeting the goal of awarding 5 percent of all contracts to women-owned small businesses.

While the program has steadily improved, it has faced its fair share of delays and challenges. For example, the program started operating 10 years after its enactment, and since its implementation 12 years ago, the 5 percent goal has only been met twice.

The Small Business Administration implemented a formal certification process for the program in 2020, more than 5 years after being required to do so by Congress. As a result, while the agency is making great strides, it still has a substantial backlog of applications and the implementation of corresponding regulations—especially when it comes to program examinations—remains to be seen.

The importance of the program to elevating women-owned small businesses in the Federal procurement arena makes it imperative to conduct oversight to ensure the program is meeting its legislative intent. H.R. 7670 will aid Congress in this endeavor by establishing reporting requirements to better assess the effectiveness of the program.

In particular, H.R. 7670 requires the SBA to report on multiple facets of the Women-Owned Small Business program, including the amount of contracting dollars awarded through the program, the number of certifications issued, the amount of program examinations conducted, and much more.

I thank the gentlewoman from Pennsylvania (Ms. HOULAHAN) and the gentlewoman from New York (Ms. TENNEY) for their bipartisan work on this bill. H.R. 7670 is a commonsense piece of legislation that will bring transparency and accountability to the Women-Owned Small Business program.

Madam Speaker, I urge my colleagues to support this bipartisan bill, and I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 7670, the Women-Owned Small Business Program Transparency Act.

Federal programs, and especially Federal contracting programs, require comprehensive and complete reporting requirements from executive branch agencies. This information ensures that not only the programs are meeting congressional intent but also to ensure that safeguards and oversight capabilities are intact.

H.R. 7670 bolsters the Women-Owned Small Business program by enhancing the program's reporting requirements. Having more information on how many women-owned small businesses are certified and the amount of fees charged by third-party certifiers will only strengthen the program.

I thank the gentlewoman from Pennsylvania (Ms. HOULAHAN) and the gentlewoman from New York (Ms. TENNEY) for working in a bipartisan manner to address the Women-Owned Small Business program. I also again would like to thank the chair for advancing this bill.

H.R. 7670 is a good government bill that will provide more information about one of the SBA's Federal contracting programs.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield such time as she may consume to the gentlewoman from Pennsylvania (Ms. HOULAHAN).

Ms. HOULAHAN. Madam Speaker, I proudly rise today to urge my colleagues to vote for my straightforward, bipartisan bill that supports our Nation's female entrepreneurs. It is called the Women-Owned Small Business Program Transparency Act.

As an engineer myself, and an entrepreneur and operator, I know very much firsthand that data can help us to address and understand some of our most pressing issues in business. Here is what the data says: Year after year, women-owned small businesses continue to be underrepresented when it comes to Federal contract funding. In other words, the playing field isn't nearly level.

The good news is that there is already an initiative that is designed to address this. It is called the Women-Owned Small Business Federal Contracting Program. This program is popular and necessary to bridge the disparity in Federal contracts, but it needs some additional improvements.

My bill will do just that by increasing transparency, oversight, and accountability. Through this program, the SBA aids other Federal agencies in meeting the statutory goal of awarding 5 percent of Federal contracts to women-owned businesses, a goal which the chairwoman mentioned has only been met twice in history.

The program has experienced challenges, including a significant backlog of applications and poor visibility of the approval numbers by national certifying entities. Our bipartisan bill will address these concerns by requiring the SBA to share six critical pieces of information:

One, the amount of contracting dollars that are awarded.

Two, the number of certifications that are issued.

Three, the amount of program examinations that are conducted.

Four, the number of companies that are decertified.

Five, the number of contracts that are incorrectly awarded.

Simply put, this bill will allow Congress and the SBA to work together to help women secure government contracts, especially those in underrepresented industries, which include the signature crop of our region, the mushroom industry, and also include underrepresented industries such as the dairy product manufacturing industry, which is represented by ByHeart, the only baby formula manufacturer that

has been started in the last 15 years, that also happens to be in my district.

The time is now for us to act, both as our female businessowners continue to recover from the pandemic and as additional contracts are issued through the historic implementation of the bipartisan Infrastructure Investment and Jobs Act.

Madam Speaker, I thank my colleague and fellow entrepreneur from across the aisle, the gentlewoman from New York (Ms. TENNEY) for her partnership on this bill that will help level the playing field for all female entrepreneurs across our country.

I also thank and extend my thanks to Chair VELÁZQUEZ and Ranking Member LUETKEMEYER.

Mr. WILLIAMS of Texas. Madam Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. TENNEY), the ranking member of the Subcommittee on Underserved, Agriculture, and Rural Business Development.

Ms. TENNEY. Madam Speaker, I am honored to partner with the gentlewoman from Pennsylvania (Ms. HOULAHAN) to introduce the bipartisan Women-Owned Small Business Program Transparency Act. In 2014 and 2019, the Government Accountability Office found that the Women-Owned Small Business program has several oversight deficiencies and needs to release more in-depth performance metrics to ensure it addresses the needs of women-owned small businesses and the taxpayer.

This legislation today addresses these concerns, requiring the Small Business Administration to annually disclose the total number of businesses that are certified as women-owned by the SBA, the number certified by third-party certifiers, and fees charged by third-party certifiers, the dollar amount and percent of contracts to women-owned small businesses, and the information on contracts incorrectly awarded.

For over two decades, the Women-Owned Small Business program has set aside at least 5 percent Federal contracting dollars for certified women-owned small businesses. This plays a small, but important, part of ensuring that the Federal Government does not leave our Nation's small businesses behind and that we continue to have a robust and competitive contractor ecosystem to pull from.

In New York's 22nd Congressional District, small businesses make up 94 percent of all employers, and I have witnessed firsthand the tremendous impact of women-owned small businesses. In fact, my own family business is a women-owned business. Whether it is Curcio Printing in the Southern Tier or AeroMed Technologies in Utica, our communities and, yes, our taxpayers benefit when women-owned businesses thrive.

With these additional metrics available to policymakers, it will pave the way for future improvements to the Women-Owned Small Business program. Only through full transparency can we ensure that this program works effectively and efficiently for small businesses and for taxpayers.

I thank, again, my partner and colleague, the gentlewoman from Pennsylvania (Ms. HOULAHAN), for cosponsoring this great piece of bipartisan legislation, and I urge my colleagues to join us in supporting this.

□ 1645

Ms. VELÁZQUEZ. Madam Speaker, I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I am prepared to close, and I yield myself such time as I may consume.

Madam Speaker, as I mentioned earlier, it is important for Congress to study all of the Small Business Administration's Federal contracting programs regularly.

H.R. 7670, the Women-Owned Small Business Program Transparency Act, will enhance our research and assist us as we examine this program. The more information that we have at our fingertips, simply the better.

Madam Speaker, I urge all my colleagues to support this bill, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, long after the enactment of the legislation to create the Women-Owned Small Business Program, women still face inequities when it comes to Federal contracting. The Women-Owned Small Business Program tries to address these inequities.

Today, we have the opportunity to further this mission through H.R. 7670. This bill creates a reporting requirement through which to measure whether the program is working as intended. I am certain that this oversight mechanism will lead to increased transparency, accountability, and efficiency to the benefit of our women-owned small business community. That is why I thank our committee members for their leadership in advancing this piece of legislation.

Madam Speaker, I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H.R. 7670, the "Women-Owned Small Business Program Transparency Act."

H.R. 7670 is a bipartisan effort to amend the Small Business Act to require the Administrator of the Small Business Administration (SBA) to submit to Congress a report on small businesses owned and controlled by women including:

Information as to the amount of contracting dollars awarded through the program,

The number of certifications being issued,

The amount of program examinations being conducted,

The number of companies being decertified, and

The number of contracts incorrectly awarded to industries within the North American Industry Classification System or NAICS codes ineligible for the program, as well as any actions taken by SBA to properly train agency personnel.

The SBA's report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate will equip Congress with transparency into the effectiveness of the program that will enable future improvements to the program.

Established in 2000, the Women-Owned Small Business (WOSB) program leveled the playing field by providing an opportunity for women-owned small businesses to attain federal contracts in industries where the SBA had determined that women entrepreneurs were underrepresented.

Unfortunately, due to administrative neglect in the application review and the application backlog from eligible businesses, many women were shut out from attaining contracts.

Following the U.S. Government Accountability Office's investigation into this matter, they concluded that "By not improving its oversight of the WOSB program, SBA is limiting its ability to ensure third-party certifiers are following program requirements", meaning that several contracts that WOSBs had applied for were inaccessible to women.

When enacted, H.R. 7670 will reform the oversight of the WOSB program to ensure that transparency and accountability are high priorities during the contract distribution process.

I applaud the efforts of my colleagues Rep. CHRISSY HOULAHAN and Rep. CLAUDIA TENNEY for elevating the voices of all female entreprenuers across America, including over 125,000 female small business owners from Houston.

There has been a long history of women-owned small businesses being excluded from consideration for federal contracts and participation in subcontracting. The progress that women-owned small businesses had made was curtailed by the COVID–19 pandemic, and that lost ground must be reversed so that women-owned businesses are able to remain competitive.

Now more than ever, it is critical for Congress to stand with America's small business owners to whom we owe a great deal for our economic prosperity.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 7670.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7670.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

STRENGTHENING SUBCONTRACTING FOR SMALL BUSINESSES ACT OF 2022

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the

bill (H.R. 7694) to amend the Small Business Act to modify the requirements relating to the evaluation of the subcontracting plans of certain offerors, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7694

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening Subcontracting for Small Businesses Act of 2022''.

SEC. 2. EVALUATION OF SUBCONTRACTING PLANS.

Section 8(d)(4)(G) of the Small Business Act (15 U.S.C. 637(d)(4)(G)) is amended—

(1) in the matter preceding clause (i), by striking ''bundled contract'' and all that follows through ''for subcontracting'' and inserting ''contract that includes a subcontracting plan required under this paragraph''; and

(2) in clause (i), by striking ''the rate provided under the subcontracting plan for small business participation'' and inserting ''the description in the subcontracting plan of the extent to which the offeror proposes to use small business concerns as subcontractors (at any tier)''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7694, the Strengthening Subcontracting for Small Businesses Act of 2022. Subcontracting plans are an important mechanism for small business utilization. In fact, for many small businesses, subcontracting plans represent the only way to participate in Federal contracts. That is why the Small Business Act requires contractors to have subcontracting plans in certain situations.

For example, subcontracting plans are required for contracts that exceed certain thresholds, have subcontracting possibilities, and are awarded using negotiated procedures. While having these plans in place is an important first step, it will not make a difference if the prime does not implement them.

The Small Business Act has a provision that allows agencies to subject prime contractors to liquidated damages if they do not employ good faith efforts to meet the subcontracting plans. However, the standard is ambiguous and not always enforced. As a result, primes often face no consequences for failing to meet their subcontracting plans. That is simply unacceptable.

We must do more to ensure prime contractors comply with their subcontracting plans. This is precisely what H.R. 7694 does. It requires agencies to evaluate past performance in meeting subcontracting plans when considering offers for new contract awards. In other words, by making sure that previous compliance with these plans is taken into consideration when making new awards, it would encourage more compliance with subcontracting plans.

I thank Representative STAUBER and Representative MFUME for leading this effort, which represents an innovative solution to a longstanding problem.

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

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 7694. All contractors know the importance of subcontractors. Their work responsibilities are crucial to completing jobs on time and on budget. H.R. 7694 translates the importance of subcontracting to Federal contracting and especially those who participate within the SBA's contracting programs. Simply put, past performance should be acknowledged on all future dealings.

Madam Speaker, I thank the gentleman from Minnesota (Mr. STAUBER), my friend, who is one of the biggest advocates for small businesses and subcontractors, and the gentleman from Maryland (Mr. MFUME) for working in a bipartisan manner to highlight this issue.

I also again thank the chair for bringing this bill forward, and I urge my colleagues to support H.R. 7694.

Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I continue to reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. STAUBER), one of the biggest advocates for small businesses and subcontractors.

Mr. STAUBER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, thanks to this administration's bad policies, small businesses are struggling with skyrocketing inflation, record-high gas prices, and supply chain and labor crises. It is imperative that Congress help our small businesses find success despite this economic landscape. One way we can do this is by improving the Federal contract marketplace.

A common theme we have heard in the contracting space is that prime contracting opportunities for small businesses are dwindling at an alarming rate. This means that subcontracting opportunities are more important than ever for our small businesses. While large prime contractors are statutorily required to have subcontracting plans, there is little incentive for prime contractors to comply with their own goals.

Further, there is no requirement that a contracting officer take into consideration a contractor's past performance in subcontracting with small businesses when deliberating new awards. While it is laudable that prime contractors have subcontracting plans, these plans seem to have minimal influence on a contractor's motivation to award work to small businesses.

This bill, the Strengthening Subcontracting for Small Businesses Act, addresses this problem in a few ways:

First, the legislation will require the consideration of a contractor's proposed utilization of small businesses in its subcontracting plans.

Second, the legislation will require the consideration of the contractor's past performance in meeting its previous goals.

In short, this bill creates a strong incentive for large prime contractors to comply with their own goals since it will now impact their ability to win new work.

Madam Speaker, I thank my colleague, Congressman MFUME, for his collaboration on this bill. Together, I believe we have created a meaningful piece of legislation that will make a real and significant impact on small businesses, and I look forward to continuing our relationship.

Ms. VELÁZQUEZ. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. MFUME).

Mr. MFUME. Madam Speaker, I particularly thank the chair for yielding this time but also for her very important leadership on the Committee on Small Business and for the excellence of her example—getting all of us to the point of where we are today.

At a time when, as has been said, small businesses are at risk of being pushed out of the Federal procurement space due to forces outside of their control, it is imperative that we unite across the aisle, as has been stated, to stand up for small business concerns and to help grow their presence in the Federal contracting space where possible.

I am very pleased to work with Representative STAUBER, the distinguished gentleman from Minnesota, who, on committee and at this time, jointly share an interest in this legislation because of what it does. I look forward to working with Mr. STAUBER in the future on other joint endeavors.

I also thank the staff of the Committee on Small Business for working very hard to pull together this commonsense bill that protects small businesses by incentivizing large prime contractors to adhere to their contracting plans.

Now, some might say, well, why do you have to do that? Unfortunately, if we don't do it, they will continue as

they have done, to not adhere to those plans, and it hurts the overall small business community.

Currently, prime contractors have very little economic incentive to do the right things, to abide by their subcontracting plans, and these are the plans that they, themselves have negotiated. So when prime contractors disregard these pre-negotiated terms, the only recourse that we have is to make sure that we find a way to involve ourselves before they are left with their only alternative, which is to file a lawsuit.

Given the nature of the courts, any small business relief that may come to them could prove to be too little, too late.

Madam Speaker, again, I thank the gentleman from Minnesota. This bill creates an economic incentive for prime contractors to follow their subcontracting plans by requiring any agency of the government to assess those plans and to offer advice and an opinion on whether or not they have complied.

The SPEAKER PRO TEMPORE. The time of the gentleman has expired.

Ms. VELÁZQUEZ. Madam Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. MFUME. Madam Speaker, by amending the language of the Small Business Act, by expanding its scope, this legislation will give contractors that treat small businesses the right and the fair way, a greater chance at winning Federal contractors. And it will hopefully incentivize those contractors that are not, to finally do the right thing.

Madam Speaker, I respectfully ask that my colleagues vote in support of H.R. 7694, the Strengthening Subcontracting for Small Businesses Act of 2022.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume to close.

Madam Speaker, as contract consolidation continues to build momentum, opportunities will continue to falter. Overall, this trendline is heading in the wrong direction. As a result, the emphasis and importance will be placed on subcontracting.

H.R. 7694 takes an important step by requiring that past performance is taken into account on all future contracts. Congress will need to continue to study this issue carefully, and H.R. 7694 will assist us along the way.

Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I would just say thank you to both gentlemen, Mr. STAUBER and Mr. MFUME, for their hard work, and I urge my colleagues to support this bill.

Madam Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H.R. 7694, the "Strengthening Subcontracting for Small Businesses Act of 2022."

This legislation would amend the Small Business Act to ensure that companies awarded government contracts utilize small businesses in their subcontracting plans.

H.R. 7694 would ensure that small businesses are not excluded from the government contracting process, which is an important concern in Congress.

With more than 65 percent of small businesses having experienced at least a moderately negative impact from the COVID–19 pandemic according to Statista Research, it is more vital than ever that we continue to strengthen small business.

This legislation will provide that urgently needed support.

As small businesses account for 44 percent of U.S. economic activity, they are the powerhouse behind the American workforce, creating two-thirds of the new jobs over the last 15 years.

Small business is vital in times of crisis, giving our economy the ability to be more flexible, innovative, and productive.

In my home district in Houston, there are over 600,000 small businesses engaged in industries across the spectrum.

Many of these small businesses received subcontracts following the devastation of Hurricanes Ike and Harvey, and their work helped rebuild Houston as well as restore local economic growth.

Just this week, there was a briefing on the COVID–19 pandemic response that underscored how important small business subcontracts were, and continue to be, to our capacity for COVID testing, quarantine, and much more.

Small businesses are always serving our communities, and this legislation on subcontracting will allow them to do more of what they're already doing: improving life for us all.

We need legislation that reinforces the value and capability that small businesses provide to the American economy, especially through contracts with the federal government.

I urge all my colleagues to support H.R. 7694, the Strengthening Subcontracting for Small Businesses Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7694.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1700

BANKRUPTCY THRESHOLD ADJUSTMENT AND TECHNICAL CORRECTIONS ACT

Mr. NEGUSE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3823) to amend title 11, United States Code, to modify the eligibility requirements for a debtor under chapter 13, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3823

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bankruptcy Threshold Adjustment and Technical Corrections Act''.

SEC. 2. BANKRUPTCY AMENDMENTS.

(a) DEFINITION OF SMALL BUSINESS DEBTOR.—Section 101(51D)(B) of title 11, United States Code, is amended—

(1) in clause (i), by inserting ''under this title'' after ''affiliated debtors''; and

(2) in clause (iii), by striking ''an issuer'' and all that follows and inserting ''a corporation described in clause (ii).''.

(b) ADJUSTMENTS FOR INFLATION.—Section 104 of title 11, United States Code, is amended—

(1) in subsection (a), by inserting ''1182(1),'' after ''707(b),''; and

(2) in subsection (b), by inserting ''1182(1),'' after ''707(b),''.

(c) WHO MAY BE A DEBTOR UNDER CHAPTER 13.—Section 109 of title 11, United States Code is amended by striking subsection (e) and inserting the following:

''(e) Only an individual with regular income that owes, on the date of the filing of the petition, noncontingent, liquidated debts of less than $2,750,000 or an individual with regular income and such individual's spouse, except a stockbroker or a commodity broker, that owe, on the date of the filing of the petition, noncontingent, liquidated debts that aggregate less than $2,750,000 may be a debtor under chapter 13 of this title.''.

(d) DEFINITION OF DEBTOR.—Section 1182(1) of title 11, United States Code, is amended to read as follows:

''(1) DEBTOR.—The term 'debtor'—

''(A) subject to subparagraph (B), means a person engaged in commercial or business activities (including any affiliate of such person that is also a debtor under this title and excluding a person whose primary activity is the business of owning single asset real estate) that has aggregate noncontingent liquidated secured and unsecured debts as of the date of the filing of the petition or the date of the order for relief in an amount not more than $7,500,000 (excluding debts owed to 1 or more affiliates or insiders) not less than 50 percent of which arose from the commercial or business activities of the debtor; and

''(B) does not include—

''(i) any member of a group of affiliated debtors under this title that has aggregate noncontingent liquidated secured and unsecured debts in an amount greater than $7,500,000 (excluding debt owed to 1 or more affiliates or insiders);

''(ii) any debtor that is a corporation subject to the reporting requirements under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); or

''(iii) any debtor that is an affiliate of a corporation described in clause (ii).''.

(e) TRUSTEE.—Section 1183(b)(5) of title 11, United States Code, is amended—

(1) by striking ''possession, perform'' and inserting ''possession—

''(A) perform'';

(2) in subparagraph (A), as so designated—

(A) by striking '', including operating the business of the debtor''; and

(B) by adding ''and'' at the end; and

(3) by adding at the end the following:

''(B) be authorized to operate the business of the debtor;''.

(f) CONFIRMATION OF PLAN.—Section 1191(c) of title 11, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3)(A) The debtor will be able to make all payments under the plan; or

''(B)(i) there is a reasonable likelihood that the debtor will be able to make all payments under the plan; and

''(ii) the plan provides appropriate remedies, which may include the liquidation of nonexempt assets, to protect the holders of claims or interests in the event that the payments are not made.''.

(g) TECHNICAL CORRECTIONS TO THE BANKRUPTCY ADMINISTRATION IMPROVEMENT ACT.—Section 589a of title 28, United States Code is amended—

(1) in subsection (c) by striking ''subsection (a)'' and inserting ''subsections (a) and (f)''; and

(2) in subsection (f)(1)—

(A) in the matter preceding subparagraph (A), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)(5)''; and

(B) in subparagraph (A), by inserting ''needed to offset the amount'' after ''amounts''.

(h) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—Subsections (b) and (c) and the amendments made by subsections (b) and (c) shall take effect on the date of enactment of this Act.

(2) RETROACTIVE APPLICATION OF CERTAIN AMENDMENTS.—The amendments made by subsections (a), (d), (e), and (f) shall apply with respect to any case that—

(A) is commenced under title 11, United States Code, on or after March 27, 2020; and

(B) with respect to a case that was commenced on or after March 27, 2020 and before the date of enactment of this Act, is pending on the date of enactment of this Act.

(3) EFFECTIVE DATE OF TECHNICAL CORRECTIONS TO BAIA.—The amendments made by subsection (g) shall take effect as if enacted on October 1, 2021.

(i) SUNSETS.—

(1) IN GENERAL.—Effective on the date that is 2 years after the date of enactment of this Act—

(A) subsection (e) of section 109 of title 11, United States Code is amended to read as such subsection read on the day before the date of enactment of this Act; and

(B) section 1182(1) of title 11, United States Code, is amended to read as follows:

''(1) DEBTOR.—The term 'debtor' means a small business debtor.''.

(2) AMOUNTS.—For purposes of applying subsection (e) of section 109 of title 11, United States Code, as amended by paragraph (1)(A), the amounts specified in such subsection shall be the amounts that were in effect on the day before the date of enactment of this Act.

The SPEAKER pro tempore (Mr. VEASEY). Pursuant to the rule, the gentleman from Colorado (Mr. NEGUSE) and the gentleman from Oregon (Mr. BENTZ) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. NEGUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on S. 3823.

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

There was no objection.

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

Mr. Speaker, I thank Senator DURBIN and Senator GRASSLEY for their work on this bill. I also thank my colleague on the other side of the aisle, Representative CLINE, for being the Republican lead on the bill.

The Bankruptcy Threshold Adjustment and Technical Corrections Act shows that we can still come together in a bipartisan and bicameral way and make commonsense changes to the law that help small businesses on Main Street and everyday Americans.

Before the COVID–19 pandemic, Mr. Speaker, many sole proprietors and middle-class families who live in high cost-of-living areas were ineligible to receive chapter 13 bankruptcy protections because the debt limits were far too low. For families forced into bankruptcy who wanted to keep their homes, vehicles, or any essential property, and were willing to pay off their debts under court supervision, chapter 13 is their only lifeline. The alternative for these families can be devastating. Many have lost everything, including their homes.

The story is similar for small businesses. In 2019, the American Bankruptcy Institute's Commission on Consumer Bankruptcy found that the artificially low chapter 13 limits were driving people away from the relief that they needed, and they called on this Congress to act.

Sole proprietors who could otherwise save their businesses and protect their families have been forced to liquidate everything because they exceeded the debt limits of chapter 13.

The Small Business Reorganization Act of 2019, the SBRA, as the Speaker pro tempore knows, created subchapter V in chapter 11 bankruptcy, a voluntary option for small businesses in need of expedited bankruptcy relief. But that low debt limit meant that many small businesses simply could not take advantage of the program.

The travesty of the pandemic really brought the need to increase these debt limits into stark relief. The CARES Act raised the debt limit threshold under the SBRA. That was done on a bipartisan basis by this House. It provided important protections to families and homeowners, but those provisions were temporary.

My office has been contacted by countless professionals from all over the bankruptcy community expressing the need for this legislation. The National Conference of Bankruptcy Judges, an association of the bankruptcy judges of the United States, has said that the SBRA was one of the best modifications to the Bankruptcy Code in recent years. It assisted nearly 3,000 small businesses across the country that were in need of expedited relief through the pandemic. The Office of the United States Trustee Program also reported that more than half of these small business debtors received successful outcomes through a confirmed reorganization plan in 6 months or less.

Despite the success of this program, the debt limit increase under the SBRA expired earlier this year, just a few months ago, on March 27, 2022, which created an environment of uncertainty and unpredictability within the bankruptcy arena. Today's legislation retroactively restores that higher debt limit and extends it for another 2 years, allowing more businesses to take advantage of these protections under court supervision.

This bill passed the Senate by unanimous consent, and I certainly hope that we can get a similar level of bipartisan support here in the House. This bill will make a big difference by allowing families to keep their homes, vehicles, and livelihoods intact while they repay their debt.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, S. 3823 would make modest and temporary changes to the U.S. Bankruptcy Code.

First, the bill temporarily increases debt limits for small business debtors under subchapter V of chapter 11 and for individual debtors reorganizing debt under chapter 13.

Subchapter V of the Bankruptcy Code is a lower cost reorganization bankruptcy option for small businesses. These businesses don't have deep pockets, and traditional, expensive chapter 11 reorganizations may not be feasible.

Subchapter V is a more affordable and streamlined approach, which can lead to more successful reorganizations. That means that both debtors and creditors should be better off because, hopefully, less of the debtor's estate will go toward professional fees and more will be left for the debtor's business and, ultimately, the creditors.

Subchapter V took effect in February 2020. At that time, the debt limit for those wishing to utilize this more streamlined law was just over $2.7 million. Due in part to expected trouble for small businesses, the CARES Act and later legislation temporarily increased the debt limit for subchapter V filers to $7.5 million. That temporary increase sunsetted in March of this year. This bill again extends the $7.5 million debt limit for another 2 years.

Likewise, the bill also changes the bankruptcy debt limits for chapter 13, which is a way for eligible individuals, including sole proprietors, to reorganize their debts. The bill removes the distinction between secured and unsecured debt limits under chapter 13 and increases the overall debt limit for those who wish to file for their individual protection from about $1.9 million to $2.75 million.

Like the adjustment to subchapter V, these changes to chapter 13 apply for only 2 years. Put simply, Americans are having a harder time making ends meet due to what I think we would agree are mistakes made under the Biden administration and Democrats in control of Congress.

Raising the debt limit will allow those suffering from these failed policies to adjust their debts to fit the new

realities of our economy, skyrocketing energy and input costs, not enough workers, and more. A successful reorganization can leave both debtors and creditors better off.

At the same time, we just don't have certain data about some of these bankruptcy policy changes or their likely long-term effects. That is why these changes to our Bankruptcy Code should be temporary.

An additional 2 years of normal post-pandemic bankruptcy activity will give us a better understanding of the underlying policy issues and will help guide the future design of our bankruptcy system.

It is also worth noting that this bill did not go through regular order in the Judiciary Committee, so it did not benefit from robust oversight or legislative hearings. Americans are best served when Federal policy is made after careful and focused congressional deliberation, something that would have occurred in regular order.

The bill makes clarifications to small business bankruptcies that relate to eligibility, trustee responsibilities, and bankruptcy plan requirements. These would be permanent. The bill also makes accounting-related clarifications that will operate to improve the U.S. Trustee System Fund.

Mr. Speaker, I reserve the balance of my time.

Mr. NEGUSE. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished member of our committee, Mr. NEGUSE, for his leadership joining with the Senate, and I thank him for yielding, Mr. Speaker.

This is a fresh start. This is a new opportunity in important bipartisan, bicameral legislation that Mr. NEGUSE has nurtured and introduced and will ensure, under his leadership, that our bankruptcy system works for the entrepreneurs, small businesses, homeowners, and American families, who are the backbone of this country and of the communities where they live and work.

Having the privilege of having served on the Judiciary Committee for some time, I am reminded of the work that we have done, almost like a puzzle putting together a better matrix for the American people to be able to renew their lives even as they may have the necessity of filing for bankruptcy.

If there is one fundamental principle of American bankruptcy law, it is the promise of a fresh start, and the fresh start is quintessentially an American idea. It is a promise that even when your best efforts have failed, you are not a failure, and you will have a chance to get back up and try again. It is a promise that your debts will not destroy you.

Increasing the debt limit for small businesses electing to file for bankruptcy under subchapter V of chapter 11 to $7.5 million is long overdue.

Mr. Speaker, I particularly thank Mr. NEGUSE because really small businesses across America have been raising this question, making the point that it is impossible for them to survive with the previous cap for individual chapter 11 filers of $2.75 million.

This legislation will provide much-needed certainty that the bankruptcy system will be responsive to hardworking Americans and their families trying to stay afloat in a world that can be turned upside down by global economic shocks.

Just as I started, again, the filing of bankruptcy should not cause one to never renew again. This legislation, with the leadership of Mr. NEGUSE, gives our American businesspersons, homeowners, and others a fresh start.

I ask my colleagues to support this legislation.

□ 1715

Mr. NEGUSE. Mr. Speaker, I am prepared to close and I reserve the balance of my time.

Mr. BENTZ. Mr. Speaker, I yield back the balance of my time.

Mr. NEGUSE. Mr. Speaker, I yield myself the balance of my time. I will simply close by first thanking the distinguished chairwoman from Texas (Ms. JACKSON LEE), who is always so articulate and I am grateful for her leadership and kind remarks.

I also thank Mr. CICILLINE, the chairman of the subcommittee of jurisdiction, whose leadership was pivotal; and as I mentioned before, my Senate partners and Representative CLINE.

At the end of the day, I think we have a real opportunity today to honor American ingenuity, entrepreneurship, and innovation by providing our small businesses across the United States in Main Street after Main Street with the opportunity and the tools that they need to be able to survive.

Mr. Speaker, I think this bill is a small step in that direction. It is bipartisan. It passed the Senate unanimously, and I certainly hope that it will pass this Chamber unanimously as well.

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

Mr. CICILLINE. Mr. Speaker, I rise in strong support of S. 3823, the ''Bankruptcy Threshold Adjustment and Technical Corrections Act.''

This important bipartisan, bicameral legislation introduced by my colleague, Congressman Neguse, will ensure that our bankruptcy system works for the entrepreneurs, small businesses, homeowners, and American families who are the backbone of this country and of the communities where they live and work.

If there is one foundational principle of American bankruptcy law, it is the promise of the ''fresh start.'' The fresh start is a quintessentially American idea. It is the promise that even when your best efforts have failed, you will have a chance to get back up and try again. It is the promise that your debts will not destroy you.

By increasing the debt limit for small businesses electing to file for bankruptcy under subchapter V of Chapter 11 to $7.5 million, and for individual Chapter 13 filers to $2.75 million, this legislation will provide much-needed certainty that the bankruptcy system will be responsive to hardworking Americans and their families trying to stay afloat in a world that can get turned upside down by global economic shocks.

We all benefit from the fresh start. When it works as intended, it boosts economic growth, reduces unemployment, and encourages innovation and entrepreneurship. This legislation represents a major step toward ensuring that our bankruptcy system makes good on that promise.

I thank my colleagues, Representatives Neguse and Cline, for their leadership on this bill and for their work to ensure that small businesses and families have meaningful access to the bankruptcy process.

I urge my colleagues to support S. 3823.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. NEGUSE) that the House suspend the rules and pass the bill, S. 3823.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

WATER RESOURCES DEVELOPMENT ACT OF 2022

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7776) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7776

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2022''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. SECRETARY DEFINED.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—GENERAL PROVISIONS

SEC. 101. FEDERAL BREAKWATERS AND JETTIES.

(a) IN GENERAL.—In carrying out repair or maintenance activity of a Federal jetty or breakwater associated with an authorized navigation project, the Secretary shall, notwithstanding the authorized dimensions of the jetty or breakwater, ensure that such repair or maintenance activity is sufficient to meet the authorized purpose of such project, including ensuring that any harbor or inland harbor associated with the project is protected from projected changes in wave action or height (including changes that result from relative sea level change over the useful life of the project).

(b) CLASSIFICATION OF ACTIVITY.—The Secretary may not classify any repair or maintenance activity of a Federal jetty or breakwater carried out under subsection (a) as major rehabilitation of such jetty or breakwater—

(1) if the Secretary determines that—

(A) projected changes in wave action or height, including changes that result from relative sea level change, will diminish the functionality of the jetty or breakwater to meet the authorized purpose of the project; and

(B) such repair or maintenance activity is necessary to restore such functionality; or

(2) if—

(A) the Secretary has not carried out regular and routine Federal maintenance activity at the jetty or breakwater; and

(B) the structural integrity of the jetty or breakwater is degraded as a result of a lack of such regular and routine Federal maintenance activity.

SEC. 102. EMERGENCY RESPONSE TO NATURAL DISASTERS.

Section 5(a)(1) of the Act of August 18, 1941 (33 U.S.C. 701n(a)(1)) is amended by striking ''in the repair and restoration of any federally authorized hurricane or shore protective structure'' and all that follows through ''non-Federal sponsor.'' and inserting ''in the repair and restoration of any federally authorized hurricane or shore protective structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the pre-storm level of protection, to the design level of protection, or, notwithstanding the authorized dimensions of the structure or project, to a level sufficient to meet the authorized purpose of such structure or project, whichever provides greater protection, when, in the discretion of the Chief of Engineers, such repair and restoration is warranted for the adequate functioning of the structure or project for hurricane or shore protection, including to ensure the structure or project is functioning adequately to protect against projected changes in wave action or height or storm surge (including changes that result from relative sea level change over the useful life of the structure or project), subject to the condition that the Chief of Engineers may include modifications to the structure or project to address major deficiencies or implement nonstructural alternatives to the repair or restoration of the structure if requested by the non-Federal sponsor.''.

SEC. 103. SHORELINE AND RIVERINE RESTORATION.

(a) IN GENERAL.—Section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332) is amended—

(1) in the section heading, by striking ''**FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM**'' and inserting ''**SHORELINE AND RIVERINE PROTECTION AND RESTORATION**'';

(2) in subsection (a)—

(A) by striking ''undertake a program for the purpose of conducting'' and inserting ''carry out'';

(B) by striking ''to reduce flood hazards'' and inserting ''to reduce flood and hurricane and storm damage hazards (including erosion)''; and

(C) by inserting ''and shorelines'' after ''rivers'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''In carrying out the program, the'' and inserting ''The'';

(ii) by inserting ''and hurricane and storm'' after ''flood''; and

(iii) by inserting ''erosion mitigation,'' after ''reduction,'';

(B) in paragraph (3), by striking ''flood damages'' and inserting ''flood and hurricane and storm damages, including the use of natural features and nature-based features, as defined in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a))''; and

(C) in paragraph (4)—

(i) by inserting ''and hurricane and storm'' after ''flood'';

(ii) by inserting '', shoreline,'' after ''riverine''; and

(iii) by inserting ''and coastal barriers'' after ''floodplains'';

(4) in subsection (c)—

(A) in paragraph (2)—

(i) in the paragraph heading, by striking ''FLOOD CONTROL''; and

(ii) in subparagraph (A), by inserting ''or hurricane and storm damage reduction'' after ''flood control''; and

(B) in paragraph (3)—

(i) in the paragraph heading, by inserting ''OR HURRICANE AND STORM DAMAGE REDUCTION'' after ''FLOOD CONTROL''; and

(ii) by inserting ''or hurricane and storm damage reduction'' after ''flood control'';

(5) by amending subsection (d) to read as follows:—

''(d) PROJECT JUSTIFICATION.—Notwithstanding any other provision of law or requirement for economic justification established under section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2), the Secretary may implement a project under this section if the Secretary determines that the project—

''(1) will significantly reduce potential flood, hurricane and storm, or erosion damages;

''(2) will improve the quality of the environment; and

''(3) is justified considering all costs and beneficial outputs of the project.'';

(6) in subsection (e)—

(A) in paragraph (32), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (33), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(34) City of Southport, North Carolina; and

''(35) Maumee River, Ohio.''; and

(7) by striking subsections (f) through (i) and inserting the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000, to remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 212 and inserting the following:

''Sec. 212. Shoreline and riverine protection and restoration.''.

SEC. 104. TIDAL RIVER, BAY, AND ESTUARINE FLOOD RISK REDUCTION.

At the request of a non-Federal interest, the Secretary is authorized, as part of an authorized feasibility study for a project for hurricane and storm damage risk reduction, to investigate measures to reduce the risk of flooding associated with tidally influenced portions of rivers, bays, and estuaries that are hydrologically connected to the coastal water body and located within the geographic scope of the study.

SEC. 105. REMOVAL OF MANMADE OBSTRUCTION TO AQUATIC ECOSYSTEM RESTORATION PROJECTS.

(a) IN GENERAL.—In carrying out an aquatic ecosystem restoration project, at the request of a non-Federal interest and with the consent of the owner of a manmade obstruction, the Secretary shall determine whether the removal of such obstruction from the aquatic environment within the geographic scope of the project is necessary to meet the aquatic ecosystem restoration goals of the project.

(b) REMOVAL COSTS.—If the Secretary determines under subsection (a) that removal of an obstruction is necessary, the Secretary shall consider the removal of such obstruction to be a project feature and the cost of such removal shall be shared between the Secretary and non-Federal interest as a construction cost.

(c) APPLICABILITY.—The requirements of subsection (a) shall apply to any project for ecosystem restoration authorized on or after June 10, 2014.

(d) SAVINGS CLAUSE.—The authority contained in this section shall not apply to the Ice Harbor Lock and Dam, the Little Goose Lock and Dam, the Lower Granite Lock and Dam, and the Lower Monumental Lock and Dam on Snake River, authorized by section 2 of the Act of March 2, 1945 (chapter 19, 59 Stat. 21).

SEC. 106. NATIONAL COASTAL MAPPING STUDY.

(a) IN GENERAL.—The Secretary, acting through the Director of the Engineer Research and Development Center, is authorized to carry out a study of coastal geographic land changes, with recurring national coastal mapping technology, along the coastal zone of the United States to support Corps of Engineers missions.

(b) STUDY.—In carrying out the study under subsection (a), the Secretary shall identify—

(1) new or advanced geospatial information and remote sensing tools for coastal mapping;

(2) best practices for coastal change mapping;

(3) how to most effectively—

(A) collect and analyze such advanced geospatial information;

(B) disseminate such geospatial information to relevant offices of the Corps of Engineers, other Federal agencies, States, Tribes, and local governments; and

(C) make such geospatial information available to other stakeholders.

(c) DEMONSTRATION PROJECT.—

(1) PROJECT AREA.—In carrying out the study under subsection (a), the Secretary shall carry out a demonstration project in the coastal region covering the North Carolina coastal waters, connected bays, estuaries, rivers, streams, and creeks, to their tidally influenced extent inland.

(2) SCOPE.—In carrying out the demonstration project, the Secretary shall—

(A) identify and study potential hazards, such as debris, sedimentation, dredging effects, and flood areas;

(B) identify best practices described in subsection (b)(2), including best practices relating to geographical coverage and frequency of mapping;

(C) evaluate and demonstrate relevant mapping technologies to identify which are the most effective for regional mapping of the transitional areas between the open coast and inland waters; and

(D) demonstrate remote sensing tools for coastal mapping.

(d) COORDINATION.—In carrying out this section, the Secretary shall coordinate with other Federal and State agencies that are responsible for authoritative data and academic institutions and other entities with relevant expertise.

(e) PANEL.—

(1) ESTABLISHMENT.—In carrying out this section, the Secretary shall establish a panel of senior leaders from the Corps of Engineers and other Federal agencies that are stakeholders in the coastal mapping program carried out through the Engineer Research and Development Center.

(2) DUTIES.—The panel established under this subsection shall—

(A) coordinate the collection of data under the study carried out under this section;

(B) coordinate the use of geospatial information and remote sensing tools, and the application of the best practices identified under the study, by Federal agencies; and

(C) identify technical topics and challenges that require multiagency collaborative research and development.

(f) USE OF EXISTING INFORMATION.—In carrying out this section, the Secretary shall consider any relevant information developed under section 516(g) of the Water Resources Development Act of 1996 (33 U.S.C. 2326b(g)).

(g) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

(1) the results of the study carried out under this section; and

(2) any geographical areas recommended for additional study.

(h) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section $25,000,000, to remain available until expended.

SEC. 107. PUBLIC RECREATIONAL AMENITIES IN ECOSYSTEM RESTORATION PROJECTS.

At the request of a non-Federal interest, the Secretary is authorized to study the incorporation of public recreational amenities, including facilities for hiking, biking, walking, and waterborne recreation, into a project for ecosystem restoration, including a project carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), if the incorporation of such amenities would be consistent with the ecosystem restoration purposes of the project.

SEC. 108. PRELIMINARY ANALYSIS.

(a) IN GENERAL.—Section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c) is amended by striking subsections (e) and (f) and inserting the following:

''(e) PRELIMINARY ANALYSIS.—

''(1) IN GENERAL.—At the request of a non-Federal interest, the Secretary shall, prior to executing a cost-sharing agreement for a feasibility study described in subsection (a), carry out a preliminary analysis of the water resources problem that is the subject of the feasibility study in order to identify potential alternatives to address such problem.

''(2) CONSIDERATIONS.—In carrying out a preliminary analysis under this subsection, the Secretary shall include in such analysis—

''(A) a preliminary analysis of the Federal interest, costs, benefits, and environmental impacts of the project;

''(B) an estimate of the costs of, and duration for, preparing the feasibility study; and

''(C) for a flood risk management or hurricane and storm risk reduction project, at the request of the non-Federal interest, the identification of any opportunities to incorporate natural features or nature-based features into the project.

''(3) DEADLINE.—The Secretary shall complete a preliminary analysis carried out under this subsection by not later than 180 days after the date on which funds are made available to the Secretary to carry out the preliminary analysis.

''(4) COST SHARE.—The cost of a preliminary analysis carried out under this subsection—

''(A) shall be at Federal expense; and

''(B) shall not exceed $200,000.

''(5) TREATMENT.—

''(A) TIMING.—The period during which a preliminary analysis is carried out under this subsection shall not be included for the purposes of the deadline to complete a final feasibility report under subsection (a)(1).

''(B) COST.—The cost of a preliminary analysis carried out under this subsection shall not be included for the purposes of the maximum Federal cost under subsection (a)(2).''.

(b) CONFORMING AMENDMENT.—Section 905(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)(2)) is amended by striking ''a preliminary analysis'' and inserting ''an analysis''.

SEC. 109. TECHNICAL ASSISTANCE.

(a) PLANNING ASSISTANCE TO STATES.—Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)(1)—

(A) by inserting ''local government,'' after ''State or group of States,''; and

(B) by inserting ''local government,'' after ''such State, interest,'';

(2) in subsection (c)(2), by striking ''$15,000,000'' and inserting ''$30,000,000''; and

(3) in subsection (f)—

(A) by striking ''The cost-share for assistance'' and inserting the following:

''(1) TRIBES AND TERRITORIES.—The cost-share for assistance''; and

(B) by adding at the end the following:

''(2) ECONOMICALLY DISADVANTAGED COMMUNITIES.—Notwithstanding subsection (b)(1) and the limitation in section 1156 of the Water Resources Development Act of 1986, as applicable pursuant to paragraph (1) of this subsection, the Secretary is authorized to waive the collection of fees for any local government to which assistance is provided under subsection (a) that the Secretary determines is an economically disadvantaged community, as defined by the Secretary under section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note).''.

(b) WATERSHED PLANNING AND TECHNICAL ASSISTANCE.—In providing assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) or pursuant to section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a), the Secretary shall, upon request, provide such assistance at a watershed scale.

SEC. 110. CORPS OF ENGINEERS SUPPORT FOR UNDERSERVED COMMUNITIES; OUTREACH.

(a) IN GENERAL.—It is the policy of the United States for the Corps of Engineers to strive to understand and accommodate and, in coordination with non-Federal interests, seek to address the water resources development needs of all communities in the United States, including Indian Tribes and urban and rural economically disadvantaged communities (as defined by the Secretary under section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note)).

(b) OUTREACH AND ACCESS.—

(1) IN GENERAL.—The Secretary shall develop, support, and implement public awareness, education, and regular outreach and engagement efforts for potential non-Federal interests with respect to the water resources development authorities of the Secretary, with particular emphasis on—

(A) technical service programs, including the authorities under—

(i) section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a);

(ii) section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16); and

(iii) section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269); and

(B) continuing authority programs, as such term is defined in section 7001(c)(1)(D) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d).

(2) IMPLEMENTATION.—In carrying out this subsection, the Secretary shall—

(A) develop and make publicly available (including on a publicly available website), technical assistance materials, guidance, and other information with respect to the water resources development authorities of the Secretary;

(B) establish and make publicly available (including on a publicly available website), an appropriate point of contact at each district and division office of the Corps of Engineers for inquiries from potential non-Federal interests relating to the water resources development authorities of the Secretary;

(C) conduct regular outreach and engagement, including through hosting seminars and community information sessions, with local elected officials, community organizations, and previous and potential non-Federal interests, on opportunities to address local water resources challenges through the water resources development authorities of the Secretary;

(D) issue guidance for, and provide technical assistance through technical service programs to, non-Federal interests to assist such interests in pursuing technical services and developing proposals for water resources development projects; and

(E) provide, at the request of a non-Federal interest, assistance with researching and identifying existing project authorizations or authorities to address local water resources challenges.

(3) PRIORITIZATION.—In carrying out this subsection, the Secretary shall prioritize awareness, education, and outreach and engagement efforts for urban and rural economically disadvantaged communities and Indian Tribes.

SEC. 111. PROJECT PLANNING ASSISTANCE.

Section 118 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note)—

(1) in subsection (b)(2)—

(A) in subparagraph (A), by striking ''publish'' and inserting ''annually publish''; and

(B) in subparagraph (C), by striking ''select'' and inserting '', subject to the availability of appropriations, annually select''; and

(2) in subsection (c)(2), in the matter preceding subparagraph (A), by striking ''projects'' and inserting ''projects annually''.

SEC. 112. MANAGED AQUIFER RECHARGE STUDY AND WORKING GROUP.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall, in consultation with applicable non-Federal interests, conduct a study at Federal expense to determine the feasibility of carrying out managed aquifer recharge projects to address drought, water resiliency, and aquifer depletion.

(2) REQUIREMENTS.—In carrying out the study under this subsection, the Secretary shall—

(A) assess and identify opportunities to support non-Federal interests, including Tribal communities, in carrying out managed aquifer recharge projects;

(B) identify opportunities to carry out managed aquifer recharge projects in areas that are experiencing, or have recently experienced, prolonged drought conditions, aquifer depletion, or water supply scarcity; and

(C) assess preliminarily local hydrogeologic conditions relevant to carrying out managed aquifer recharge projects.

(3) COORDINATION.—In carrying out the study under this subsection, the Secretary shall coordinate, as appropriate, with the heads of other Federal agencies, States, regional governmental agencies, units of local government, experts in managed aquifer recharge, and Tribes.

(b) WORKING GROUP.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment, the Secretary shall establish a managed aquifer recharge working group within the Corps of Engineers.

(2) COMPOSITION.—In establishing the working group under paragraph (1), the Secretary shall ensure that members of the working group have expertise working with—

(A) projects providing water supply storage to meet regional water supply demand, particularly in regions experiencing drought;

(B) protection of groundwater supply, including promoting infiltration and increased recharge in groundwater basins, and groundwater quality;

(C) aquifer storage, recharge, and recovery wells;

(D) dams that provide recharge enhancement benefits;

(E) groundwater hydrology;

(F) conjunctive use water systems; and

(G) agricultural water resources, including the use of aquifers for irrigation purposes.

(3) DUTIES.—The working group established under this subsection shall—

(A) advise and assist in the development and execution of the feasibility study under subsection (a);

(B) coordinate Corps of Engineers expertise on managed aquifer recharge;

(C) share Corps of Engineers-wide communications on the successes and failures, questions and answers, and conclusions and recommendations with respect to managed aquifer recharge projects;

(D) assist Corps of Engineers offices at the headquarter, division, and district levels with raising awareness to non-Federal interests on the potential benefits of carrying out managed aquifer recharge projects; and

(E) develop the report required to be submitted under subsection (c).

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on managed aquifer recharge that includes—

(1) the results of the study conducted under subsection (a), including data collected under such study and any recommendations on managed aquifer recharge opportunities for non-Federal interests, States, local governments, and Tribes;

(2) a status update on the implementation of the recommendations included in the report of the U.S. Army Corps of Engineers Institute for Water Resources entitled ''Managed Aquifer Recharge and the U.S. Army Corps of Engineers: Water Security through Resilience'', published in April 2020 (2020–WP–01); and

(3) an evaluation of the benefits of creating a new or modifying an existing planning center of expertise for managed aquifer recharge, and identify potential locations for such a center of expertise, if feasible.

(d) DEFINITIONS.—In this section:

(1) MANAGED AQUIFER RECHARGE.—The term ''managed aquifer recharge'' means the intentional banking and treatment of water in aquifers for storage and future use.

(2) MANAGED AQUIFER RECHARGE PROJECT.—The term ''managed aquifer recharge project'' means a project to incorporate managed aquifer recharge features into a water resources development project.

SEC. 113. FLOOD EASEMENT DATABASE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish and maintain a database containing an inventory of—

(1) all floodplain and flowage easements held by the Corps of Engineers; and

(2) other federally held floodplain and flowage easements with respect to which other Federal agencies submit information to the Secretary.

(b) CONTENTS.—The Secretary shall include in the database established under subsection (a)—

(1) with respect to each floodplain and flowage easement included in the database—

(A) the location of the land subject to the easement (including geographic information system information);

(B) a brief description of such land, including the acreage and ecosystem type covered by the easement;

(C) the Federal agency that holds the easement;

(D) any conditions of the easement, including—

(i) the amount of flooding, timing of flooding, or area of flooding covered by the easement;

(ii) any conservation requirements; and

(iii) any restoration requirements;

(E) the date on which the easement was acquired; and

(F) whether the easement is permanent or temporary, and if the easement is temporary, the date on which the easement expires; and

(2) any other information that the Secretary determines appropriate.

(c) AVAILABILITY OF INFORMATION.—The Secretary shall make the full database established under subsection (a) available to the public in searchable form, including on the internet.

(d) OTHER FEDERAL EASEMENTS.—The Secretary shall request information from other Federal agencies to incorporate other federally held floodplain and flowage easements into the database established under subsection (a).

SEC. 114. ASSESSMENT OF CORPS OF ENGINEERS LEVEES.

(a) IN GENERAL.—The Secretary shall, at Federal expense, periodically conduct an assessment of levees constructed by the Secretary or for which the Secretary has financial or operational responsibility, to identify opportunities for the modification (including realignment or incorporation of natural and nature-based features) of levee systems to—

(1) increase the flood risk reduction benefits of such systems;

(2) achieve greater flood resiliency; and

(3) restore hydrological and ecological connections with adjacent floodplains that achieve greater environmental benefits without undermining the objectives of paragraphs (1) and (2).

(b) ASSESSMENT.—

(1) CONSIDERATIONS.—In conducting an assessment under subsection (a), the Secretary shall consider and identify, with respect to each levee—

(A) an estimate of the number of structures and population at risk and protected by the levee that would be adversely impacted if the levee fails or water levels exceed the height of the levee (which may be the applicable estimate included in the levee database established under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303), if available);

(B) the number of times the non-Federal interest has received emergency flood-fighting or repair assistance under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n) for the levee, and the total expenditures on postflood repairs over the life of the levee;

(C) the functionality of the levee with regard to higher precipitation levels, including due to changing climatic conditions and extreme weather events; and

(D) the potential costs and benefits (including environmental benefits and implications for levee-protected communities located in a Special Flood Hazard Area) from modifying the applicable levee system to restore connections with adjacent floodplains.

(2) PRIORITIZATION.—In conducting an assessment under subsection (a), the Secretary shall prioritize levees—

(A) associated with an area that has been subject to flooding in two or more events in any 10-year period; and

(B) for which the non-Federal interest has received emergency flood-fighting or repair assistance under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n) with respect to such flood events.

(3) COORDINATION.—In conducting an assessment under subsection (a), the Secretary shall coordinate with any non-Federal interest that has financial or operational responsibility for a levee being assessed.

(c) FLOOD PLAIN MANAGEMENT SERVICES.—In conducting an assessment under subsection (a), the Secretary shall consider information on floods and flood damages compiled under section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a).

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, and periodically thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the assessment conducted under subsection (a).

(2) INCLUSION.—The Secretary shall include in each report submitted under paragraph (1)—

(A) identification of any levee for which the Secretary has conducted an assessment under subsection (a);

(B) a description of any opportunities identified under such subsection for the modification (including realignment or incorporation of natural and nature-based features) of a levee system, including the potential benefits of such modification for the purposes identified under such subsection; and

(C) a summary of the information considered and identified under subsection (b)(1).

(e) INCORPORATION OF INFORMATION.—The Secretary shall include in the levee database established under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303) the information included in each report submitted under subsection (d), and make such information publicly available, including on the internet.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 115. TECHNICAL ASSISTANCE FOR LEVEE INSPECTIONS.

In any instance where the Secretary requires, as a condition of eligibility for Federal assistance under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), that a non-Federal sponsor of a flood control project undertake an electronic inspection of the portion of such project that is under normal circumstances submerged, the Secretary shall provide to the non-Federal sponsor credit or reimbursement for the cost of carrying out such inspection against the non-Federal share of the cost of repair or restoration of such project carried out under such section.

SEC. 116. ASSESSMENT OF CORPS OF ENGINEERS DAMS.

(a) IN GENERAL.—The Secretary shall conduct an assessment of dams constructed by the Secretary or for which the Secretary has financial or operational responsibility, to identify—

(1) any dam that is meeting its authorized purposes and that may be a priority for rehabilitation, environmental performance enhancements, or retrofits to add or replace power generation (at a powered or nonpowered dam), and the recommendations of the Secretary for addressing each such dam; and

(2) any dam that does not meet its authorized purposes, has been abandoned or inadequately maintained, or has otherwise reached the end of its useful life, and the recommendations of the Secretary for addressing each such dam, which may include a recommendation to remove the dam.

(b) NATIONAL DAM INVENTORY AND ASSESSMENT.—The Secretary shall include in the inventory of dams required by section 6 of the National Dam Safety Program Act (33 U.S.C. 467d) any information and recommendations resulting from the assessment of dams conducted under subsection (a).

(c) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the assessment of dams conducted under subsection (a).

SEC. 117. NATIONAL LOW-HEAD DAM INVENTORY.

(a) IN GENERAL.—The Secretary, in consultation with the heads of appropriate Federal and State agencies, shall—

(1) establish and maintain a database containing an inventory of low-head dams in the United States that includes—

(A) the location (including global information system information), ownership, description, current use condition, height, and length of each low-head dam;

(B) any information on public safety conditions, including signage, at each low-head dam;

(C) public safety information on the dangers of low-head dams; and

(D) any other relevant information concerning low-head dams; and

(2) include in the inventory of dams required by section 6 of the National Dam Safety Program Act (33 U.S.C. 467d) the information described in paragraph (1).

(b) INCLUSION OF INFORMATION.—In carrying out this section, the Secretary shall include in the database information described in subsection (a)(1) that is provided to the Secretary by Federal and State agencies pursuant to subsection (a).

(c) PUBLIC AVAILABILITY.—The Secretary shall make the database established under subsection (a) publicly available, including on a publicly available website.

(d) LOW-HEAD DAM DEFINED.—In this section, the term ''low-head dam'' means a manmade structure, built in a river or stream channel, that is designed and built such that water flows continuously over all, or nearly all, of the crest from bank to bank.

SEC. 118. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) by redesignating subparagraph (C) as subparagraph (D); and

(iii) by inserting after subparagraph (B) the following:

''(C) technical assistance to an Indian tribe, including—

''(i) assistance for planning to ameliorate flood hazards, to avoid repetitive flooding impacts, to anticipate, prepare, and adapt to changing climatic conditions and extreme weather events, and to withstand, respond to, and recover rapidly from disruption due to flood hazards; and

''(ii) the provision of, and integration into planning of, hydrologic, economic, and environmental data and analyses; and''; and

(B) in paragraph (4), by striking ''$18,500,000'' each place it appears and inserting ''$23,500,000'';

(2) in subsection (d), by adding at the end the following:

''(6) TECHNICAL ASSISTANCE.—The Federal share of the cost of activities described in subsection (b)(2)(C) shall be 100 percent.''; and

(3) in subsection (e), by striking ''2024'' and inserting ''2026''.

SEC. 119. TRIBAL LIAISON.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, for each Corps of Engineers district that contains a Tribal community, the Secretary shall establish a permanent position of Tribal Liaison to—

(1) serve as a direct line of communication between the Secretary and the applicable Tribal communities; and

(2) ensure consistency in government-to-government relations.

(b) DUTIES.—Each Tribal Liaison shall make recommendations to the Secretary regarding, and be responsible for—

(1) removing barriers to access to, and participation in, Corps of Engineers programs for Tribal communities, including by improving implementation of section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m));

(2) improving outreach to, and engagement with, Tribal communities about relevant Corps of Engineers programs and services;

(3) identifying and engaging with Tribal communities suffering from water resources challenges;

(4) improving, expanding, and facilitating government-to-government consultation between Tribal communities and the Corps of Engineers;

(5) coordinating and implementing all relevant Tribal consultation policies and associated guidelines, including the requirements of section 112 of the Water Resources Development Act of 2020 (33 U.S.C. 2356);

(6) training and tools to facilitate the ability of Corps of Engineers staff to effectively engage with Tribal communities in a culturally competent manner, especially in regards to lands of ancestral, historic, or cultural significance to a Tribal community, including burial sites; and

(7) such other issues identified by the Secretary.

(c) UNIFORMITY.—Not later than 120 days after the date of enactment of this Act, the Secretary shall finalize guidelines for—

(1) the duties of Tribal Liaisons under subsection (b); and

(2) required qualifications for Tribal Liaisons, including experience and expertise relating to Tribal communities and water resource issues, and the ability to carry out such duties.

(d) FUNDING.—Funding for the position of Tribal Liaison shall be allocated from the budget line item provided for the expenses necessary for the supervision and general administration of the civil works program, and filling the position shall not be dependent on any increase in this budget line item.

(e) TRIBAL COMMUNITY DEFINED.—In this section, the term ''Tribal community'' means a community of people who are recognized and defined under Federal law as indigenous people of the United States.

SEC. 120. TRIBAL ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) BONNEVILLE DAM.—The term ''Bonneville Dam'' means the Bonneville Dam, Columbia River, Oregon, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1038) and the first section and section 2(a) of the Act of August 20, 1937 (16 U.S.C. 832, 832(a)).

(2) DALLES DAM.—The term ''Dalles Dam'' means the Dalles Dam, Columbia River, Washington and Oregon, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179).

(3) JOHN DAY DAM.—The term ''John Day Dam'' means the John Day Dam, Columbia River, Washington and Oregon, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179).

(4) VILLAGE DEVELOPMENT PLAN.—The term ''village development plan'' means the village development plan required by section 1133(c) of the Water Resources Development Act of 2018 (132 Stat. 3782).

(b) CLARIFICATION OF EXISTING AUTHORITY.—

(1) IN GENERAL.—The Secretary, in consultation with the heads of relevant Federal agencies, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, the Nez Perce Tribe, and the Confederated Tribes of the Umatilla Indian Reservation, shall revise and carry out the village development plan for the Dalles Dam to provide replacement villages for each Indian village submerged as a result of the construction of the Bonneville Dam and the John Day Dam.

(2) EXAMINATION.—Before revising and carrying out the village development plan under paragraph (1), the Secretary shall conduct an examination and assessment of the extent to which Indian villages, housing sites, and related structures were displaced by the construction of the Bonneville Dam and the John Day Dam.

(3) REQUIREMENTS.—In revising the village development plan under paragraph (1), the Secretary shall include, at a minimum—

(A) an evaluation of sites on both sides of the Columbia River;

(B) an assessment of suitable private, State, and Federal lands; and

(C) an estimated cost and tentative schedule for the construction of each replacement village.

(c) PROVISION OF ASSISTANCE ON FEDERAL LAND.—In carrying out subsection (b)(1), the Secretary may construct housing or provide related assistance on land owned by the United States.

(d) ACQUISITION AND DISPOSAL OF LAND.—

(1) IN GENERAL.—In carrying out subsection (b)(1), the Secretary may acquire land or interests in land for the purpose of providing housing and related assistance.

(2) ADVANCE ACQUISITION.—The Secretary may acquire land or interests in land under paragraph (1) before completing all required documentation and receiving all required clearances for the construction of housing or related improvements on the land.

(3) DISPOSAL OF UNSUITABLE LAND.—In the event the Secretary determines that land or an interest in land acquired by the Secretary under paragraph (2) is unsuitable for the purpose for which it was acquired, the Secretary is authorized to dispose of the land or interest in land by sale and credit the proceeds to the appropriation, fund, or account used to purchase the land or interest in land.

(e) CONFORMING AMENDMENT.—Section 1178(c) of the Water Resources Development Act of 2016 (130 Stat. 1675; 132 Stat. 3781) is repealed.

SEC. 121. COST SHARING PROVISIONS FOR THE TERRITORIES AND INDIAN TRIBES.

Section 1156(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2310(a)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and'' ; and

(3) by adding at the end the following:

''(3) for any organization that—

''(A) is composed primarily of people who are—

''(i) recognized and defined under Federal law as indigenous people of the United States; and

''(ii) from a specific community; and

''(B) assists in the social, cultural, and educational development of such people in that community.''.

SEC. 122. SENSE OF CONGRESS ON COVID–19 IMPACTS TO COASTAL AND INLAND NAVIGATION.

It is the sense of Congress that, for fiscal years 2023 and 2024, the Secretary should, to the maximum extent practicable, seek to maintain the eligibility of a donor port, energy transfer port, or medium-sized donor port, as defined in section 2106(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(a)), that received funding under section 2106 of such Act in fiscal year 2020, but that the Secretary determines would no longer be eligible for such funding as a result of a demonstrable impact on the calculations required by the definitions of a donor port, energy transfer port, or medium-sized donor port contained in such section due to a reduction in domestic cargo shipments related to the COVID–19 pandemic.

SEC. 123. ASSESSMENT OF REGIONAL CONFINED AQUATIC DISPOSAL FACILITIES.

(a) AUTHORITY.—The Secretary is authorized to conduct assessments of the availability of confined aquatic disposal facilities for the disposal of contaminated dredged material.

(b) INFORMATION AND COMMENT.—In conducting an assessment under this section, the Secretary shall—

(1) solicit information from stakeholders on potential projects that may require disposal of contaminated sediments in a confined aquatic disposal facility;

(2) solicit information from the applicable division of the Corps of Engineers on the need for confined aquatic disposal facilities; and

(3) provide an opportunity for public comment.

(c) NORTH ATLANTIC DIVISION REGION ASSESSMENT.—In carrying out subsection (a), the Secretary shall prioritize conducting an assessment of the availability of confined aquatic disposal facilities in the North Atlantic Division region for the disposal of contaminated dredged material in such region.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of any assessments conducted under this section, including any recommendations of the Secretary for the construction of new confined aquatic disposal facilities or expanded capacity for confined aquatic disposal facilities.

(e) DEFINITION.—In this section, the term ''North Atlantic Division region'' means the area located within the boundaries of the North Atlantic Division of the Corps of Engineers.

SEC. 124. STRATEGIC PLAN ON BENEFICIAL USE OF DREDGED MATERIAL.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a strategic plan that identifies opportunities and challenges relating to furthering the policy of the United States to maximize the beneficial use of suitable dredged material obtained from the construction or operation and maintenance of water resources development projects, as described in section 125(a)(1) of the Water Resources Development Act of 2020 (33 U.S.C. 2326g).

(b) CONSULTATION.—In developing the strategic plan under subsection (a), the Secretary shall—

(1) consult with relevant Federal agencies involved in the beneficial use of dredged material;

(2) solicit and consider input from State and local governments and Indian Tribes, while seeking to ensure a geographic diversity of input from the various Corps of Engineers divisions; and

(3) consider input received from other stakeholders involved in beneficial use of dredged material.

(c) INCLUSION.—The Secretary shall include in the strategic plan developed under subsection (a)—

(1) identification of any specific barriers and conflicts that the Secretary determines impede the maximization of beneficial use of dredged material at the Federal, State, and local level, and any recommendations of the Secretary to address such barriers and conflicts;

(2) identification of specific measures to improve interagency and Federal, State, local, and Tribal communications and coordination to improve implementation of section 125(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2326g); and

(3) identification of methods to prioritize the use of dredged material to benefit water resources development projects in areas experiencing vulnerabilities to coastal land loss.

SEC. 125. FUNDING TO REVIEW MITIGATION BANKING PROPOSALS FROM NON-FEDERAL PUBLIC ENTITIES.

Section 214 of the Water Resources Development Act of 2000 (33 U.S.C. 2352) is amended—

(1) in the section heading, by inserting ''**AND REVIEW PROPOSALS**'' after ''**PERMITS**'';

(2) by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following:

''(e) FUNDING TO REVIEW MITIGATION BANK PROPOSALS.—

''(1) DEFINITIONS.—In this subsection, the terms 'mitigation bank' and 'mitigation bank instrument' have the meanings given those terms in section 230.91 of title 40, Code of Federal Regulations (or any successor regulation).

''(2) PROPOSAL REVIEW.—The Secretary, after public notice, may accept and expend funds contributed by a non-Federal public entity to expedite the review of a proposal for a mitigation bank for which the non-Federal public entity is the sponsor, without regard to whether the entity plans to sell a portion of the credits generated by a mitigation bank instrument of the entity to other public or private entities, if the entity enters into an agreement with the Secretary that requires the entity to use for a public purpose any funds obtained from the sale of such credits.

''(3) EFFECT ON OTHER ENTITIES.—To the maximum extent practicable, the Secretary shall ensure that expediting the review of a proposal for a mitigation bank through the use of funds accepted and expended under this subsection does not adversely affect the timeline for review (in the Corps of Engineers district in which the mitigation bank is to be located) of such proposals of other entities that have not contributed funds under this subsection.

''(4) EFFECT ON REVIEW.—In carrying out this subsection, the Secretary shall ensure that the use of funds accepted under paragraph (1) will not impact impartial decisionmaking with respect to proposals for mitigation banks, either substantively or procedurally.

''(5) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—The Secretary shall ensure that all final decisions regarding proposals for mitigation banks carried out using funds authorized under this subsection are made available to the public in a common format, including on the internet, and in a manner that distinguishes final decisions under this subsection from other final actions of the Secretary.

''(B) DECISION DOCUMENT.—The Secretary shall—

''(i) use a standard decision document for reviewing all proposals using funds accepted under this subsection; and

''(ii) make the standard decision document, along with all final decisions regarding proposals for mitigation banks, available to the public, including on the internet.''; and

(3) in paragraph (1) of subsection (f), as so redesignated—

(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon; and

(B) by redesignating subparagraph (C) as subparagraph (D) and inserting after subparagraph (B) the following:

''(C) a comprehensive list of the proposals for mitigation banks reviewed and approved using funds accepted under subsection (e) during the previous fiscal year, including a description of any effects of such subsection on the timelines for review of proposals of other entities that have not contributed funds under such subsection; and''.

SEC. 126. ENVIRONMENTAL DREDGING.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, other Federal and State agencies, and the applicable non-Federal interest, shall coordinate efforts to remove or remediate contaminated sediments and legacy high-phosphorous sediments associated with the following water resources development projects:

(1) The project for ecosystem restoration, South Fork of the South Branch of the Chicago River, Bubbly Creek, Illinois, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740).

(2) the project for navigation, Columbia and Lower Willamette Rivers, Oregon and Washington, in the vicinity of the Albina Turning Basin, River Mile 10, and the Post Office Bar, Portland Harbor, River Mile 2.

(3) The project for aquatic ecosystem restoration, Mahoning River, Ohio, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(4) The project for navigation, South Branch of the Chicago River, Cook County, Illinois, in the vicinity of Collateral Channel.

(5) The project for ecosystem restoration, Central and Southern Florida Project, Central Everglades Restoration Plan, Florida, in the vicinity of Lake Okeechobee.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this section, the Secretary and the Administrator of the Environmental Protection Agency shall jointly submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on efforts to remove or remediate contaminated sediments associated with the projects identified in subsection (a), including, if applicable, any specific recommendations for actions or agreements necessary to undertake such work.

SEC. 127. RESERVE COMPONENT TRAINING AT WATER RESOURCES DEVELOPMENT PROJECTS.

In carrying out military training activities or otherwise fulfilling military training requirements, units or members of a reserve component of the Armed Forces may perform services and furnish supplies in support of a water resources development project or program of the Corps of Engineers without reimbursement.

SEC. 128. PAYMENT OF PAY AND ALLOWANCES OF CERTAIN OFFICERS FROM APPROPRIATION FOR IMPROVEMENTS.

Section 36 of the Act of August 10, 1956 (33 U.S.C. 583a), is amended—

(1) by striking ''Regular officers of the Corps of Engineers of the Army, and reserve officers of the Army who are assigned to the Corps of Engineers,'' and inserting the following:

''(a) IN GENERAL.—The personnel described in subsection (b)''; and

(2) by adding at the end the following:

''(b) PERSONNEL DESCRIBED.—The personnel referred to in subsection (a) are the following:

''(1) Regular officers of the Corps of Engineers of the Army.

''(2) The following members of the Army who are assigned to the Corps of Engineers:

''(A) Reserve component officers.

''(B) Warrant officers (whether regular or reserve component).

''(C) Enlisted members (whether regular or reserve component).''.

SEC. 129. CIVIL WORKS RESEARCH, DEVELOPMENT, TESTING, AND EVALUATION.

(a) IN GENERAL.—The Secretary is authorized to carry out basic, applied, and advanced research needs as required to aid in the planning, design, construction, operation, and maintenance of water resources development projects and to support the missions and authorities of the Corps of Engineers.

(b) DEMONSTRATION PROJECTS.—In carrying out subsection (a), the Secretary is authorized to test and apply technology, tools, techniques, and materials developed pursuant to such subsection at authorized water resources development projects, in consultation with the non-Federal interests for such projects.

(c) OTHER TRANSACTIONAL AUTHORITY.—

(1) AUTHORITY.—In carrying out subsection (a), and pursuant to the authority under section 4022 of title 10, United States Code, the Secretary is authorized to enter into a transaction to carry out prototype projects to support basic, applied, and advanced research needs that are directly relevant to the civil works missions and authorities of the Corps of Engineers.

(2) NOTIFICATION.—Not later than 30 days before the Secretary enters into a transaction under paragraph (1), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of—

(A) the dollar amount of the transaction; and

(B) the entity carrying out the prototype project that is the subject of the transaction.

(3) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the use of the authority under this subsection.

(4) TERMINATION OF AUTHORITY.—The authority provided under this subsection shall terminate 5 years after the date of enactment of this Act.

(d) COORDINATION AND CONSULTATION.—In carrying out this section, the Secretary may coordinate and consult with Federal agencies, State and local agencies, Indian Tribes, universities, consortiums, councils, and other relevant entities that will aid in the planning, design, construction, operation, and maintenance of water resources development projects.

(e) ESTABLISHMENT OF ACCOUNT.—The Secretary, in consultation with the Director of the Office of Management and Budget, shall establish a separate appropriations account for administering funds made available to carry out this section.

(f) SENSE OF CONGRESS ON FOCUS AREAS.—It is the sense of Congress that the Secretary should prioritize using amounts made available to carry out this section for the research, development, testing, and evaluation of technology, tools, techniques, and materials that will—

(1) advance the use of natural features and nature-based features, as defined in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a));

(2) improve the reliability and accuracy of technologies related to water supply;

(3) improve the management of reservoirs owned and operated by the Corps of Engineers; and

(4) lead to future cost savings and advance project delivery timelines.

SEC. 130. SUPPORT OF ARMY CIVIL WORKS PROGRAM.

Notwithstanding section 4141 of title 10, United States Code, the Secretary may provide assistance through contracts, cooperative agreements, and grants to—

(1) the University of Missouri to conduct economic analyses and other academic research to improve water management, enhance flood resiliency, and preserve water resources for the State of Missouri, the Lower Missouri River Basin, and Upper Mississippi River Basin; and

(2) Oregon State University to conduct a study on the associated impacts of wildfire on water resource ecology, water supply, quality, and distribution in the Willamette River Basin and to develop a water resource assessment and management platform for the Willamette River Basin.

SEC. 131. CONTRACTS WITH INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE ASSISTANCE.

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by adding at the end the following:

''(e) CAPACITY TO PROVIDE ASSISTANCE.—In carrying out this section, the Secretary may work with or contract with an institution of higher education, as determined appropriate by the Secretary.''.

SEC. 132. RECORDS REGARDING MEMBERS AND EMPLOYEES OF THE CORPS OF ENGINEERS WHO PERFORM DUTY AT LAKE OKEECHOBEE, FLORIDA, DURING A HARMFUL ALGAL BLOOM.

(a) SERVICE RECORDS.—The Secretary shall indicate in the service record of a member or employee of the Corps of Engineers who performs covered duty that such member or employee was exposed to microcystin in the line of duty.

(b) COVERED DUTY DEFINED.—In this section, the term ''covered duty'' means duty performed—

(1) during a period when the Florida Department of Environmental Protection has determined that there is a concentration of microcystin of greater than 8 parts per billion in the waters of Lake Okeechobee resulting from a harmful algal bloom in such lake; and

(2) at or near any of the following structures:

(A) S–77.

(B) S–78.

(C) S–79.

(D) S–80.

(E) S–308.

SEC. 133. SENSE OF CONGRESS ON THE MISSISSIPPI RIVER-GULF OUTLET, LOUISIANA.

It is the sense of Congress that—

(1) sections 7012(b) and 7013 of the Water Resources Development Act of 2007 (121 Stat. 1280), together with the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234), authorize and direct the Secretary to close and restore the ecosystem adversely affected by the construction and operation of the Mississippi River-Gulf Outlet, Louisiana, at full Federal expense; and

(2) the Secretary should quickly begin construction of such project using existing authorities.

SEC. 134. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note) is amended—

(1) in subsection (a), by striking ''aquatic''; and

(2) in subsection (d)(1), by inserting ''ecosystem restoration,'' after ''flood damage reduction,''.

SEC. 135. APPLICABILITY.

None of the funds appropriated by title III of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) may be used to carry out this Act, or any amendments made by this Act.

TITLE II—STUDIES AND REPORTS

SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.

(a) NEW PROJECTS.—The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress:

(1) DUDLEYVILLE, ARIZONA.—Project for flood risk management, Dudleyville, Arizona.

(2) CONN CREEK DAM, CALIFORNIA.—Project for flood risk management, Conn Creek Dam, California.

(3) CITY OF HUNTINGTON BEACH, CALIFORNIA.—Project for hurricane and storm damage risk reduction, including sea level rise, and shoreline stabilization, City of Huntington Beach, California.

(4) NAPA RIVER, CALIFORNIA.—Project for navigation, Federal Channel of Napa River, California.

(5) PETALUMA RIVER WETLANDS, CALIFORNIA.—Project for ecosystem restoration, City of Petaluma, California.

(6) CITY OF RIALTO, CALIFORNIA.—Project for ecosystem restoration and flood risk management, City of Rialto and vicinity, California.

(7) NORTH RICHMOND, CALIFORNIA.—Project for hurricane and storm damage risk reduction, including sea level rise, and ecosystem restoration, North Richmond, California.

(8) STRATFORD, CONNECTICUT.—Project for hurricane and storm damage risk reduction and flood risk management, Stratford, Connecticut.

(9) WOODBRIDGE, CONNECTICUT.—Project for flood risk management, Woodbridge, Connecticut.

(10) FEDERAL TRIANGLE AREA, WASHINGTON, DISTRICT OF COLUMBIA.—Project for flood risk management, Federal Triangle Area, Washington, District of Columbia, including construction of improvements to interior drainage.

(11) POTOMAC AND ANACOSTIA RIVERS, WASHINGTON, DISTRICT OF COLUMBIA.—Project for recreational access, including enclosed swimming areas, Potomac and Anacostia Rivers, District of Columbia.

(12) WASHINGTON METROPOLITAN AREA, WASHINGTON, DISTRICT OF COLUMBIA, MARYLAND, AND VIRGINIA.—Project for water supply, including the identification of a secondary water source and additional water storage capability for the Washington Metropolitan Area, Washington, District of Columbia, Maryland, and Virginia.

(13) DUVAL COUNTY, FLORIDA.—Project for periodic beach nourishment for the project for hurricane and storm damage risk reduction, Duval County shoreline, Florida, authorized by the River and Harbor Act of 1965 (79 Stat. 1092; 90 Stat. 2933), for an additional period of 50 years, Duval County Shoreline, Florida.

(14) TOWN OF LONGBOAT KEY, FLORIDA.—Project for whole island hurricane and storm damage risk reduction, Town of Longboat Key, Florida.

(15) LAKE RUNNYMEDE, FLORIDA.—Project for ecosystem restoration, Lake Runnymede, Florida.

(16) TAMPA BACK BAY, FLORIDA.—Project for flood risk management and hurricane and storm damage risk reduction, including the use of natural features and nature-based features for protection and recreation, Tampa Back Bay, Florida.

(17) PORT TAMPA BAY AND MCKAY BAY, FLORIDA.—Project for hurricane and storm damage risk reduction, Port Tampa Bay, Florida, including McKay Bay.

(18) LAKE TOHOPEKALIGA, FLORIDA.—Project for ecosystem restoration and flood risk management, Lake Tohopekaliga, Florida.

(19) CITY OF ALBANY, GEORGIA.—Project for flood risk management, City of Albany, Georgia.

(20) CITY OF EAST POINT, GEORGIA.—Project for flood risk management, City of East Point, Georgia.

(21) FLINT RIVER BASIN HEADWATERS, CLAYTON COUNTY, GEORGIA.—Project for flood risk management and ecosystem restoration, Flint River Basin Headwaters, Clayton County, Georgia.

(22) TYBEE ISLAND, GEORGIA.—Project for periodic beach nourishment for the project for hurricane and storm damage risk reduction, Tybee Island, Georgia, authorized by section 201 of the Flood Control Act of 1965 (42 U.S.C. 1962d–5), for an additional period of 50 years, Tybee Island, Georgia.

(23) WAIKĪKĪ, HAWAII.—Project for ecosystem restoration and hurricane and storm damage risk reduction, Waikīkī, Hawaii.

(24) KENTUCKY RIVER AND NORTH FORK KENTUCKY RIVER, KENTUCKY.—Project for flood risk management on the Kentucky River and North Fork Kentucky River near Beattyville and Jackson, Kentucky.

(25) ASSAWOMPSET POND COMPLEX, MASSACHUSETTS.—Project for ecosystem restoration, flood risk management, and water supply, Assawompset Pond Complex, Massachusetts.

(26) CHARLES RIVER, MASSACHUSETTS.—Project for flood risk management and ecosystem restoration, Charles River, Massachusetts.

(27) CHELSEA CREEK AND MILL CREEK, MASSACHUSETTS.—Project for flood risk management and ecosystem restoration, including bank stabilization, City of Chelsea, Massachusetts.

(28) CONNECTICUT RIVER STREAMBANK EROSION, MASSACHUSETTS, VERMONT, AND NEW HAMPSHIRE.—Project for streambank erosion, Connecticut River, Massachusetts, Vermont, and New Hampshire.

(29) DEERFIELD RIVER, MASSACHUSETTS.—Project for flood risk management and ecosystem restoration, Deerfield River, Massachusetts.

(30) TOWN OF NORTH ATTLEBOROUGH, MASSACHUSETTS.—Project for ecosystem restoration and flood risk management between Whiting's and Falls ponds, North Attleborough, Massachusetts.

(31) TOWN OF HULL, MASSACHUSETTS.—Project for flood risk management and hurricane and storm damage risk reduction, Hull, Massachusetts.

(32) CITY OF REVERE, MASSACHUSETTS.—Project for flood risk management and marsh ecosystem restoration, City of Revere, Massachusetts.

(33) LOWER EAST SIDE, DETROIT, MICHIGAN.—Project for flood risk management, Lower East Side Detroit, Michigan.

(34) ELIJAH ROOT DAM, MICHIGAN.—Project for dam removal, by carrying out a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), Elijah Root Dam, Michigan.

(35) GROSSE POINTE SHORES AND GROSSE POINTE FARMS, MICHIGAN.—Project for ecosystem restoration and flood risk management, Grosse Pointe Shores and Grosse Pointe Farms, Michigan.

(36) SOUTHEAST MICHIGAN, MICHIGAN.—Project for flood risk management, Wayne, Oakland, and Macomb Counties, Michigan.

(37) TITTABAWASSEE RIVER WATERSHED, MICHIGAN.—Project for flood risk management, ecosystem restoration, and related conservation benefits, Tittabawassee River, Chippewa River, Pine River, and Tobacco River, Midland County, Michigan.

(38) SOUTHWEST MISSISSIPPI, MISSISSIPPI.—Project for ecosystem restoration and flood risk management, Wilkinson, Adams, Warren, Claiborne, Franklin, Amite, and Jefferson Counties, Mississippi.

(39) CAMDEN AND GLOUCESTER COUNTY, NEW JERSEY.—Project for tidal and riverine flood risk management, Camden and Gloucester Counties, New Jersey.

(40) EDGEWATER, NEW JERSEY.—Project for flood risk management, Edgewater, New Jersey.

(41) MAURICE RIVER, NEW JERSEY.—Project for navigation and for beneficial use of dredged materials for hurricane and storm damage risk reduction and ecosystem restoration, Maurice River, New Jersey.

(42) NORTHERN NEW JERSEY INLAND FLOODING, NEW JERSEY.—Project for inland flood risk management in Hudson, Essex, Union, Bergen, Hunterdon, Morris, Somerset, Warren, Passaic, and Sussex Counties, New Jersey.

(43) RISER DITCH, NEW JERSEY.—Project for flood risk management, including channel improvements, and other related water resource needs related to Riser Ditch in the communities of South Hackensack, Hasbrouck Heights, Little Ferry, Teterboro, and Moonachie, New Jersey.

(44) ROCKAWAY RIVER, NEW JERSEY.—Project for flood risk management and ecosystem restoration, including bank stabilization, Rockaway River, New Jersey.

(45) TENAKILL BROOK, NEW JERSEY.—Project for flood risk management, Tenakill Brook, New Jersey.

(46) VERONA, CEDAR GROVE, AND WEST CALDWELL, NEW JERSEY.—Project for flood risk management along the Peckman River Basin in the townships of Verona (and surrounding area), Cedar Grove, and West Caldwell, New Jersey.

(47) WHIPPANY RIVER WATERSHED, NEW JERSEY.—Project for flood risk management, Morris County, New Jersey.

(48) LAKE FARMINGTON DAM, NEW MEXICO.—Project for water supply, Lake Farmington Dam, New Mexico.

(49) MCCLURE DAM, NEW MEXICO.—Project for dam safety improvements and flood risk management, McClure Dam, City of Santa Fe, New Mexico.

(50) BROOKLYN NAVY YARD, NEW YORK.—Project for flood risk management and hurricane and storm damage risk reduction, Brooklyn Navy Yard, New York.

(51) UPPER EAST RIVER AND FLUSHING BAY, NEW YORK.—Project for ecosystem restoration, Upper East River and Flushing Bay, New York.

(52) HUTCHINSON RIVER, NEW YORK.—Project for flood risk management and ecosystem restoration, Hutchinson River, New York.

(53) MOHAWK RIVER BASIN, NEW YORK.—Project for flood risk management, navigation, and environmental restoration, Mohawk River Basin, New York.

(54) NEWTOWN CREEK, NEW YORK.—Project for ecosystem restoration, Newtown Creek, New York.

(55) SAW MILL RIVER, NEW YORK.—Project for flood risk management and ecosystem restoration to address areas in the City of Yonkers and the Village of Hastings-on-Hudson within the 100-year flood zone, Saw Mill River, New York.

(56) MINERAL RIDGE DAM, OHIO.—Project for dam safety improvements and rehabilitation, Mineral Ridge Dam, Ohio.

(57) BRODHEAD CREEK WATERSHED, PENNSYLVANIA.—Project for ecosystem restoration and flood risk management, Brodhead Creek Watershed, Pennsylvania.

(58) CHARTIERS CREEK WATERSHED, PENNSYLVANIA.—Project for flood risk management, Chartiers Creek Watershed, Pennsylvania.

(59) COPLAY CREEK, PENNSYLVANIA.—Project for flood risk management, Coplay Creek, Pennsylvania.

(60) BERKELEY COUNTY, SOUTH CAROLINA.—Project for ecosystem restoration and flood risk management, Berkeley County, South Carolina.

(61) BIG SIOUX RIVER, SOUTH DAKOTA.—Project for flood risk management, City of Watertown and vicinity, South Dakota.

(62) TENNESSEE-TOMBIGBEE RIVER BASINS, TENNESSEE.—Project to deter, impede, or restrict the dispersal of aquatic nuisance species in the Tennessee-Tombigbee River Basins, Tennessee.

(63) EL PASO COUNTY, TEXAS.—Project for flood risk management for economically disadvantaged communities, as defined by the Secretary pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note), along the United States-Mexico border, El Paso County, Texas.

(64) GULF INTRACOASTAL WATERWAY-CHANNEL TO PALACIOS, TEXAS.—Project for navigation, Gulf Intracoastal Waterway-Channel to Palacios, Texas.

(65) SIKES LAKE, TEXAS.—Project for ecosystem restoration and flood risk management, Sikes Lake, Texas.

(66) SOUTHWEST BORDER REGION, TEXAS.—Project for flood risk management for economically disadvantaged communities, as defined by the Secretary pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note), along the United States-Mexico border in Webb, Zapata, and Starr Counties, Texas.

(67) LOWER CLEAR CREEK AND DICKINSON BAYOU, TEXAS.—Project for flood risk management, Lower Clear Creek and Dickinson Bayou, Texas.

(68) CEDAR ISLAND, VIRGINIA.—Project for ecosystem restoration, hurricane and storm damage risk reduction, and navigation, Cedar Island, Virginia.

(69) BALLINGER CREEK, WASHINGTON.—Project for ecosystem restoration, City of Shoreline, Washington.

(70) CITY OF NORTH BEND, WASHINGTON.—Project for water supply, City of North Bend, Washington.

(71) TANEUM CREEK, WASHINGTON.—Project for ecosystem restoration, Taneum Creek, Washington.

(72) CITY OF HUNTINGTON, WEST VIRGINIA.—Project for flood risk management, Huntington, West Virginia.

(b) PROJECT MODIFICATIONS.—The Secretary is authorized to conduct a feasibility study for the following project modifications:

(1) SHINGLE CREEK AND KISSIMMEE RIVER, FLORIDA.—Modifications to the project for ecosystem restoration and water storage, Shingle Creek and Kissimmee River, Florida, authorized by section 201(a)(5) of the Water Resources Development Act of 2020 (134 Stat. 2670), for flood risk management.

(2) JACKSONVILLE HARBOR, FLORIDA.—Modifications to the project for navigation, Jacksonville Harbor, Florida, authorized by section 7002 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364), for outer channel improvements.

(3) SAVANNAH HARBOR, GEORGIA.—Modifications to the project for navigation, Savannah Harbor Expansion Project, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364; 132 Stat. 3839), without evaluation of additional deepening.

(4) CEDAR RIVER, CEDAR RAPIDS, IOWA.—Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366), consistent with the City of Cedar Rapids, Iowa, Cedar River Flood Control System Master Plan.

(5) YABUCOA HARBOR, PUERTO RICO.—Modification to the project for navigation, Yabucoa Harbor, Puerto Rico, authorized by section 3 of the Act of August 30, 1935 (chapter 831, 49 Stat. 1048), for assumption of operations and maintenance.

(6) SALEM RIVER, SALEM COUNTY, NEW JERSEY.—Modifications to the project for navigation, Salem River, Salem County, New Jersey, authorized by section 1 of the Act of March 2, 1907 (chapter 2509, 34 Stat. 1080), to increase the authorized depth.

(7) EVERETT HARBOR AND SNOHOMISH RIVER, WASHINGTON.—Modifications to the project for navigation, Everett Harbor and Snohomish River, Washington, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 732), for the Boat Launch Connector Channel.

(8) HIRAM M. CHITTENDEN LOCKS, LAKE WASHINGTON SHIP CANAL, WASHINGTON.—Modifications to the Hiram M. Chittenden Locks (also known as Ballard Locks), Lake Washington Ship Canal, Washington, authorized by the Act of June 25, 1910 (chapter 382, 36 Stat. 666), for the construction of fish ladder improvements, including efforts to address elevated temperature and low dissolved oxygen levels in the Canal.

(9) PORT TOWNSEND, WASHINGTON.—Modifications to the project for navigation, Port Townsend, Washington, authorized by section 110 of the Rivers and Harbor Act of 1950 (64 Stat. 169), for the Boat Haven Marina Breakwater.

SEC. 202. EXPEDITED COMPLETION.

(a) FEASIBILITY STUDIES.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Project for navigation, Branford Harbor and Stony Creek Channel, Connecticut.

(2) Project for navigation, Guilford Harbor and Sluice Channel, Connecticut.

(3) Project for ecosystem restoration, Western Everglades, Florida.

(4) Project for hurricane and storm damage risk reduction, Miami, Dade County, Florida.

(5) Project for ecosystem restoration, recreation, and other purposes, Illinois River, Chicago River, Calumet River, Grand Calumet River, Little Calumet River, and other waterways in the vicinity of Chicago, Illinois, authorized by section 201(a)(7) of the Water Resources Development Act of 2020 (134 Stat. 2670).

(6) Project for hurricane and storm damage risk reduction, Chicago Shoreline, Illinois, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664; 128 Stat. 1372).

(7) Project for hurricane and storm damage risk reduction, South Central Coastal Louisiana, Louisiana.

(8) Modifications to the project for navigation, Baltimore Harbor and Channels–Seagirt Loop Deepening, Maryland, including to a depth of 50 feet.

(9) Project for New York and New Jersey Harbor Channel Deepening Improvements, New York and New Jersey.

(10) Project for hurricane and storm damage risk reduction, South Shore of Staten Island, New York.

(11) Project for flood risk management, Rio Grande de Loiza, Puerto Rico.

(12) Project for flood risk management, Rio Guanajibo, Puerto Rico.

(13) Project for flood risk management, Rio Nigua, Salinas, Puerto Rico.

(14) Project for hurricane and storm damage risk reduction, Charleston Peninsula, South Carolina.

(b) POST-AUTHORIZATION CHANGE REPORTS.—The Secretary shall expedite completion of a post-authorization change report for the following projects:

(1) Project for ecosystem restoration, Tres Rios, Arizona, authorized by section 101(b)(4) of the Water Resources Development Act of 2000 (114 Stat. 2577).

(2) Project for ecosystem restoration, Central and Southern Florida, Indian River Lagoon, Florida, authorized by section 1001(14) of the Water Resources Development Act of 2007 (121 Stat. 1051).

(c) GREAT LAKES COASTAL RESILIENCY STUDY.—The Secretary shall expedite the completion of the comprehensive assessment of water resources needs for the Great Lakes System under section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a), as required by section 1219 of the Water Resources Development Act of 2018 (132 Stat. 3811; 134 Stat. 2683).

(d) MAINTENANCE OF NAVIGATION CHANNELS.—The Secretary shall expedite the completion of a determination of the feasibility of improvements proposed by a non-Federal interest under section 204(f)(1)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)(1)(A)(i)), for the following:

(1) Deepening and widening of the navigation project for Coos Bay, Oregon, authorized by the Act of March 3, 1879 (chapter 181, 20 Stat. 370).

(2) Improvements to segment 1B of the navigation project for Houston Ship Channel Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties, Texas, authorized by section 401(1)(7) of the Water Resources Development Act of 2020 (134 Stat. 2734).

SEC. 203. EXPEDITED MODIFICATIONS OF EXISTING FEASIBILITY STUDIES.

The Secretary shall expedite the completion of the following feasibility studies, as modified by this section, and if the Secretary determines that a project that is the subject of the feasibility study is justified in the completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) MARE ISLAND STRAIT, CALIFORNIA.—The study for navigation, Mare Island Strait channel, authorized by section 406 of the Water Resources Development Act of 1999 (113 Stat. 323), is modified to authorize the Secretary to consider the economic and national security benefits from recent proposals for utilization of the channel for Department of Defense shipbuilding and vessel repair.

(2) LAKE PONTCHARTRAIN AND VICINITY, LOUISIANA.—The study for flood risk management and hurricane and storm damage risk reduction, Lake Pontchartrain and Vicinity, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), is modified to authorize the Secretary to investigate increasing the scope of the project to provide protection against a 200-year storm event.

(3) BLACKSTONE RIVER VALLEY, RHODE ISLAND AND MASSACHUSETTS.—

(A) IN GENERAL.—The study for ecosystem restoration, Blackstone River Valley, Rhode Island and Massachusetts, authorized by section 569 of the Water Resources Development Act of 1996 (110 Stat. 3788), is modified to authorize the Secretary to conduct a study for water supply, water flow, and wetland restoration and protection within the scope of the study.

(B) INCORPORATION OF EXISTING DATA.—In carrying out the study described in subparagraph (A), the Secretary shall use, to the extent practicable, any existing data for the project prepared under the authority of section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(4) LOWER SADDLE RIVER, NEW JERSEY.—The study for flood control, Lower Saddle River, New Jersey, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4119), is modified to authorize the Secretary to review the previously authorized study and take into consideration changes in hydraulic and hydrologic circumstances and local economic development since the study was initially authorized.

SEC. 204. CORPS OF ENGINEERS RESERVOIR SEDIMENTATION ASSESSMENT.

(a) IN GENERAL.—The Secretary, at Federal expense, shall conduct an assessment of sediment in reservoirs owned and operated by the Secretary.

(b) CONTENTS.—For each reservoir for which the Secretary carries out an assessment under subsection (a), the Secretary shall include in the assessment—

(1) an estimation of the volume of sediment in the reservoir;

(2) an evaluation of the effects of such sediment on reservoir storage capacity, including a quantification of lost reservoir storage capacity due to the sediment and an evaluation of how such lost reservoir storage capacity affects the allocated storage space for authorized purposes within the reservoir (including, where applicable, allocations for dead storage, inactive storage, active conservation, joint use, and flood surcharge);

(3) the identification of any additional effects of sediment on the operations of the reservoir or the ability of the reservoir to meet its authorized purposes;

(4) the identification of any potential effects of the sediment over the 10-year period beginning on the date of enactment of this Act on the areas immediately upstream and downstream of the reservoir;

(5) the identification of any existing sediment monitoring and management plans associated with the reservoir;

(6) for any reservoir that does not have a sediment monitoring and management plan—

(A) an identification of whether a sediment management plan for the reservoir is under development; or

(B) an assessment of whether a sediment management plan for the reservoir would be useful in the long-term operation and maintenance of the reservoir for its authorized purposes; and

(7) any opportunities for beneficial use of the sediment in the vicinity of the reservoir.

(c) REPORT TO CONGRESS; PUBLIC AVAILABILITY.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress, and make publicly available (including on a publicly available website), a report describing the results of the assessment carried out under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 205. ASSESSMENT OF IMPACTS FROM CHANGING OPERATION AND MAINTENANCE RESPONSIBILITIES.

(a) IN GENERAL.—The Secretary shall carry out an assessment of the consequences of amending section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)) to authorize the operation and maintenance of navigation projects for a harbor or inland harbor constructed by the Secretary at 100-percent Federal cost to a depth of 55 feet.

(b) CONTENTS.—In carrying out the assessment under subsection (a), the Secretary shall—

(1) describe all existing Federal navigation projects that are authorized or constructed to a depth of 55 feet or greater;

(2) describe any Federal navigation project that is likely to seek authorization or modification to a depth of 55 feet or greater during the 10-year period beginning on the date of enactment of this section;

(3) estimate—

(A) the potential annual increase in Federal costs that would result from authorizing operation and maintenance of a navigation project to a depth of 55 feet at Federal expense; and

(B) the potential cumulative increase in such Federal costs during the 10-year period beginning on the date of enactment of this section; and

(4) assess the potential effect of authorizing operation and maintenance of a navigation project to a depth of 55 feet at Federal expense on other Federal navigation operation and maintenance activities, including the potential impact on activities at donor ports, energy transfer ports, emerging harbor projects, and projects carried out in the Great Lakes Navigation System, as such terms are defined in section 102(a)(2) of the Water Resources Development Act of 2020 (33 U.S.C. 2238 note).

(c) REPORT.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report describing the results of the assessment carried out under subsection (a).

SEC. 206. REPORT AND RECOMMENDATIONS ON DREDGE CAPACITY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report that includes—

(1) a quantification of the expected hopper and pipeline dredging needs of authorized water resources development projects for the 10 years after the date of enactment of this Act, including—

(A) the dredging needs to—

(i) construct deepenings or widenings at authorized but not constructed projects and the associated operations and maintenance needs of such projects; and

(ii) operate and maintain existing Federal navigation channels;

(B) the amount of dredging to be carried out by the Corps of Engineers for other Federal agencies;

(C) the dredging needs associated with authorized hurricane and storm damage risk reduction projects (including periodic renourishment); and

(D) the dredging needs associated with projects for the beneficial use of dredged material authorized by section 1122 of the Water Resources Development Act of 2016 (33 U.S.C. 2326 note);

(2) an identification of the Federal appropriations for dredging projects and expenditures from the Harbor Maintenance Trust Fund for fiscal year 2015 and each fiscal year thereafter;

(3) an identification of the dredging capacity of the domestic hopper and pipeline dredge fleet, including publicly owned and privately owned vessels, in each of the 10 years preceding the date of enactment of this Act;

(4) an analysis of the ability of the domestic hopper and pipeline dredge fleet to meet the expected dredging needs identified under paragraph (1), including an analysis of such ability in each of the following regions—

(A) the east coast region;

(B) the west coast region, including the States of Alaska and Hawaii;

(C) the gulf coast region; and

(D) the Great Lakes region;

(5) an identification of the dredging capacity of domestic hopper and pipeline dredge vessels that are under contract for construction and intended to be used at water resources development projects;

(6) an identification of any hopper or pipeline dredge vessel expected to be retired or become unavailable during the 10-year period beginning on the date of enactment of this section;

(7) an identification of the potential costs of using either public or private dredging to carry out authorized water resources development projects; and

(8) any recommendations of the Secretary for adding additional domestic hopper and pipeline dredging capacity, including adding public and private dredging vessels to the domestic hopper and pipeline dredge fleet to efficiently service water resources development projects.

(b) OPPORTUNITY FOR PARTICIPATION.—In carrying out subsection (a), the Secretary shall provide interested stakeholders, including representatives from the commercial dredging industry, with an opportunity to submit comments to the Secretary.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Corps of Engineers should add additional dredging capacity if the addition of such capacity would—

(1) enable the Corps of Engineers to carry out water resources development projects in an efficient and cost-effective manner; and

(2) be in the best interests of the United States.

SEC. 207. MAINTENANCE DREDGING DATA.

Section 1133(b)(3) of the Water Resources Development Act of 2016 (33 U.S.C. 2326f(b)(3)) is amended by inserting '', including a separate line item for all Federal costs associated with the disposal of dredged material'' before the semicolon.

SEC. 208. REPORT TO CONGRESS ON ECONOMIC VALUATION OF PRESERVATION OF OPEN SPACE, RECREATIONAL AREAS, AND HABITAT ASSOCIATED WITH PROJECT LANDS.

(a) IN GENERAL.—The Secretary shall conduct a review of the existing statutory, regulatory, and policy requirements related to the determination of the economic value of lands that—

(1) may be provided by the non-Federal interest, as necessary, for the construction of a project for flood risk reduction or hurricane and storm risk reduction in accordance with section 103(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(i));

(2) are being maintained for open space, recreational areas, or preservation of fish and wildlife habitat; and

(3) will continue to be so maintained as part of the project.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of the review conducted under subsection (a), including—

(1) a summary of the existing statutory, regulatory, and policy requirements described in such subsection;

(2) a description of the requirements and process the Secretary uses to place an economic value on the lands described in such subsection;

(3) an assessment of whether such requirements and process affect the ability of a non-Federal interest to provide such lands for the construction of a project described in such subsection;

(4) an assessment of whether such requirements and process directly or indirectly encourage the selection of developed lands for the construction of a project, or have the potential to affect the total cost of a project; and

(5) the identification of alternative measures for determining the economic value of such lands that could provide incentives for the preservation of open space, recreational areas, and habitat in association with the construction of a project.

SEC. 209. OUACHITA RIVER WATERSHED, ARKANSAS AND LOUISIANA.

The Secretary shall conduct a review of projects in the Ouachita River watershed, Arkansas and Louisiana, under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a).

SEC. 210. REPORT ON SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA.

Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report that provides an updated economic review of the remaining portions of the project for flood damage reduction, Santa Barbara streams, Lower Mission Creek, California, authorized by section 101(b) of the Water Resources Development Act of 2000 (114 Stat. 2577), taking into consideration work already completed by the non-Federal interest.

SEC. 211. DISPOSITION STUDY ON SALINAS DAM AND RESERVOIR, CALIFORNIA.

In carrying out the disposition study for the project for Salinas Dam (Santa Margarita Lake), California, pursuant to section 202(d) of the Water Resources Development Act of 2020 (134 Stat. 2675), the Secretary shall—

(1) ensure that the County of San Luis Obispo is provided right of first refusal for any potential conveyance of the project; and

(2) ensure that the study addresses any potential repairs or modifications to the project necessary to meet Federal and State dam safety requirements prior to transferring the project.

SEC. 212. EXCESS LANDS REPORT FOR WHITTIER NARROWS DAM, CALIFORNIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that identifies any real property associated with the Whittier Narrows Dam element of the Los Angeles County Drainage Area project that the Secretary determines—

(1) is not needed to carry out the authorized purposes of the Whittier Narrows Dam element of such project; and

(2) could be transferred to the City of Pico Rivera, California, for the replacement of recreational facilities located in such city that were adversely impacted by dam safety construction activities associated with the Whittier Narrows Dam element of such project.

(b) LOS ANGELES COUNTY DRAINAGE AREA PROJECT DEFINED.—In this section, the term ''Los Angeles County Drainage Area project'' means the project for flood control, Los Angeles County Drainage Area, California, authorized by section 101(b) of the Water Resources Development Act of 1990 (104 Stat. 4611; 130 Stat. 1690).

SEC. 213. COLEBROOK RIVER RESERVOIR, CONNECTICUT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to Congress a report that summarizes the benefits, costs, and other effects of terminating the contract described in subsection (b) between the United States and the Metropolitan District, Hartford, Connecticut, relating to reservoir water storage space, including—

(1) a description of entities that currently use (or have expressed an interest in using) the water provided pursuant to the contract;

(2) an accounting of the current annual costs, including annual operations and maintenance costs, owed by the Metropolitan District to use the water provided pursuant to the contract;

(3) an accounting of any unrecovered capital or operation and maintenance costs incurred by the Federal Government in constructing or maintaining the reservoir to accommodate water supply storage as an authorized purpose of the reservoir;

(4) an accounting of any potential transfer or increase in costs to the Federal Government, to the Metropolitan District, or to any water users that could result from the termination of the contract; and

(5) any additional information that the Secretary determines appropriate for consideration of termination of the contract.

(b) CONTRACT.—The contract referred to in subsection (a) is the contract between the United States and the Metropolitan District, Hartford, Connecticut, for the use of water supply storage space in the Colebrook River Reservoir, entered into on February 11, 1965, and modified on October 28, 1975, and titled Contract DA–19–016–CIVENG–65–203.

SEC. 214. COMPREHENSIVE CENTRAL AND SOUTHERN FLORIDA STUDY.

(a) IN GENERAL.—The Secretary is authorized to carry out a feasibility study for resiliency and comprehensive improvements or modifications to existing water resources development projects in the central and southern Florida area, for the purposes of flood risk management, water supply, ecosystem restoration (including preventing saltwater intrusion), recreation, and related purposes.

(b) REQUIREMENTS.—In carrying out the feasibility study under subsection (a), the Secretary—

(1) is authorized to—

(A) review the report of the Chief of Engineers on central and southern Florida, published as House Document 643, 80th Congress, 2d Session, and other related reports of the Secretary; and

(B) recommend cost-effective structural and nonstructural projects for implementation that provide a systemwide approach for the purposes described in subsection (a); and

(2) shall ensure the study and any projects recommended under paragraph (2) will not interfere with the efforts undertaken to carry out the Comprehensive Everglades Restoration Plan pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680; 132 Stat. 3786).

SEC. 215. STUDY ON SHELLFISH HABITAT AND SEAGRASS, FLORIDA CENTRAL GULF COAST.

(a) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Secretary shall carry out a study, and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report, on projects and activities carried out through the Engineer Research and Development Center to restore shellfish habitat and seagrass in coastal estuaries in the Florida Central Gulf Coast.

(b) REQUIREMENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) consult with independent expert scientists and other regional stakeholders with relevant expertise and experience; and

(2) coordinate with Federal, State, and local agencies providing oversight for both short- and long-term monitoring of the projects and activities described in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000, to remain available until expended.

SEC. 216. NORTHERN ESTUARIES ECOSYSTEM RESTORATION, FLORIDA.

(a) DEFINITIONS.—In this section:

(1) CENTRAL AND SOUTHERN FLORIDA PROJECT.—The term ''Central and Southern Florida Project'' has the meaning given that term in section 601 of the Water Resources Development Act of 2000.

(2) NORTHERN ESTUARIES.—The term ''northern estuaries'' means the Caloosahatchee Estuary, Charlotte Harbor, Indian River Lagoon, Lake Worth Lagoon, and St. Lucie River Estuary.

(3) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term ''South Florida ecosystem'' means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term ''South Florida ecosystem'' includes—

(i) the Everglades;

(ii) the Florida Keys;

(iii) the contiguous near-shore coastal water of South Florida; and

(iv) Florida's Coral Reef.

(4) STUDY AREA.—The term ''study area'' means all lands and waters within—

(A) the northern estuaries;

(B) the South Florida ecosystem; and

(C) the study area boundaries of the Indian River Lagoon National Estuary Program and the Coastal and Heartland Estuary Partnership, authorized pursuant to section 320 of the Federal Water Pollution Control Act.

(b) PROPOSED COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, in cooperation with the non-Federal sponsors of the Central and Southern Florida project and any relevant Federal, State, and Tribal agencies, a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the northern estuaries.

(2) INCLUSIONS.—In carrying out paragraph (1), the Secretary shall develop a proposed comprehensive plan that provides for ecosystem restoration within the northern estuaries, including the elimination of harmful discharges from Lake Okeechobee.

(3) SUBMISSION.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress for approval—

(A) the proposed comprehensive plan developed under this subsection; and

(B) recommendations for future feasibility studies within the study area for the ecosystem restoration of the northern estuaries.

(4) INTERIM REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the submission of the proposed comprehensive plan under paragraph (3), the Secretary shall submit to Congress an interim report on the development of the proposed comprehensive plan.

(5) ADDITIONAL STUDIES AND ANALYSES.—Notwithstanding the submission of the proposed comprehensive plan under paragraph (3), the Secretary shall continue to conduct such studies and analyses after the date of such submission as are necessary for the purpose of restoring, preserving, and protecting the northern estuaries.

(c) LIMITATION.—Nothing in this section shall be construed to require the alteration or amendment of the schedule for completion of the Comprehensive Everglades Restoration Plan.

SEC. 217. REPORT ON SOUTH FLORIDA ECOSYSTEM RESTORATION PLAN IMPLEMENTATION.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that provides an update on—

(1) Comprehensive Everglades Restoration Plan projects, as authorized by or pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680; 121 U.S.C. 1269; 132 U.S.C. 3786);

(2) the review of the Lake Okeechobee Regulation Schedule pursuant to section 1106 of the Water Resources Development Act of 2018 (132 Stat. 3773) and section 210 of the Water Resources Development Act of 2020 (134 U.S.C. 2682); and

(3) any additional water resources development projects and studies included in the South Florida Ecosystem Restoration Plan Integrated Delivery Schedule prepared in accordance with part 385 of title 33, Code of Federal Regulations.

(b) CONTENTS.—The Secretary shall include in the report submitted under subsection (a) the status of each authorized water resources development project or study described in such subsection, including—

(1) an estimated implementation or completion date of the project or study; and

(2) the estimated costs to complete implementation or construction, as applicable, of the project or study.

SEC. 218. REVIEW OF RECREATIONAL HAZARDS AT BUFORD DAM, LAKE SIDNEY LANIER, GEORGIA.

The Secretary shall—

(1) carry out a review of potential threats to human life and safety from use of designated recreational areas at the Buford Dam, Lake Sidney Lanier, Georgia, authorized by section 1 of the Act of July 24, 1946 (chapter 595, 60 Stat. 635); and

(2) install such technologies and other measures, including sirens, strobe lights, and signage, that the Secretary, based on the review carried out under paragraph (1), determines necessary for alerting the public of hazardous water conditions or to otherwise minimize or eliminate any identified threats to human life and safety.

SEC. 219. REVIEW OF RECREATIONAL HAZARDS AT THE BANKS OF THE MISSISSIPPI RIVER, LOUISIANA.

The Secretary shall—

(1) carry out a review of potential threats to human life and safety from use of designated recreational areas at the banks of the Mississippi River, Louisiana; and

(2) install such technologies and other measures, including sirens, strobe lights, and signage at such recreational areas that the Secretary, based on the review carried out under paragraph (1), determines necessary for alerting the public of hazardous water conditions or to otherwise minimize or eliminate any identified threats to human life and safety.

SEC. 220. HYDRAULIC EVALUATION OF UPPER MISSISSIPPI RIVER AND ILLINOIS RIVER.

(a) STUDY.—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall, at Federal expense, periodically carry out a study to—

(1) evaluate the flow frequency probabilities of the Upper Mississippi River and the Illinois River; and

(2) develop updated water surface profiles for such rivers.

(b) AREA OF EVALUATION.—In carrying out subsection (a), the Secretary shall conduct analysis along the mainstem of the Mississippi River from upstream of the Minnesota River confluence near Anoka, Minnesota, to just upstream of the Ohio River confluence near Cairo, Illinois, and along the Illinois River from Dresden Island Lock and Dam to the confluence with the Mississippi River, near Grafton, Illinois.

(c) REPORTS.—Not later than 5 years after the date of enactment of this Act, and not less frequently than every 20 years thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of a study carried out under subsection (a).

(d) PUBLIC AVAILABILITY.—Any information developed under subsection (a) shall be made publicly available, including on a publicly available website.

SEC. 221. DISPOSITION STUDY ON HYDROPOWER IN THE WILLAMETTE VALLEY, OREGON.

(a) DISPOSITION STUDY.—

(1) IN GENERAL.—The Secretary shall carry out a disposition study to determine the Federal interest in, and identify the effects of, deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley hydropower project.

(2) CONTENTS.—In carrying out the disposition study under paragraph (1), the Secretary shall review the effects of deauthorizing hydropower on—

(A) Willamette Valley hydropower project operations;

(B) other authorized purposes of such project;

(C) cost apportionments;

(D) dam safety;

(E) compliance with the requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.); and

(F) the operations of the remaining dams within the Willamette Valley hydropower project.

(3) RECOMMENDATIONS.—If the Secretary, through the disposition study authorized by paragraph (1), determines that hydropower should be removed as an authorized purpose of any part of the Willamette Valley hydropower project, the Secretary shall also investigate and recommend any necessary structural or operational changes at such project that are necessary to achieve an appropriate balance among the remaining authorized purposes of such project or changes to such purposes.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate that describes—

(1) the results of the disposition study on deauthorizing hydropower as a purpose of the Willamette Valley hydropower project; and

(2) any recommendations required under subsection (a)(3).

(c) DEFINITION.—In this section, the term ''Willamette Valley hydropower project'' means the system of dams and reservoir projects authorized to generate hydropower and the power features that operate in conjunction with the main regulating dam facilities, including the Big Cliff, Dexter, and Foster re-regulating dams in the Willamette River Basin, Oregon, as authorized by section 4 of the Flood Control Act of 1938 (chapter 795, 52 Stat. 1222; 62 Stat. 1178; 64 Stat. 177; 68 Stat. 1264; 74 Stat. 499; 100 Stat. 4144).

SEC. 222. HOUSTON SHIP CHANNEL EXPANSION CHANNEL IMPROVEMENT PROJECT, TEXAS.

The Secretary shall expedite the completion of a feasibility study for modifications of the project for navigation, Houston Ship Channel Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties, Texas, authorized by section 401 of the Water Resources Development Act of 2020 (134 Stat. 2734), to incorporate into the project the construction of barge lanes immediately adjacent to either side of the Houston Ship Channel from Bolivar Roads to Morgan's Point to a depth of 12 feet.

SEC. 223. SABINE–NECHES WATERWAY NAVIGATION IMPROVEMENT PROJECT, TEXAS.

The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Sabine–Neches Waterway, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

SEC. 224. NORFOLK HARBOR AND CHANNELS, VIRGINIA.

The Secretary shall expedite the completion of a feasibility study for the modification of the project for navigation, Norfolk Harbor and Channels, Virginia, authorized by section 201 of the Water Resources Development Act of 1986 (100 Stat. 4090; 132 Stat. 3840) to incorporate the widening and deepening of Anchorage F into the project.

SEC. 225. COASTAL VIRGINIA, VIRGINIA.

(a) IN GENERAL.—In carrying out the feasibility study for the project for flood risk management, ecosystem restoration, and navigation, Coastal Virginia, authorized by section 1201(9) of the Water Resources Development Act of 2018 (132 Stat. 3802), the Secretary is authorized to enter into a written agreement with any Federal agency that owns or operates property in the area of the project to accept and expend funds from such Federal agency to include in the study an analysis with respect to property owned or operated by such Federal agency.

(b) INFORMATION.—The Secretary shall use any relevant information obtained from a Federal agency described in subsection (a) to carry out the feasibility study described in such subsection.

SEC. 226. WESTERN INFRASTRUCTURE STUDY.

(a) COMPREHENSIVE STUDY.—The Secretary shall conduct a comprehensive study to evaluate the effectiveness of carrying out additional measures, including measures that use natural features or nature-based features, at or upstream of covered reservoirs, for the purposes of—

(1) sustaining operations in response to changing hydrological and climatic conditions;

(2) mitigating the risk of drought or floods, including the loss of storage capacity due to sediment accumulation;

(3) increasing water supply; or

(4) aquatic ecosystem restoration.

(b) STUDY FOCUS.—In conducting the study under subsection (a), the Secretary shall include all covered reservoirs located in the South Pacific Division of the Corps of Engineers.

(c) CONSULTATION AND USE OF EXISTING DATA.—

(1) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult with applicable—

(A) Federal, State, and local agencies;

(B) Indian Tribes;

(C) non-Federal interests; and

(D) stakeholders, as determined appropriate by the Secretary.

(2) USE OF EXISTING DATA AND PRIOR STUDIES.—In conducting the study under subsection (a), the Secretary shall, to the maximum extent practicable and where appropriate—

(A) use existing data provided to the Secretary by entities described in paragraph (1); and

(B) incorporate—

(i) relevant information from prior studies and projects carried out by the Secretary; and

(ii) the relevant technical data and scientific approaches with respect to changing hydrological and climatic conditions.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

(1) the results of the study; and

(2) any recommendations for additional study in specific geographic areas.

(e) SAVINGS PROVISION.—Nothing in this section provides authority to the Secretary to change the authorized purposes of any covered reservoir.

(f) DEFINITIONS.—In this section:

(1) COVERED RESERVOIR.—The term ''covered reservoir'' means a reservoir owned and operated by the Secretary or for which the Secretary has flood control responsibilities under section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(2) NATURAL FEATURE AND NATURE-BASED FEATURE.—The terms ''natural feature'' and ''nature-based feature'' have the meanings given such terms in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)).

SEC. 227. REPORT ON SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report that describes and documents the use of contracts and subcontracts with Small Disadvantaged Businesses in carrying out the water resources development authorities of the Secretary.

(b) INFORMATION.—The Secretary shall include in the report under subsection (a) information on the distribution of funds to Small Disadvantaged Businesses on a disaggregated basis.

(c) DEFINITION.—In this section, the term ''Small Disadvantaged Business'' has the meaning given that term in section 124.1001 of title 13, Code of Federal Regulations (or successor regulations).

SEC. 228. REPORT ON SOLAR ENERGY OPPORTUNITIES.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary, at Federal expense, shall conduct an assessment, in consultation with the Secretary of Energy, of opportunities to install and maintain photovoltaic solar panels (including floating solar panels) at covered projects.

(2) CONTENTS.—The assessment conducted under paragraph (1) shall—

(A) include a description of the economic, environmental, and technical viability of installing and maintaining, or contracting with third parties to install and maintain, photovoltaic solar panels at covered projects;

(B) identify covered projects with a high potential for the installation and maintenance of photovoltaic solar panels and whether such installation and maintenance would require additional authorization;

(C) account for potential impacts of photovoltaic solar panels at covered projects and the authorized purposes of such projects, including potential impacts on flood risk reduction, recreation, water supply, and fish and wildlife; and

(D) account for the availability of electric grid infrastructure close to covered projects, including underutilized transmission infrastructure.

(b) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress, and make publicly available (including on a publicly available website), a report containing the results of the assessment conducted under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $10,000,000 to carry out this section.

(d) DEFINITION.—In this section, the term ''covered project'' means—

(1) any property under the control of the Corps of Engineers; and

(2) any water resources development project constructed by the Secretary or over which the Secretary has financial or operational responsibility.

SEC. 229. ASSESSMENT OF COASTAL FLOODING MITIGATION MODELING AND TESTING CAPACITY.

(a) IN GENERAL.—The Secretary, acting through the Director of the Engineer Research and Development Center, shall carry out an assessment of the current capacity of the Corps of Engineers to model coastal flood mitigation systems and test the effectiveness of such systems in preventing flood damage resulting from coastal storm surges.

(b) CONSIDERATIONS.—In carrying out the assessment under subsection (a), the Secretary shall—

(1) identify the capacity of the Corps of Engineers to—

(A) carry out the testing of the performance and reliability of coastal flood mitigation systems; or

(B) collaborate with private industries to carry out such testing;

(2) identify any limitations or deficiencies at Corps of Engineers facilities that are capable of testing the performance and reliability of coastal flood mitigation systems;

(3) assess any benefits that would result from addressing the limitations or deficiencies identified under paragraph (2); and

(4) provide recommendations for addressing such limitations or deficiencies.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report describing the results of the assessment carried out under subsection (a).

SEC. 230. REPORT TO CONGRESS ON EASEMENTS RELATED TO WATER RESOURCES DEVELOPMENT PROJECTS.

(a) IN GENERAL.—The Secretary shall conduct a review of the existing statutory, regulatory, and policy requirements and procedures related to the use, in relation to the construction of a project for flood risk management, hurricane and storm risk reduction, or environmental restoration, of covered easements that may be provided to the Secretary by non-Federal interests.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of the review conducted under subsection (a), including—

(1) the findings of the Secretary relating to—

(A) the minimum rights in property that are necessary to construct, operate, or maintain projects for flood risk management, hurricane and storm risk reduction, or environmental restoration;

(B) whether increased use of covered easements in relation to such projects could promote greater participation from cooperating landowners in addressing local flooding or environmental restoration challenges;

(C) whether such increased use could result in cost savings in the implementation of the projects, without any reduction in project benefits; and

(D) whether such increased use is in the best interest of the United States; and

(2) any recommendations of the Secretary relating to whether existing requirements or procedures related to such use of covered easements should be revised to reflect the results of the review.

(c) DEFINITION.—In this section, the term ''covered easement'' means an easement or other similar interest in real property that—

(1) reserves for the Secretary rights in the property that are necessary to construct, operate, or maintain a water resources development project;

(2) provides for appropriate public use of the property, and retains the right of continued use of the property by the owner of the property, to the extent such uses are consistent with purposes of the covered easement;

(3) provides access to the property for oversight and inspection by the Secretary;

(4) is permanently recorded; and

(5) is enforceable under Federal and State law.

SEC. 231. ASSESSMENT OF FOREST, RANGELAND, AND WATERSHED RESTORATION SERVICES ON LANDS OWNED BY THE CORPS OF ENGINEERS.

(a) IN GENERAL.—The Secretary shall carry out an assessment of forest, rangeland, and watershed restoration services on lands owned by the Corps of Engineers, including an assessment of whether the provision of such services on such lands by non-Federal interests through good neighbor agreements would be in the best interests of the United States.

(b) CONSIDERATIONS.—In carrying out the assessment under subsection (a), the Secretary shall—

(1) describe the forest, rangeland, and watershed restoration services provided by the Secretary on lands owned by the Corps of Engineers;

(2) assess whether such services, including efforts to reduce hazardous fuels and to restore and improve forest, rangeland, and watershed health (including the health of fish and wildlife habitats) would be enhanced by authorizing the Secretary to enter into a good neighbor agreement with a non-Federal interest;

(3) describe the process for ensuring that Federal requirements for land management plans for forests on lands owned by the Corps of Engineers remain in effect under good neighbor agreements;

(4) assess whether Congress should authorize the Secretary to enter into a good neighbor agreement with a non-Federal interest to provide forest, rangeland, and watershed restoration services on lands owned by the Corps of Engineers, including by assessing any interest expressed by a non-Federal interest to enter into such an agreement;

(5) consider whether implementation of a good neighbor agreement on lands owned by the Corps of Engineers would benefit State and local governments and Indian Tribes that are located in the same geographic area as such lands; and

(6) consult with the heads of other Federal agencies authorized to enter into good neighbor agreements with non-Federal interests.

(c) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report describing the results of the assessment carried out under subsection (a).

(d) DEFINITIONS.—In this section:

(1) FOREST, RANGELAND, AND WATERSHED RESTORATION SERVICES.—The term ''forest, rangeland, and watershed restoration services'' has the meaning given such term in section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a).

(2) GOOD NEIGHBOR AGREEMENT.—The term ''good neighbor agreement'' means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and a non-Federal interest to carry out forest, rangeland, and watershed restoration services.

(3) LANDS OWNED BY THE CORPS OF ENGINEERS.—The term ''lands owned by the Corps of Engineers'' means any land owned by the Corps of Engineers, but does not include—

(A) a component of the National Wilderness Preservation System;

(B) land on which the removal of vegetation is prohibited or restricted by law or Presidential proclamation;

(C) a wilderness study area; or

(D) any other land with respect to which the Secretary determines that forest, rangeland, and watershed restoration services should remain the responsibility of the Secretary.

SEC. 232. ELECTRONIC PREPARATION AND SUBMISSION OF APPLICATIONS.

Section 2040(f) of the Water Resources Development Act of 2007 (33 U.S.C. 2345(f)) is amended—

(1) in paragraph (1), by striking ''Water Resources Development Act of 2016'' and inserting ''Water Resources Development Act of 2022''; and

(2) by striking paragraph (2) and inserting the following:

''(2) REPORT ON ELECTRONIC SYSTEM IMPLEMENTATION.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and

Public Works of the Senate a quarterly report describing the status of the implementation of this section.''.

SEC. 233. REPORT ON CORROSION PREVENTION ACTIVITIES.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available, a report that describes—

(1) the extent to which the Secretary has carried out section 1033 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2350);

(2) the extent to which the Secretary has incorporated corrosion prevention activities (as defined in such section) at water resources development projects constructed or maintained by the Secretary since the date of enactment of such section; and

(3) in instances where the Secretary has not incorporated corrosion prevention activities at such water resources development projects since such date, an explanation as to why such corrosion prevention activities have not been incorporated.

SEC. 234. GAO STUDIES ON MITIGATION.

(a) STUDY ON MITIGATION FOR WATER RESOURCES DEVELOPMENT PROJECTS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct, and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, a report on the results of a study on projects and activities to mitigate fish and wildlife losses resulting from the construction, or operation and maintenance, of an authorized water resources development project.

(2) REQUIREMENTS.—In conducting the study under paragraph (1), the Comptroller General shall—

(A) investigate the extent to which—

(i) mitigation projects and activities (including the acquisition of lands or interests in lands) restore the natural hydrologic conditions, restore native vegetation, and otherwise support native fish and wildlife species, as required under section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283);

(ii) mitigation projects or activities (including the acquisition of lands or interests in lands) are undertaken before, or concurrent with, the construction of the project;

(iii) mitigation projects or activities (including the acquisition of lands or interests in lands) are completed;

(iv) ongoing mitigation projects or activities are undertaken to mitigate for fish and wildlife losses from the operation and maintenance of a project (including periodic review and updating of such projects or activities);

(v) the Secretary includes mitigation plans (as required under subsection (d) of such section 906) in any project study, as such term is defined in section 2034(l) of the Water Resources Development Act of 2007 (33 U.S.C. 2343);

(vi) processing and approval of mitigation projects and activities (including the acquisition of lands or interests in lands) affects the timeline of completion of projects; and

(vii) mitigation projects and activities (including the acquisition of lands or interests in lands) affect the total cost of projects;

(B) review any reports submitted to Congress in accordance with section 2036(b) of the Water Resources Development Act of 2007 (121 Stat. 1094) on the status of construction of projects that require mitigation; and

(C) consult with independent scientists, economists, and other stakeholders with expertise and experience.

(b) STUDY ON THE COMPENSATORY MITIGATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct, and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, a report on the results of a study on performance metrics for, compliance with, and adequacy in addressing project impacts of, potential mechanisms for fulfilling compensatory mitigation obligations pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(2) REQUIREMENTS.—The Comptroller General shall include in the study under paragraph (1) an analysis of—

(A) the primary mechanisms for fulfilling compensatory mitigation obligations, including—

(i) mitigation banks;

(ii) in-lieu fee programs; and

(iii) direct mitigation by permittees;

(B) the timeliness of initiation and successful completion of compensatory mitigation activities in relation to when the permitted activity occurs;

(C) the timeliness of processing and approval of compensatory mitigation activities;

(D) the costs of carrying out compensatory mitigation activities borne by the Federal Government, permittee, or any other involved entity;

(E) Federal and State agency oversight and short- and long-term monitoring of the compensatory mitigation activities;

(F) whether the compensatory mitigation activity successfully replaces any lost or adversely affected habitat with habitat having similar functions of equal or greater ecological value; and

(G) the continued, long-term success of the compensatory mitigation activities over a 5-, 10-, 20-, and 50-year period.

(3) UPDATE.—In conjunction with the study under paragraph (1), the Comptroller General shall review and update the findings and recommendations, including a review of Federal agency compliance with such recommendations, in the report of the Comptroller General entitled, ''Corps of Engineers Does Not Have an Effective Oversight Approach to Ensure That Compensatory Mitigation Is Occurring'' and dated September 2005 (GAO–05–898).

SEC. 235. GAO STUDY ON WATERBORNE STATISTICS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall carry out a review of the Waterborne Commerce Statistics Center of the Corps of Engineers that includes—

(1) an assessment of ways in which the Waterborne Commerce Statistics Center can improve the collection of information relating to all commercial maritime activity within the jurisdiction of a port, including the collection and reporting of records of fishery landings and aquaculture harvest; and

(2) recommendations to improve the collection of such information from non-Federal entities, taking into consideration—

(A) the cost, efficiency, and accuracy of collecting such information; and

(B) the protection of proprietary information.

(b) REPORT.—Upon completion of the review carried out under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of such review.

SEC. 236. GAO STUDY ON THE INTEGRATION OF INFORMATION INTO THE NATIONAL LEVEE DATABASE.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on the Environment and Public Works of the Senate a report on the results of a study on the sharing of levee information and the integration of information into the National Levee Database by the Corps of Engineers and the Federal Emergency Management Agency in accordance with section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303).

(b) REQUIREMENTS.—In conducting the study under subsection (a), the Comptroller General shall—

(1) investigate the information sharing protocols and procedures between the Corps of Engineers and the Federal Emergency Management Agency regarding the construction of new Federal flood protection projects;

(2) analyze the timeliness of the integration of information relating to newly constructed flood protection projects into the National Levee Database;

(3) identify any delays between the construction of a new Federal flood protection project and when a policyholder of the National Flood Insurance Program would realize a premium discount due to the construction of a new Federal flood protection project; and

(4) determine whether current information sharing protocols are adversely impacting the ability of the Secretary to perform accurate benefit-cost analysis for future flood risk management activities.

TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS

SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) PURPOSES; PROPOSED DEAUTHORIZATION LIST; SUBMISSION OF FINAL LIST.—Section 301 of the Water Resources Development Act of 2020 (33 U.S.C. 579–2) is amended by striking subsections (a) through (c) and inserting the following:

''(a) PURPOSES.—The purposes of this section are—

''(1) to identify water resources development projects, and separable elements of projects, authorized by Congress that are no longer viable for construction due to—

''(A) a lack of local support;

''(B) a lack of available Federal or non-Federal resources; or

''(C) an authorizing purpose that is no longer relevant or feasible;

''(2) to create an expedited and definitive process for Congress to deauthorize water resources development projects and separable elements that are no longer viable for construction; and

''(3) to allow the continued authorization of water resources development projects and separable elements that are viable for construction.

''(b) PROPOSED DEAUTHORIZATION LIST.—

''(1) PRELIMINARY LIST OF PROJECTS.—

''(A) IN GENERAL.—The Secretary shall develop a preliminary list of each water resources development project, or separable element of a project, authorized for construction before November 8, 2007, for which—

''(i) planning, design, or construction was not initiated before the date of enactment of this Act; or

''(ii) planning, design, or construction was initiated before the date of enactment of this Act, but for which no funds, Federal or non-Federal, were obligated for planning, design, or construction of the project or separable element of the project during the current fiscal year or any of the 10 preceding fiscal years.

''(B) USE OF COMPREHENSIVE CONSTRUCTION BACKLOG AND OPERATION AND MAINTENANCE REPORT.—The Secretary may develop the preliminary list from the comprehensive construction backlog and operation and maintenance reports developed pursuant to section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a).

''(2) PREPARATION OF PROPOSED DEAUTHORIZATION LIST.—

''(A) PROPOSED LIST AND ESTIMATED DEAUTHORIZATION AMOUNT.—The Secretary shall—

''(i) prepare a proposed list of projects for deauthorization comprised of a subset of projects and separable elements identified on the preliminary list developed under paragraph (1) that are projects or separable elements described in subsection (a)(1), as determined by the Secretary; and

''(ii) include with such proposed list an estimate, in the aggregate, of the Federal cost to complete such projects.

''(B) DETERMINATION OF FEDERAL COST TO COMPLETE.—For purposes of subparagraph (A), the Federal cost to complete shall take into account any allowances authorized by section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), as applied to the most recent project schedule and cost estimate.

''(3) PUBLIC COMMENT AND CONSULTATION.—

''(A) IN GENERAL.—The Secretary shall solicit comments from the public and the Governors of each applicable State on the proposed deauthorization list prepared under paragraph (2)(A).

''(B) COMMENT PERIOD.—The public comment period shall be 90 days.

''(4) PREPARATION OF FINAL DEAUTHORIZATION LIST.—

''(A) IN GENERAL.—The Secretary shall prepare a final deauthorization list by—

''(i) considering any comments received under paragraph (3); and

''(ii) revising the proposed deauthorization list prepared under paragraph (2)(A) as the Secretary determines necessary to respond to such comments.

''(B) APPENDIX.—The Secretary shall include as part of the final deauthorization list an appendix that—

''(i) identifies each project or separable element on the proposed deauthorization list that is not included on the final deauthorization list; and

''(ii) describes the reasons why the project or separable element is not included on the final deauthorization list.

''(c) SUBMISSION OF FINAL DEAUTHORIZATION LIST TO CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICATION.—

''(1) IN GENERAL.—Not later than 90 days after the date of the close of the comment period under subsection (b)(3), the Secretary shall—

''(A) submit the final deauthorization list and appendix prepared under subsection (b)(4) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate; and

''(B) publish the final deauthorization list and appendix in the Federal Register.

''(2) EXCLUSIONS.—The Secretary shall not include in the final deauthorization list submitted under paragraph (1) any project or separable element with respect to which Federal funds for planning, design, or construction are obligated after the development of the preliminary list under subsection (b)(1)(A) but prior to the submission of the final deauthorization list under paragraph (1)(A) of this subsection.''.

(b) REPEAL.—Section 301(d) of the Water Resources Development Act of 2020 (33 U.S.C. 579–2(d)) is repealed.

SEC. 302. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(7) sea level rise;

''(8) coastal storm damage reduction; and

''(9) streambank and shoreline protection.''; and

(2) in subsection (d)—

(A) in paragraph (9), by striking ''and'' at the end;

(B) in paragraph (10), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(11) New York-New Jersey Watershed Basin, which encompasses all the watersheds that flow into the New York-New Jersey Harbor and their associated estuaries, including the Hudson, Mohawk, Raritan, Passaic, Hackensack, and Bronx River Watersheds and the Hudson River Estuary;

''(12) Mississippi River Watershed; and

''(13) Chattahoochee River Basin, Alabama, Florida, and Georgia.''.

SEC. 303. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) ADDITIONAL UTILIZATION OF FORECAST-INFORMED RESERVOIR OPERATIONS.—Section 1222(c) of the Water Resources Development Act of 2018 (132 Stat. 3811; 134 Stat. 2661) is amended—

(1) in paragraph (1), by striking ''the Upper Missouri River Basin and the North Platte River Basin'' and inserting ''the Upper Missouri River Basin, the North Platte River Basin, and the Apalachicola Chattahoochee Flint River Basin''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''the Upper Missouri River Basin or the North Platte River Basin'' and inserting ''the Upper Missouri River Basin, the North Platte River Basin, or the Apalachicola Chattahoochee Flint River Basin''; and

(B) in subparagraph (B), by striking ''the Upper Missouri River Basin or the North Platte River Basin'' and inserting ''the Upper Missouri River Basin, the North Platte River Basin, or the Apalachicola Chattahoochee Flint River Basin''.

(b) COMPLETION OF REPORTS.—The Secretary shall expedite completion of the reports authorized by section 1222 of the Water Resources Development Act of 2018 (132 Stat. 3811; 134 Stat. 2661).

SEC. 304. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148; 104 Stat. 4646; 110 Stat. 3758; 113 Stat. 295; 121 Stat. 1076; 134 Stat. 2703) is amended—

(1) in paragraph (29), by striking ''and'' at the end;

(2) in paragraph (30), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(31) Salisbury Pond, Worcester, Massachusetts;

''(32) Baisley Pond, New York;

''(33) Legacy Park, Decatur, Georgia; and

''(34) White Rock Lake, Dallas, Texas.''.

SEC. 305. INVASIVE SPECIES.

(a) AQUATIC INVASIVE SPECIES RESEARCH.—Section 1108(a) of the Water Resources Development Act of 2018 (33 U.S.C. 2263a(a)) is amended by inserting '', hydrilla'' after ''elodea''.

(b) HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.—Section 128(c) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note) is amended to read as follows:

''(c) FOCUS AREAS.—In carrying out the demonstration program under subsection (a), the Secretary shall undertake program activities related to harmful algal blooms in—

''(1) the Great Lakes;

''(2) the tidal and inland waters of the State of New Jersey, including Lake Hopatcong, New Jersey;

''(3) the coastal and tidal waters of the State of Louisiana;

''(4) the waterways of the counties that comprise the Sacramento-San Joaquin Delta, California;

''(5) the Allegheny Reservoir Watershed, New York;

''(6) Lake Okeechobee, Florida;

''(7) the Caloosahatchee and St. Lucie Rivers, Florida;

''(8) Lake Sidney Lanier, Georgia;

''(9) Rio Grande River Basin, Colorado, New Mexico, and Texas;

''(10) lakes and reservoirs in the State of Ohio;

''(11) Detroit Lake, Oregon; and

''(12) Ten Mile Lake, Oregon.''.

(c) UPDATE ON INVASIVE SPECIES POLICY GUIDANCE.—Section 501(b) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) the Sacramento-San Joaquin Delta, California.''.

SEC. 306. PROJECT REAUTHORIZATIONS.

(a) NEW YORK HARBOR, NEW YORK AND NEW JERSEY.—The New York Harbor collection and removal of drift project authorized by section 2 of the Act of March 4, 1915 (38 Stat. 1051; 88 Stat. 39; 104 Stat. 4615), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1345), is authorized to be carried out by the Secretary.

(b) GUANAJIBO RIVER, PUERTO RICO.—The project for flood control, Guanajibo River, Puerto Rico, authorized by section 101 of the Water Resources Development Act of 1999 (113 Stat. 278), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1345), is authorized to be carried out by the Secretary.

(c) RIO NIGUA, SALINAS, PUERTO RICO.—The project for flood control, Rio Nigua, Salinas, Puerto Rico, authorized by section 101 of the Water Resources Development Act of 1999 (113 Stat. 278), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1345), is authorized to be carried out by the Secretary.

(d) RIO GRANDE DE LOIZA, PUERTO RICO.—The project for flood control, Rio Grande De Loiza, Puerto Rico, authorized by section 101 of the Water Resources Development Act of 1992 (106 Stat. 4803), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1345), is authorized to be carried out by the Secretary.

SEC. 307. ST. FRANCIS LAKE CONTROL STRUCTURE.

(a) IN GENERAL.—The Secretary shall set the ordinary high water mark for water impounded behind the St. Francis Lake Control Structure, authorized by the Act of May 15, 1928 (45 Stat. 538; 79 Stat. 1077), at 208 feet mean sea level.

(b) OPERATION BY PROJECT MANAGER.—In setting the ordinary high water mark under subsection (a), the Secretary shall ensure that the project manager for the St. Francis Lake Control Structure may continue operating such structure in accordance with the instructions set forth in the document titled ''St. Francis Lake Control Structure Standing Instructions to the Project Manager'' and published in January 1982 by the Corps of Engineers, Memphis District.

SEC. 308. FRUITVALE AVENUE RAILROAD BRIDGE, ALAMEDA, CALIFORNIA.

Section 4017(d) of the Water Resources Development Act of 2007 (121 Stat. 1175) is repealed.

SEC. 309. LOS ANGELES COUNTY, CALIFORNIA.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in Los Angeles County, California.

(b) FORM OF ASSISTANCE.—Assistance provided under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Los Angeles County, California, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(c) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section to a non-Federal interest, the Secretary shall enter into a partnership agreement under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with the non-Federal interest with respect to the project to be carried out with such assistance.

(2) REQUIREMENTS.—Each partnership agreement for a project entered into under this subsection shall provide for the following:

(A) Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the cost of a project under this section—

(i) shall be 75 percent; and

(ii) may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR INTEREST.—In case of a delay in the funding of the Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project cost.

(C) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—Notwithstanding section 221(a)(4)(G) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(G)), the non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project cost (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but the credit may not exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $50,000,000 to carry out this section.

(2) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

SEC. 310. DEAUTHORIZATION OF DESIGNATED PORTIONS OF THE LOS ANGELES COUNTY DRAINAGE AREA, CALIFORNIA.

(a) IN GENERAL.—The portion of the project for flood risk management, Los Angeles County Drainage Area, California, authorized by section 5 of the Flood Control Act of 1936 (49 Stat. 1589; 50 Stat. 167; 52 Stat. 1215; 55 Stat. 647; 64 Stat. 177), consisting of the debris basins described in subsection (b), is no longer authorized beginning on the date that is 1 year after the date of enactment of this Act.

(b) DEBRIS BASINS DESCRIBED.—The debris basins referred to in subsection (a) are the following debris basins operated and maintained by the Los Angeles County Flood Control District: Auburn Debris Basin, Bailey Debris Basin, Big Dalton Debris Basin, Blanchard Canyon Debris Basin, Blue Gum Canyon Debris Basin, Brand Canyon Debris Basin, Carter Debris Basin, Childs Canyon Debris Basin, Dunsmuir Canyon Debris Basin, Eagle Canyon Debris Basin, Eaton Walsh Debris Basin, Elmwood Canyon Debris Basin, Emerald East Debris Basin, Emerald West Debris Retention Inlet, Hay Debris Basin, Hillcrest Debris Basin, La Tuna Canyon Debris Basin, Little Dalton Debris Basin, Live Oak Debris Retention Inlet, Lopez Debris Retention Inlet, Lower Sunset Canyon Debris Basin, Marshall Canyon Debris Retention Inlet, Santa Anita Debris Basin, Sawpit Debris Basin, Schoolhouse Canyon Debris Basin, Shields Canyon Debris Basin, Sierra Madre Villa Debris Basin, Snover Canyon Debris Basin, Stough Canyon Debris Basin, Wilson Canyon Debris Basin, and Winery Canyon Debris Basin.

SEC. 311. MURRIETA CREEK, CALIFORNIA.

Section 103 of title I of appendix B of Public Law 106–377 (114 Stat. 1441A–65) (relating to the project for flood control, environmental restoration, and recreation, Murrieta Creek, California), is amended—

(1) by striking ''$89,850,000'' and inserting ''$252,438,000'';

(2) by striking ''$57,735,000'' and inserting ''$162,511,500''; and

(3) by striking ''$32,115,000'' and inserting ''$89,926,500''.

SEC. 312. SACRAMENTO RIVER, CALIFORNIA.

The portion of the project for flood protection on the Sacramento River, authorized by section 2 of the Act of March 1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat. 849; 55 Stat. 647; 80 Stat. 1422), consisting of the portion of the American River North Levee, upstream of Arden Way, from G.P.S. coordinate 38.600948N 121.330599W to 38.592261N 121.334155W, is no longer authorized beginning on the date of enactment of this Act.

SEC. 313. SAN DIEGO RIVER AND MISSION BAY, SAN DIEGO COUNTY, CALIFORNIA.

(a) IN GENERAL.—The project for flood control and navigation, San Diego River and Mission Bay, San Diego County, California, authorized by the Act of July 24, 1946 (chapter 595, 60 Stat. 636; 134 Stat. 2705), is modified to change the authorized conveyance capacity of the project to a level determined appropriate by the Secretary based on the actual capacity of the project, which level may be further modified by the Secretary as necessary to account for sea level rise.

(b) OPERATION AND MAINTENANCE MANUAL.—

(1) IN GENERAL.—The non-Federal sponsor for the project described in subsection (a) shall prepare for review and approval by the Secretary a revised operation and maintenance manual for the project to implement the modification described in subsection (a).

(2) FUNDING.—The non-Federal sponsor shall provide to the Secretary funds sufficient to cover the costs incurred by the Secretary to review and approve the manual described in paragraph (1), and the Secretary may accept and expend such funds in the performance of such review and approval.

(c) EMERGENCY REPAIR AND RESTORATION ASSISTANCE.—Upon approval by the Secretary of the revised operation and maintenance manual required under subsection (b), and subject to compliance by the non-Federal sponsor with the requirements of such manual and with any other eligibility requirement established by the Secretary, the project described in subsection (a) shall be considered for assistance under section 5(a) of the Act of August 18, 1941 (33 U.S.C. 701n(a)).

SEC. 314. SAN FRANCISCO BAY, CALIFORNIA.

(a) TECHNICAL AMENDMENT.—Section 203(a)(1)(A) of the Water Resources Development Act of 2020 (134 Stat. 2675) is amended by striking ''ocean shoreline'' and inserting ''bay and ocean shorelines''.

(b) IMPLEMENTATION.—In carrying out a study under section 142 of the Water Resources Development Act of 1976 (90 Stat. 2930; 100 Stat. 4158), pursuant to section 203(a)(1)(A) of the Water Resources Development Act of 2020 (as amended by this section), the Secretary shall not differentiate between damages related to high tide flooding and coastal storm flooding for the purposes of determining the Federal interest or cost share.

SEC. 315. COLUMBIA RIVER BASIN.

(a) STUDY OF FLOOD RISK MANAGEMENT ACTIVITIES.—

(1) IN GENERAL.—Using funds made available to carry out this section, the Secretary is authorized, at Federal expense, to carry out a study to determine the feasibility of a project for flood risk management and related purposes in the Columbia River Basin and to report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate with recommendations thereon, including recommendations for a project to potentially reduce the reliance on Canada for flood risk management in the basin.

(2) COORDINATION.—The Secretary shall carry out the activities described in this subsection in coordination with other Federal and State agencies and Indian Tribes.

(b) FUNDS FOR COLUMBIA RIVER TREATY OBLIGATIONS.—

(1) IN GENERAL.—The Secretary is authorized to expend funds appropriated for the purpose of satisfying United States obligations under the Columbia River Treaty to compensate Canada for operating Canadian storage on behalf of the United States under such treaty.

(2) NOTIFICATION.—If the U.S. entity calls upon Canada to operate Canadian reservoir storage for flood risk management on behalf of the United States, which operation may incur an obligation to compensate Canada under the Columbia River Treaty—

(A) the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate, by not later than 30 days

after the initiation of the call, a written notice of the action and a justification, including a description of the circumstances necessitating the call;

(B) upon a determination by the United States of the amount of compensation that shall be paid to Canada, the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate a written notice specifying such amount and an explanation of how such amount was derived, which notification shall not delay or impede the flood risk management mission of the U.S. entity; and

(C) the Secretary shall make no payment to Canada for the call under the Columbia River Treaty until such time as funds appropriated for the purpose of compensating Canada under such treaty are available.

(3) DEFINITIONS.—In this section:

(A) COLUMBIA RIVER BASIN.—The term ''Columbia River Basin'' means the entire United States portion of the Columbia River watershed.

(B) COLUMBIA RIVER TREATY.—The term ''Columbia River Treaty'' means the treaty relating to cooperative development of the water resources of the Columbia River Basin, signed at Washington January 17, 1961, and entered into force September 16, 1964.

(C) U.S. ENTITY.—The term ''U.S. entity'' means the entity designated by the United States under Article XIV of the Columbia River Treaty.

SEC. 316. COMPREHENSIVE EVERGLADES RESTORATION PLAN, FLORIDA.

(a) IN GENERAL.—Section 601(e)(5) of the Water Resources Development Act of 2000 (114 Stat. 2685; 121 Stat. 1269; 132 Stat. 3786) is amended—

(1) in subparagraph (D), by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

(2) in subparagraph (E)—

(A) in clause (i), in the matter preceding subclause (I), by striking ''during each 5-year period, beginning with commencement of design of the Plan'' and inserting ''during each period of 5 fiscal years, beginning on October 1, 2022'';

(B) in clause (ii), by inserting ''for each project in the Plan'' before the period at the end; and

(C) by adding at the end the following:

''(iii) ACCOUNTING.—Not later than 90 days after the end of each fiscal year, the Secretary shall provide to the non-Federal sponsor a financial accounting of non-Federal contributions under clause (i)(I) for such fiscal year.

''(iv) LIMITATION.—In the case of an authorized project for which a project partnership agreement has not been executed and for which there is an agreement under subparagraph (B)(i)(III), the Secretary—

''(I) shall consider all expenditures and obligations incurred by the non-Federal sponsor for land and in-kind services for the project in determining the amount of any cash contribution required from the non-Federal sponsor to satisfy the cost-share requirements of this subsection; and

''(II) may only require any such cash contribution to be made at the end of each period of 5 fiscal years under clause (i).''.

(b) UPDATE.—The Secretary and the non-Federal interest shall revise the Master Agreement for the Comprehensive Everglades Restoration Plan, executed in 2009 pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680), to reflect the amendment made by subsection (a).

SEC. 317. PORT EVERGLADES, FLORIDA.

Section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709) is amended, in row 4 (relating to the project for navigation, Port Everglades, Florida)—

(1) by striking ''$229,770,000'' and inserting ''$561,455,000'';

(2) by striking ''$107,233,000'' and inserting ''$361,302,000''; and

(3) by striking ''$337,003,000'' and inserting ''$922,757,000''.

SEC. 318. SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE.

Section 528(f)(1)(J) of the Water Resources Development Act of 1996 (110 Stat. 3771) is amended by striking ''2 representatives of the State of Florida,'' and inserting ''3 representatives of the State of Florida, including at least 1 representative of the Florida Department of Environmental Protection and 1 representative of the Florida Fish and Wildlife Conservation Commission,''.

SEC. 319. LITTLE WOOD RIVER, GOODING, IDAHO.

Section 3057(a)(2) of the Water Resources Development Act of 2007 (121 Stat. 1120) is amended by striking ''$9,000,000'' and inserting ''$40,000,000''.

SEC. 320. CHICAGO SHORELINE PROTECTION.

The project for storm damage reduction and shoreline erosion protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois-Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to authorize the Secretary to provide 65 percent of the cost of the locally preferred plan, as described in the Report of the Chief of Engineers dated April 14, 1994, for the construction of the following segments of the project:

(1) Shoreline revetment at Morgan Shoal.

(2) Shoreline revetment at Promontory Point.

SEC. 321. GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, ILLINOIS.

Section 402(a)(1) of the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking ''80 percent'' and inserting ''90 percent''.

SEC. 322. SOUTHEAST DES MOINES LEVEE SYSTEM, IOWA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means the city of Des Moines, Iowa.

(2) FLOOD PROTECTION PROJECT.—The term ''Flood Protection Project'' means the project on the Des Moines River for local flood protection of Des Moines, Iowa, authorized by the Act of December 22, 1944 (chapter 665, 58 Stat. 896).

(3) RED ROCK DAM PROJECT.—The term ''Red Rock Dam Project'' means the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, authorized by the Act of December 22, 1944 (chapter 665, 58 Stat. 896).

(b) PROJECT MODIFICATIONS.—The Red Rock Dam Project and the Flood Protection Project shall be modified as follows, subject to a new or amended agreement between the Secretary and the City, in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b):

(1) That portion of the Red Rock Dam Project consisting of the segment of levee from Station 15+88.8W to Station 77+43.7W shall be transferred to the Flood Protection Project.

(2) The relocated levee improvement constructed by the City, from Station 77+43.7W to approximately Station 20+00, shall be included in the Flood Protection Project.

(c) FEDERAL EASEMENT CONVEYANCES.—

(1) FLOOD PROTECTION EASEMENTS.—The Secretary is authorized to convey, without consideration, to the City the following easements to become part of the Flood Protection Project in accordance with subsection (b):

(A) Easements identified as Tracts 3215E–1, 3235E, and 3227E.

(B) Easements identified as Partial Tracts 3216E–2, 3216E–3, 3217E–1, and 3217E–2.

(2) ADDITIONAL EASEMENTS.—The Secretary is authorized to convey, without consideration, to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority the following easements:

(A) Easements identified as Tracts 3200E, 3202E–1, 3202E–2, 3202E–4, 3203E–2, 3215E–3, 3216E–1, and 3216E–5.

(B) Easements identified as Partial Tracts 3216E–2, 3216E–3, 3217E–1, and 3217E–2.

(3) COSTS.—An entity to which a conveyance is made under this subsection shall be responsible for all administrative costs associated with the conveyance.

SEC. 323. LOWER MISSISSIPPI RIVER COMPREHENSIVE MANAGEMENT STUDY.

Section 213 of the Water Resources Development Act of 2020 (134 Stat. 2684) is amended by adding at the end the following:

''(j) COST SHARE.—The Federal share of the cost of the comprehensive study carried out under subsection (a), and any feasibility study carried out under subsection (e), shall be 100 percent.''.

SEC. 324. LOWER MISSOURI RIVER STREAMBANK EROSION CONTROL EVALUATION AND DEMONSTRATION PROJECTS.

(a) IN GENERAL.—The Secretary is authorized to carry out streambank erosion control evaluation and demonstration projects in the Lower Missouri River through contracts with non-Federal interests, including projects for streambank protection and stabilization.

(b) AREA.—The Secretary shall carry out demonstration projects under this section on the reach of the Missouri River between Sioux City, Iowa, and the confluence of the Missouri River and the Mississippi River.

(c) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall—

(1) conduct an evaluation of the extent of streambank erosion on the Lower Missouri River; and

(2) develop new methods and techniques for streambank protection, research soil stability, and identify the causes of erosion.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the demonstration projects carried out under this section, including any recommendations for methods to prevent and correct streambank erosion.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000, to remain available until expended.

(f) SUNSET.—The authority of the Secretary to enter into contracts under subsection (a) shall expire on the date that is 5 years after the date of enactment of this Act.

SEC. 325. MISSOURI RIVER INTERCEPTION-REARING COMPLEXES.

(a) IN GENERAL.—Notwithstanding section 129 of the Water Resources Development Act of 2020 (134 Stat. 2643), and subject to subsection (b), the Secretary is authorized to carry out the construction of an interception-rearing complex at each of Plowboy Bend A (River Mile: 174.5 to 173.2) and Pelican Bend B (River Mile: 15.8 to 13.4) on the Missouri River.

(b) ANALYSIS AND MITIGATION OF RISK.—

(1) ANALYSIS.—Prior to construction of the interception-rearing complexes under subsection (a), the Secretary shall perform an

analysis to identify whether the interception-rearing complexes will—

(A) contribute to an increased risk of flooding to adjacent lands and properties, including local levees;

(B) affect the navigation channel, including crossflows, velocity, channel depth, and channel width;

(C) affect the harvesting of sand;

(D) affect ports and harbors; or

(E) contribute to bank erosion on adjacent private lands.

(2) MITIGATION.—The Secretary may not construct an interception-rearing complex under subsection (a) until the Secretary successfully mitigates any effects described in paragraph (1) with respect to such interception-rearing complex.

(c) REPORT.—Not later than 1 year after completion of the construction of the interception-rearing complexes under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the extent to which the construction of such interception-rearing complexes affected the population recovery of pallid sturgeon in the Missouri River.

(d) CONFORMING AMENDMENT.—Section 129(b) of the Water Resources Development Act of 2020 (134 Stat. 2643) is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

''(2) submits the report required by section 318(c) of the Water Resources Development Act of 2022;''.

SEC. 326. ARGENTINE, EAST BOTTOMS, FAIRFAX-JERSEY CREEK, AND NORTH KANSAS LEVEES UNITS, MISSOURI RIVER AND TRIBUTARIES AT KANSAS CITIES, MISSOURI AND KANSAS.

Notwithstanding section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), the Federal share of the cost of the portion of the project for flood damage reduction, Argentine, East Bottoms, Fairfax-Jersey Creek, and North Kansas Levees units, Missouri River and tributaries at Kansas Cities, Missouri and Kansas, authorized by section 101 of the Water Resources Development Act of 2007 (121 Stat. 1054), relating to the Fairfax-Jersey Creek Levee unit, shall be 80 percent.

SEC. 327. MISSOURI RIVER MITIGATION PROJECT, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

Section 334 of the Water Resources Development Act of 1999 (113 Stat. 306) is amended by adding at the end the following:

''(c) USE OF OTHER FUNDS.—Any acres acquired using Federal funds for purposes described in subsection (a) shall be considered toward the total number of acres required under such subsection, regardless of the source of the Federal funds.''.

SEC. 328. NORTHERN MISSOURI.

(a) NORTHERN MISSOURI DEFINED.—In this section, the term ''Northern Missouri'' means the counties of Buchanan, Marion, Platte, and Clay, Missouri.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in Northern Missouri.

(c) FORM OF ASSISTANCE.—Assistance provided under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Northern Missouri, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section to a non-Federal interest, the Secretary shall enter into a partnership agreement under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with the non-Federal interest with respect to the project to be carried out with such assistance.

(2) REQUIREMENTS.—Each partnership agreement for a project entered into under this subsection shall provide for the following:

(A) Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the cost of a project carried out under this section—

(i) shall be 75 percent; and

(ii) may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR INTEREST.—In case of a delay in the funding of the Federal share of a project that is the subject of a partnership agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project cost.

(C) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—Notwithstanding section 221(a)(4)(G) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(G)), the non-Federal interest shall receive credit for land, easements, rights-of way, and relocations toward the non-Federal share of project cost (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $50,000,000 to carry out this section.

(2) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

SEC. 329. ISRAEL RIVER, LANCASTER, NEW HAMPSHIRE.

The project for flood control, Israel River, Lancaster, New Hampshire, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is no longer authorized beginning on the date of enactment of this Act.

SEC. 330. MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELEN, NEW MEXICO.

The non-Federal share of the cost of the project for flood risk management, Middle Rio Grande, Bernalillo to Belen, New Mexico, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735), shall be 25 percent.

SEC. 331. SPECIAL RULE FOR CERTAIN COASTAL STORM RISK MANAGEMENT PROJECTS.

(a) IN GENERAL.—In the case of a water resources development project described in subsection (b), the Secretary shall—

(1) fund, at full Federal expense, any incremental increase in cost to the project that results from a legal requirement to use a borrow source determined by the Secretary to be other than the least cost option; and

(2) exclude the cost described in paragraph (1) from the cost-benefit analysis for the project.

(b) WATER RESOURCES DEVELOPMENT PROJECTS DESCRIBED.—A water resources development project referred to in subsection (a) is any of the following:

(1) The project for hurricane-flood protection and beach erosion control, Carolina Beach and vicinity, North Carolina, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182; 134 Stat. 2741).

(2) The project for hurricane-flood protection and beach erosion control, Wrightsville Beach, North Carolina, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182; 134 Stat. 2741).

SEC. 332. SOUTHWESTERN OREGON.

(a) SOUTHWESTERN OREGON DEFINED.—In this section, the term ''Southwestern Oregon'' means the counties of Benton, Coos, Curry, Douglas, Lane, Linn, and Josephine, Oregon.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide environmental assistance to non-Federal interests in Southwestern Oregon.

(c) FORM OF ASSISTANCE.—Assistance provided under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Southwestern Oregon, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section to a non-Federal interest, the Secretary shall enter into a partnership agreement under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) with the non-Federal interest with respect to the project to be carried out with such assistance.

(2) REQUIREMENTS.—Each partnership agreement for a project entered into under this subsection shall provide for the following:

(A) Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the cost of a project carried out under this section—

(i) shall be 75 percent; and

(ii) may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR INTEREST.—In case of a delay in the funding of the Federal share of a project that is the subject of a partnership agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project cost.

(C) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—Notwithstanding section 221(a)(4)(G) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(G)), the non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project cost (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $50,000,000 to carry out this section.

(2) CORPS OF ENGINEERS EXPENSE.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

SEC. 333. JOHN P. MURTHA LOCKS AND DAM.

(a) DESIGNATION.—Locks and Dam 4, Monongahela River, Pennsylvania, authorized by section 101(18) of the Water Resources Development Act of 1992 (106 Stat. 4803), and commonly known as the ''Charleroi Locks and Dam'', shall be known and designated as the ''John P. Murtha Locks and Dam''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the locks and dam referred to in subsection (a) shall be deemed to be a reference to the ''John P. Murtha Locks and Dam''.

SEC. 334. WOLF RIVER HARBOR, TENNESSEE.

Beginning on the date of enactment of this Act, the project for navigation, Wolf River Harbor, Tennessee, authorized by section 202 of the National Industrial Recovery Act (48 Stat. 201; 49 Stat. 1034; 72 Stat. 308), is modified to reduce, in part, the authorized dimensions of the project, such that the remaining authorized dimensions are as follows:

(1) A 250-foot-wide, 9-foot-depth channel with a center line beginning at an approximate point of 35.139634, -90.062343 and extending approximately 1,300 feet to an approximate point of 35.142077, -90.059107.

(2) A 200-foot-wide, 9-foot-depth channel with a center line beginning at an approximate point of 35.142077, -90.059107 and extending approximately 1,800 feet to an approximate point of 35.1467861, -90.057003.

(3) A 250-foot-wide, 9-foot-depth channel with a center line beginning at an approximate point of 35.1467861, -90.057003 and extending approximately 5,550 feet to an approximate point of 35.160848, -90.050566.

SEC. 335. ADDICKS AND BARKER RESERVOIRS, TEXAS.

The Secretary is authorized to provide, pursuant to section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a), information and advice to non-Federal interests on the removal of sediment obstructing inflow channels to the Addicks and Barker Reservoirs, authorized pursuant to the project for Buffalo Bayou and its tributaries, Texas, under section 3a of the Act of August 11, 1939 (chapter 699, 53 Stat. 1414; 68 Stat. 1258).

SEC. 336. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration and storm damage reduction, North Padre Island, Corpus Christi Bay, Texas, authorized under section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), shall not be eligible for repair and restoration assistance under section 5(a) of the Act of August 18, 1941 (33 U.S.C. 701n(a)).

SEC. 337. CENTRAL WEST VIRGINIA.

Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371) is amended by striking subsection (a) and inserting the following:

''(a) DEFINITION OF CENTRAL WEST VIRGINIA.—In this section, the term 'central West Virginia' means the counties of Lewis, Upshur, Randolph, Hardy, Hampshire, Morgan, Berkeley, Jefferson, Hancock, Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Doddridge, Monongalia, Marion, Harrison, Taylor, Barbour, Preston, Tucker, Mineral, Grant, Brooke, and Ritchie, West Virginia.''.

SEC. 338. PUGET SOUND, WASHINGTON.

In carrying out the project for ecosystem restoration, Puget Sound, Washington, authorized by section 1401(4) of the Water Resources Development Act of 2016 (130 Stat. 1713), the Secretary shall consider the removal and replacement of the Highway 101 causeway and bridges at the Duckabush River Estuary site to be a project feature, and not a relocation, and the Federal share of the costs of such removal and replacement shall be 65 percent.

SEC. 339. WATER LEVEL MANAGEMENT PILOT PROJECT ON THE UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.

(a) IN GENERAL.—The Secretary shall carry out a pilot project on water level management, as part of the operations and maintenance of the 9-foot channel projects of the Upper Mississippi River and Illinois Waterway System, to help redress the degrading influences of prolonged inundation or sedimentation on such projects, and to improve the quality and quantity of habitat available for fish and wildlife.

(b) CONDITIONS ON DRAWDOWNS.—In carrying out the pilot project under subsection (a), the Secretary shall carry out routine and systemic water level drawdowns of the pools created by the Upper Mississippi River and Illinois Waterway System locks and dams, including drawdowns during the growing season, when—

(1) hydrologic conditions allow the Secretary to carry out a drawdown within applicable dam operating plans; or

(2) hydrologic conditions allow the Secretary to carry out a drawdown and sufficient funds are available to the Secretary to carry out any additional activities that may be required to ensure that the drawdown does not adversely affect navigation.

(c) COORDINATION AND NOTIFICATION.—

(1) COORDINATION.—The Secretary shall use existing coordination and consultation processes to regularly consult with other relevant Federal agencies and States regarding the planning and assessment of water level management actions implemented under this section.

(2) NOTIFICATION.—Prior to carrying out any water level management plan pursuant to this section, the Secretary shall provide notice to the public and to navigation interests and other interested stakeholders.

(d) DEFINITION.—In this section, the term ''Upper Mississippi River and Illinois Waterway System'' has the meaning given that term in section 8001 of the Water Resources Development Act of 2007 (33 U.S.C. 652 note).

SEC. 340. UPPER MISSISSIPPI RIVER PROTECTION.

Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270; 132 Stat. 3812) is amended by adding at the end the following:

''(f) LIMITATION.—The Secretary shall not recommend deauthorization of the Upper St. Anthony Falls Lock and Dam pursuant to the disposition study carried out under subsection (d) unless the Secretary identifies a willing and capable non-Federal public entity to assume ownership of the Upper St. Anthony Falls Lock and Dam.

''(g) MODIFICATION.—The Secretary is authorized to investigate the feasibility of modifying, prior to deauthorizing, the Upper St. Anthony Falls Lock and Dam to add ecosystem restoration, including the prevention and control of invasive species, water supply, and recreation as authorized purposes.''.

SEC. 341. TREATMENT OF CERTAIN BENEFITS AND COSTS.

Section 152(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2213a(a)) is amended by striking ''a flood risk management project that incidentally generates seismic safety benefits in regions'' and inserting ''a flood risk management or coastal storm risk management project in a region''.

SEC. 342. DEBRIS REMOVAL.

Section 3 of the Act of March 2, 1945 (33 U.S.C. 603a), is amended by striking ''or recreation'' and inserting ''ecosystem restoration, or recreation''.

SEC. 343. GENERAL REAUTHORIZATIONS.

(a) LEVEE SAFETY INITIATIVE.—Section 9005(g)(2)(E)(i) of the Water Resources Development Act of 2007 (33 U.S.C. 3303a(g)(2)(E)(i)) is amended by striking ''2023'' and inserting ''2026''.

(b) TRANSFER OF EXCESS CREDIT.—Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (d), by striking ''10 years after the date of enactment of this Act'' and inserting ''on December 31, 2026''; and

(2) in subsection (e)(1)(B), by striking ''10 years after the date of enactment of this Act'' and inserting ''December 31, 2026''.

(c) REHABILITATION OF EXISTING LEVEES.—Section 3017(e) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note) is amended by striking ''the date that is 10 years after the date of enactment of this Act'' and inserting ''December 31, 2026''.

(d) INVASIVE SPECIES IN ALPINE LAKES PILOT PROJECT.—Section 507(c) of the Water Resources Development Act of 2020 (16 U.S.C. 4701 note) is amended by striking ''2024'' and inserting ''2026''.

(e) ENVIRONMENTAL BANKS.—Section 309(e) of the Coastal Wetlands Planning, Protection and Restoration Act (16 U.S.C. 3957(e)) is amended by striking ''10'' and inserting ''12''.

SEC. 344. CONVEYANCES.

(a) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property or easement to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(4) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(b) SARDIS LAKE, PANOLA COUNTY, MISSISSIPPI.—

(1) CONVEYANCE AUTHORIZED.—The Secretary is authorized to convey to the City of Sardis, Mississippi, all right, title, and interest of the United States in and to the real property described in paragraph (2).

(2) PROPERTY.—The property to be conveyed is the approximately 1,064 acres of lying in the eastern half of Sections 12 and 13, T 8 S, R 6 W and the western half of Section 18 and the western half of Section 7, T 8 S, R 5 W, in Panola County, Mississippi, and being more particularly described as follows: Begin at the southeast corner of said Section 13, run thence from said point of beginning, along the south line of said Section 13, run westerly, 2,723 feet; thence run N 27°39′53″ W, for 1,898 feet; thence run north 2,434 feet; thence run east, 1,006 feet, more or less, to a point on the easterly edge of Mississippi State Highway No. 315; thence run along said easterly edge of highway, northerly, for 633 feet; thence leaving said easterly edge of highway, run N 62°00′ E, for 200 feet; thence N 07°00′ E, for 1,350 feet; thence N 07°00′ W, for 800 feet; thence N 37°30′ W for 800 feet; thence N 10°00′ W for 350 feet; thence N 11°00′ E, for 350 feet; thence N 43°30′ E for 250 feet; thence N 88°00′ E for 200 feet; thence S 64°00′ E for 350 feet; thence S 25°30′ E, for 650 feet, more or less, to the intersection of the east line of the western half of the eastern half of the northwest quarter of the southeast quarter of the aforesaid Section 12, T 8 S, R 6 W and the 235-foot contour; thence run along said 235-foot contour, 6,392 feet; thence leaving said 235-foot contour, southerly 1,762 feet, more or less, to a point on the south line of Section 7; thence S 00°28′49″ E, 2,664.97 feet, more or less, to a point on the south line of the northwest quarter of said Section 18; thence along said south line, easterly for 100 feet, more or less to the northwest corner of the southwest quarter of said Section 18; thence leaving said south line of said northwest quarter, along the east line of said southwest quarter, S 00°06′20″ E, run 2,280 feet, more or less, to the southerly edge of an existing power line right-of-way; thence leaving said east line of said southwest quarter, along said southerly edge of said power line right-of-way, northwesterly, 300 feet, more or less, to the easterly edge of the existing 4–H Club Road; thence leaving said southerly edge of said power line right-of-way, along said easterly edge of said road, southeasterly, 420 feet, more or less, to the south line of said southwest quarter; thence leaving said easterly edge of said road, along said south line of southwest quarter, westerly, 2,635 feet, more or less, to the point of beginning, LESS AND EXCEPT the following prescribed parcel: Beginning at a point N 00°45′48″ W, 302.15 feet and west, 130.14 feet from the southeast corner of said Section 13, T 8 S, R 6 W, and running thence S 04°35′58″ W, 200.00 feet to a point on the north side of a road; running thence with the north side of said road, N 83°51′ W, for 64.84 feet; thence N 72°26′44″ W, 59.48 feet; thence N 60°31′37″ W, 61.71 feet; thence N 63°35′08″ W, 51.07 feet; thence N 06°47′17″ W, 142.81 feet to a point; running thence S 85°24′02″ E, 254.37 feet to the point of beginning, containing 1.00 acre, more or less.

(3) RESERVATION OF RIGHTS.—

(A) IN GENERAL.—The Secretary shall reserve and retain from the conveyance under this subsection such easements, rights-of-way, and other interests that the Secretary determines to be necessary and appropriate to ensure the continued operation of the Sardis Lake project, authorized by section 6 of the Act of May 15, 1928 (chapter 569, 45 Stat. 536).

(B) FLOODING; LIABILITY.—In addition to any easements, rights-of-way, and other interests reserved an retained under subparagraph (A), the Secretary—

(i) shall retain the right to flood land for downstream flood control purposes on—

(I) the land located east of Blackjack Road and below 301.0 feet above sea level; and

(II) the land located west of Blackjack Road and below 224.0 feet above sea level; and

(ii) shall not be liable for any reasonable damage resulting from any flooding of land pursuant to clause (i).

(4) DEED.—The Secretary shall—

(A) convey the property under this section by quitclaim deed under such terms and conditions as the Secretary determines appropriate to protect the interests of the United States; and

(B) ensure that such deed includes a permanent restriction that all future building of above-ground structures on the land conveyed under this subsection shall be restricted to areas lying at or above 301.0 feet above sea level.

(5) CONSIDERATION.—The City of Sardis, Mississippi, shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed under this subsection, as determined by the Secretary.

(6) NOTICE AND REPORTING.—After conveying property under this subsection, the Secretary shall submit to the City of Sardis, Mississippi—

(A) weekly reports describing—

(i) the water level of Sardis Lake, as in effect on the date of submission of the report;

(ii) any applicable forecasts of that water level; and

(iii) any other information that may affect land conveyed under this subsection; and

(B) a timely notice of any anticipated flooding of a portion of the land conveyed under this subsection.

(c) ROGERS COUNTY, OKLAHOMA.—

(1) CONVEYANCE AUTHORIZED.—The Secretary is authorized to convey to the City of Tulsa-Rogers County Port Authority, all right, title, and interest of the United States in and to the real property described in paragraph (2).

(2) PROPERTY.—The property to be conveyed under this subsection is the approximately 176 acres of Federal land located on the following 3 parcels in Rogers County, Oklahoma:

(A) Parcel 1 consists of U.S. tract 119 (partial), U.S. tract 123, U.S. tract 120, U.S. tract 125, and U.S. tract 118 (partial).

(B) Parcel 2 consists of U.S. tract 124 (partial) and U.S. tract 128 (partial).

(C) Parcel 3 consists of U.S. tract 128 (partial).

(3) RESERVATION OF RIGHTS.—The Secretary shall reserve and retain from any conveyance under this subsection such easements, rights-of-way, and other interests that the Secretary determines to be necessary and appropriate to ensure the continued operation of the McClellan-Kerr Arkansas River navigation project (including Newt Graham Lock and Dam 18) authorized under the comprehensive plan for the Arkansas River Basin by the Act of June 28, 1938 (chapter 795, 52 Stat. 1218; 60 Stat. 634; 60 Stat. 647; 101 Stat. 1329–112; 117 Stat. 1842).

(4) DEED.—The Secretary shall convey the property under this subsection by quitclaim deed under such terms and conditions as the Secretary determines appropriate to protect the interests of the United States.

(5) CONSIDERATION.—The City of Tulsa-Rogers County Port Authority shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed under this subsection, as determined by the Secretary.

(d) REGIONAL CORPS OF ENGINEERS OFFICE, CORPUS CHRISTI, TEXAS.—

(1) CONVEYANCE AUTHORIZED.—At such time as new facilities are available to be used as the office for the Galveston District of the Corps of Engineers, the Secretary shall convey to the Port of Corpus Christi, all right, title, and interest of the United States in and to the property described in paragraph (2).

(2) DESCRIPTION OF PROPERTY.—The property referred to in paragraph (1) is the land known as Tract 100 and Tract 101, including improvements on that land, in Corpus Christi, Texas, and described as follows:

(A) TRACT 100.—The 1.89 acres, more or less, as conveyed by the Nueces County Navigation District No. 1 of Nueces County, Texas, to the United States by instrument dated October 16, 1928, and recorded at Volume 193, pages 1 and 2, in the Deed Records of Nueces County, Texas.

(B) TRACT 101.—The 0.53 acres as conveyed by the City of Corpus Christi, Nueces County, Texas, to the United States by instrument dated September 24, 1971, and recorded at Volume 318, pages 523 and 524, in the Deed Records of Nueces County, Texas.

(C) IMPROVEMENTS.—

(i) Main Building (RPUID AO–C–3516), constructed January 9, 1974.

(ii) Garage, vehicle with 5 bays (RPUID AO–C–3517), constructed January 9, 1985.

(iii) Bulkhead, Upper (RPUID AO–C–2658), constructed January 1, 1941.

(iv) Bulkhead, Lower (RPUID AO–C–3520), constructed January 1, 1933.

(v) Bulkhead Fence (RPUID AO–C–3521), constructed January 9, 1985.

(vi) Bulkhead Fence (RPUID AO–C–3522), constructed January 9, 1985.

(3) DEED.—The Secretary shall convey the property under this subsection by quitclaim deed under such terms and conditions as the Secretary determines appropriate to protect the interests of the United States.

(4) CONSIDERATION.—The Port of Corpus Christi shall pay to the Secretary an amount that is not less than the fair market value of the property (including improvements) conveyed under this subsection, as determined by the Secretary.

SEC. 345. ENVIRONMENTAL INFRASTRUCTURE.

(a) NEW PROJECTS.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1258) is amended by adding at the end the following:

''(274) CHANDLER, ARIZONA.—$18,750,000 for water and wastewater infrastructure in the city of Chandler, Arizona.

''(275) PINAL COUNTY, ARIZONA.—$40,000,000 for water and wastewater infrastructure in Pinal County, Arizona.

''(276) TEMPE, ARIZONA.—$37,500,000 for water and wastewater infrastructure, including water reclamation and groundwater recharge, for the City of Tempe, Arizona.

''(277) BELL GARDENS, CALIFORNIA.—$12,500,000 for water and wastewater infrastructure, including water recycling and water supply, in the city of Bell Gardens, California.

''(278) CALIMESA, CALIFORNIA.—$3,500,000 for stormwater management and water supply infrastructure, including groundwater recharge and water recycling, in the city of Calimesa, California.

''(279) COMPTON CREEK, CALIFORNIA.—$6,165,000 for stormwater management infrastructure in the vicinity of Compton Creek, city of Compton, California.

''(280) DOWNEY, CALIFORNIA.—$100,000,000 for water infrastructure, including water supply, in the city of Downey, California.

''(281) LOMITA, CALIFORNIA.—$4,716,600 for stormwater management infrastructure in the city of Lomita, California.

''(282) EAST SAN DIEGO COUNTY, CALIFORNIA.—$70,000,000 for water and wastewater

infrastructure, including water recycling and water supply, in East County, San Diego County, California.

''(283) EASTERN LOS ANGELES COUNTY, CALIFORNIA.—$25,000,000 for the planning, design, and construction of water and wastewater infrastructure, including water recycling and water supply, for the cities of Azusa, Baldwin Park, Covina, Duarte, El Monte, Glendora, Industry, Irwindale, La Puente, La Verne, Monrovia, San Dimas, and West Covina, and for Avocado Heights, Bassett, and Valinda, California.

''(284) ESCONDIDO CREEK, CALIFORNIA.—$34,000,000 for water and wastewater infrastructure, including stormwater management, in the vicinity of Escondido Creek, city of Escondido, California.

''(285) FONTANA, CALIFORNIA.—$16,000,000 for stormwater management infrastructure in the city of Fontana, California.

''(286) HEALDSBURG, CALIFORNIA.—$23,500,000 for water and wastewater infrastructure, including water recycling and water supply, in the city of Healdsburg, California.

''(287) INLAND EMPIRE, CALIFORNIA.—$60,000,000 for water and wastewater infrastructure, including water supply, in Riverside County and San Bernardino County, California.

''(288) MARIN COUNTY, CALIFORNIA.—$28,000,000 for water and wastewater infrastructure, including water supply, in Marin County, California.

''(289) MAYWOOD, CALIFORNIA.—$10,000,000 for wastewater infrastructure in the city of Maywood, California.

''(290) MONTEREY PENINSULA, CALIFORNIA.—$20,000,000 for water and wastewater infrastructure, and water supply, on the Monterey Peninsula, California.

''(291) NORTH RICHMOND, CALIFORNIA.—$45,000,000 for water and wastewater infrastructure, including coastal flooding resilience measures for such infrastructure, in North Richmond, California.

''(292) ONTARIO, CALIFORNIA.—$40,700,000 for water and wastewater infrastructure, including water recycling and water supply, in the city of Ontario, California.

''(293) PARAMOUNT, CALIFORNIA.—$20,000,000 for water and wastewater infrastructure, including stormwater management, in the city of Paramount, California.

''(294) PETALUMA, CALIFORNIA.—$13,700,000 for water and wastewater infrastructure, including water recycling, in the city of Petaluma, California.

''(295) RIALTO, CALIFORNIA.—$27,500,000 for wastewater infrastructure in the city of Rialto, California.

''(296) RINCON RESERVATION, CALIFORNIA.—$38,000,000 for water and wastewater infrastructure on the Rincon Band of Luiseño Indians reservation, California.

''(297) SACRAMENTO-SAN JOAQUIN DELTA, CALIFORNIA.—$50,000,000 for water and wastewater infrastructure (including stormwater management), water supply and related facilities, environmental restoration, and surface water protection and development, including flooding resilience measures for such infrastructure, in Contra Costa County, San Joaquin County, Solano County, Sacramento County, and Yolo County, California.

''(298) SOUTH SAN FRANCISCO, CALIFORNIA.—$270,000,000 for water and wastewater infrastructure, including stormwater management and water recycling, at the San Francisco International Airport, California.

''(299) SAN JOAQUIN AND STANISLAUS, CALIFORNIA.—$200,000,000 for water and wastewater infrastructure, including stormwater management, and water supply, in San Joaquin County and Stanislaus County, California.

''(300) SANTA ROSA, CALIFORNIA.—$19,400,000 for water and wastewater infrastructure, in the city of Santa Rosa California.

''(301) SIERRA MADRE, CALIFORNIA.—$20,000,000 for water and wastewater infrastructure, and water supply, including earthquake resilience measures for such infrastructure and water supply, in the city of Sierra Madre, California.

''(302) SMITH RIVER, CALIFORNIA.—$25,000,000 for wastewater infrastructure in Howonquet Village and Resort and Tolowa Dee-ni' Nation, Smith River, California.

''(303) TORRANCE, CALIFORNIA.—$100,000,000 for water and wastewater infrastructure, including groundwater recharge and water supply, in the city of Torrance, California.

''(304) WESTERN CONTRA COSTA COUNTY, CALIFORNIA.—$15,000,000 for wastewater infrastructure in the cities of Pinole, San Pablo, and Richmond, and in El Sobrante, California.

''(305) HEBRON, CONNECTICUT.—$3,700,000 for water and wastewater infrastructure in the town of Hebron, Connecticut.

''(306) NEW LONDON, CONNECTICUT.—$16,000,000 for wastewater infrastructure in the town of Bozrah and the City of Norwich, Connecticut.

''(307) WINDHAM, CONNECTICUT.—$18,000,000 for water and wastewater infrastructure in the town of Windham, Connecticut.

''(308) NEW CASTLE, DELAWARE.—$35,000,000 for water and wastewater infrastructure, including stormwater management, in New Castle County, Delaware.

''(309) WASHINGTON, DISTRICT OF COLUMBIA.—$1,000,000 for water and wastewater infrastructure, including stormwater management, in Washington, District of Columbia.

''(310) LONGBOAT KEY, FLORIDA.—$12,750,000 for water and wastewater infrastructure in the town of Longboat Key, Florida.

''(311) MARTIN, ST. LUCIE, AND PALM BEACH COUNTIES, FLORIDA.—$100,000,000 for water and wastewater infrastructure, including stormwater management, to improve water quality in the St. Lucie River, Indian River Lagoon, and Lake Worth Lagoon in Martin County, St. Lucie County, and Palm Beach County, Florida.

''(312) POLK COUNTY, FLORIDA.—$10,000,000 for wastewater infrastructure, including stormwater management, in Polk County, Florida.

''(313) OKEECHOBEE COUNTY, FLORIDA.—$20,000,000 for wastewater infrastructure in Okeechobee County, Florida.

''(314) ORANGE COUNTY, FLORIDA.—$50,000,000 for water and wastewater infrastructure, including water reclamation and water supply, in Orange County, Florida.

''(315) GUAM.—$10,000,000 for water and wastewater infrastructure in Guam.

''(316) COUNTY OF HAWAI'I, HAWAII.—$20,000,000 for water and wastewater infrastructure, including stormwater management, in the County of Hawai'i, Hawaii.

''(317) HONOLULU, HAWAII.—$20,000,000 for water and wastewater infrastructure, including stormwater management, in the City and County of Honolulu, Hawaii.

''(318) KAUA'I, HAWAII.—$20,000,000 for water and wastewater infrastructure, including stormwater management, in the County of Kaua'i, Hawaii.

''(319) MAUI, HAWAII.—$20,000,000 for water and wastewater infrastructure, including stormwater management, in the County of Maui, Hawaii.

''(320) DIXMOOR, ILLINOIS.—$15,000,000 for water and water supply infrastructure in the village of Dixmoor, Illinois.

''(321) FOREST PARK, ILLINOIS.—$10,000,000 for wastewater infrastructure, including stormwater management, in the village of Forest Park, Illinois.

''(322) LAKE COUNTY, ILLINOIS.—$10,000,000 for wastewater infrastructure, including stormwater management, in Lake County, Illinois.

''(323) LEMONT, ILLINOIS.—$3,135,000 for water infrastructure in the village of Lemont, Illinois.

''(324) LOCKPORT, ILLINOIS.—$6,550,000 for wastewater infrastructure, including stormwater management, in the city of Lockport, Illinois.

''(325) MONTGOMERY AND CHRISTIAN COUNTIES, ILLINOIS.—$30,000,000 for water and wastewater infrastructure, including water supply, in Montgomery County and Christian County, Illinois.

''(326) WILL COUNTY, ILLINOIS.—$30,000,000 for water and wastewater infrastructure, including stormwater management, in Will County, Illinois.

''(327) ORLEANS PARISH, LOUISIANA.—$100,000,000 for water and wastewater infrastructure in Orleans Parish, Louisiana.

''(328) FITCHBURG, MASSACHUSETTS.—$20,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Fitchburg, Massachusetts.

''(329) HAVERHILL, MASSACHUSETTS.—$20,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Haverhill, Massachusetts.

''(330) LAWRENCE, MASSACHUSETTS.—$20,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Lawrence, Massachusetts.

''(331) LOWELL, MASSACHUSETTS.—$20,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Lowell, Massachusetts.

''(332) METHUEN, MASSACHUSETTS.—$20,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Methuen, Massachusetts.

''(333) BOONSBORO, MARYLAND.—$5,000,000 for water infrastructure, including water supply, in the town of Boonsboro, Maryland.

''(334) BRUNSWICK, MARYLAND.—$15,000,000 for water and wastewater infrastructure in the city of Brunswick, Maryland.

''(335) CASCADE CHARTER TOWNSHIP, MICHIGAN.—$7,200,000 for water and wastewater infrastructure in Cascade Charter Township, Michigan.

''(336) MACOMB COUNTY, MICHIGAN.—$40,000,000 for wastewater infrastructure, including stormwater management, in Macomb County, Michigan.

''(337) NORTHFIELD, MINNESOTA.—$33,450,000 for water and wastewater infrastructure in the city of Northfield, Minnesota.

''(338) CENTERTOWN, MISSOURI.—$15,900,000 for water and wastewater infrastructure in the village of Centertown, Missouri.

''(339) ST. LOUIS, MISSOURI.—$45,000,000 for water and wastewater infrastructure in the city of St. Louis, Missouri.

''(340) ST. LOUIS COUNTY, MISSOURI.—$45,000,000 for water and wastewater infrastructure in St. Louis County, Missouri.

''(341) MERIDIAN, MISSISSIPPI.—$10,000,000 for water and wastewater infrastructure, including stormwater management, in the city of Meridian, Mississippi.

''(342) OXFORD, MISSISSIPPI.—$10,000,000 for water and wastewater infrastructure, including stormwater management, in the City of Oxford, Mississippi.

''(343) MANCHESTER, NEW HAMPSHIRE.—$20,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Manchester, New Hampshire.

''(344) BAYONNE, NEW JERSEY.—$825,000 for wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Bayonne, New Jersey.

''(345) CAMDEN, NEW JERSEY.—$119,000,000 for wastewater infrastructure, including stormwater management, in the city of Camden, New Jersey.

''(346) ESSEX AND SUSSEX COUNTIES, NEW JERSEY.—$60,000,000 for water and wastewater infrastructure, including water supply, in Essex County and Sussex County, New Jersey.

''(347) FLEMINGTON, NEW JERSEY.—$4,500,000 for water and wastewater infrastructure, including water supply, in the Borough of Flemington, New Jersey.

''(348) JEFFERSON, NEW JERSEY.—$90,000,000 for wastewater infrastructure, including stormwater management, in Jefferson Township, New Jersey.

''(349) KEARNY, NEW JERSEY.—$69,900,000 for wastewater infrastructure, including stormwater management (including combined sewer overflows), in the town of Kearny, New Jersey.

''(350) LONG HILL, NEW JERSEY.—$7,500,000 for wastewater infrastructure, including stormwater management, in Long Hill Township, New Jersey.

''(351) MORRIS COUNTY, NEW JERSEY.—$30,000,000 for water and wastewater infrastructure in Morris County, New Jersey.

''(352) PASSAIC, NEW JERSEY.—$1,000,000 for wastewater infrastructure, including stormwater management, in Passaic County, New Jersey.

''(353) PHILLIPSBURG, NEW JERSEY.—$2,600,000 for wastewater infrastructure, including stormwater management, in the town of Phillipsburg, New Jersey.

''(354) RAHWAY, NEW JERSEY.—$3,250,000 for water and wastewater infrastructure in the city of Rahway, New Jersey.

''(355) ROSELLE, NEW JERSEY.—$5,000,000 for wastewater infrastructure, including stormwater management, in the Borough of Roselle, New Jersey.

''(356) SOUTH ORANGE VILLAGE, NEW JERSEY.—$7,500,000 for water infrastructure, including water supply, in the Township of South Orange Village, New Jersey.

''(357) SUMMIT, NEW JERSEY.—$1,000,000 for wastewater infrastructure, including stormwater management, in the city of Summit, New Jersey.

''(358) WARREN, NEW JERSEY.—$4,550,000 for wastewater infrastructure, including stormwater management, in Warren Township, New Jersey.

''(359) ESPAÑOLA, NEW MEXICO.—$21,995,000 for water and wastewater infrastructure in the city of Española, New Mexico.

''(360) FARMINGTON, NEW MEXICO.—$15,500,000 for water infrastructure, including water supply, in the city of Farmington, New Mexico.

''(361) MORA COUNTY, NEW MEXICO.—$2,874,000 for wastewater infrastructure in Mora County, New Mexico.

''(362) SANTA FE, NEW MEXICO.—$20,700,000 for water and wastewater infrastructure, including water reclamation, in the city of Santa Fe, New Mexico.

''(363) CLARKSTOWN, NEW YORK.—$14,600,000 for wastewater infrastructure, including stormwater management, in the town of Clarkstown, New York.

''(364) GENESEE, NEW YORK.—$85,000,000 for water and wastewater infrastructure, including stormwater management and water supply, in Genesee County, New York.

''(365) QUEENS, NEW YORK.—$119,200,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), in Queens, New York.

''(366) YORKTOWN, NEW YORK.—$40,000,000 for wastewater infrastructure, including stormwater management, in the town of Yorktown, New York.

''(367) BRUNSWICK, OHIO.—$4,510,000 for wastewater infrastructure, including stormwater management, in the city of Brunswick, Ohio.

''(368) BROOKINGS, OREGON.—$2,000,000 for wastewater infrastructure in the City of Brookings and the Port of Brookings Harbor, Oregon.

''(369) MONROE, OREGON.—$6,000,000 for water and wastewater infrastructure in the city of Monroe, Oregon.

''(370) NEWPORT, OREGON.—$60,000,000 for water and wastewater infrastructure, including water supply and water storage, in the city of Newport, Oregon.

''(371) LANE COUNTY, OREGON.—$25,000,000 for water and wastewater infrastructure, including water supply and storage, distribution, and treatment systems, in Lane County, Oregon.

''(372) PALMYRA, PENNSYLVANIA.—$36,300,000 for wastewater infrastructure in Palmyra Township, Pennsylvania.

''(373) PIKE COUNTY, PENNSYLVANIA.—$10,000,000 for water and stormwater management infrastructure, including water supply, in Pike County, Pennsylvania.

''(374) PITTSBURGH, PENNSYLVANIA.—$20,000,000 for wastewater infrastructure, including stormwater management, in the city of Pittsburgh, Pennsylvania.

''(375) POCONO, PENNSYLVANIA.—$22,000,000 for water and wastewater infrastructure in Pocono Township, Pennsylvania.

''(376) WESTFALL, PENNSYLVANIA.—$16,880,000 for wastewater infrastructure in Westfall Township, Pennsylvania.

''(377) WHITEHALL, PENNSYLVANIA.—$6,000,000 for stormwater management infrastructure in Whitehall Township and South Whitehall Township, Pennsylvania.

''(378) BEAUFORT, SOUTH CAROLINA.—$7,462,000 for stormwater management infrastructure in Beaufort County, South Carolina.

''(379) CHARLESTON, SOUTH CAROLINA.—$25,583,000 for wastewater infrastructure, including stormwater management, in the city of Charleston, South Carolina.

''(380) MOUNT PLEASANT, SOUTH CAROLINA.—$7,822,000 for wastewater infrastructure, including stormwater management, in the town of Mount Pleasant, South Carolina.

''(381) PORTLAND, TENNESSEE.—$1,850,000 for water and wastewater infrastructure, including water supply, in the city of Portland, Tennessee.

''(382) SMITH COUNTY, TENNESSEE.—$19,500,000 for wastewater infrastructure, including stormwater management, in Smith County, Tennessee.

''(383) TROUSDALE, MACON, AND SUMNER COUNTIES, TENNESSEE.—$178,000,000 for water and wastewater infrastructure in Trousdale County, Macon County, and Sumner County, Tennessee.

''(384) VIRGIN ISLANDS.—$1,584,000 for wastewater infrastructure in the United States Virgin Islands.

''(385) BONNEY LAKE, WASHINGTON.—$3,000,000 for water and wastewater infrastructure in the city of Bonney Lake, Washington.

''(386) BURIEN, WASHINGTON.—$5,000,000 for stormwater management infrastructure in the city of Burien, Washington.

''(387) ELLENSBURG, WASHINGTON.—$3,000,000 for wastewater infrastructure, including stormwater management, in the city of Ellensburg, Washington.

''(388) NORTH BEND, WASHINGTON.—$30,000,000 for wastewater infrastructure, including stormwater management, in the city of North Bend, Washington.

''(389) PORT ANGELES, WASHINGTON.—$7,500,000 for wastewater infrastructure, including stormwater management, in the City and Port of Port Angeles, Washington.

''(390) SNOHOMISH COUNTY, WASHINGTON.—$56,000,000 for water and wastewater infrastructure, including water supply, in Snohomish County, Washington.

''(391) WESTERN WASHINGTON STATE.—$200,000,000 for water and wastewater infrastructure, including stormwater management, water supply, and conservation, in Chelan County, King County, Kittitas County, Pierce County, Snohomish County, Skagit County, and Whatcom County, Washington.

''(392) MILWAUKEE, WISCONSIN.—$4,500,000 for wastewater infrastructure, including stormwater management (including combined sewer overflows), in the city of Milwaukee, Wisconsin.''.

(b) PROJECT MODIFICATIONS.—

(1) CONSISTENCY WITH REPORTS.—Congress finds that the project modifications described in this subsection are in accordance with the reports submitted to Congress by the Secretary under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d), titled ''Report to Congress on Future Water Resources Development'', or have otherwise been reviewed by Congress.

(2) MODIFICATIONS.—

(A) SACRAMENTO AREA, CALIFORNIA.—Section 219(f)(23) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat. 1840; 134 Stat. 2718) is amended by striking ''Suburban''.

(B) LOS ANGELES COUNTY, CALIFORNIA.—Section 219(f)(93) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat. 1840; 121 Stat. 1259) is amended—

(i) by striking ''$3,000,000'' and inserting ''$103,000,000'';

(ii) by striking ''wastewater and water related infrastructure,'' and inserting ''water and wastewater infrastructure, including stormwater management,''; and

(iii) by inserting ''Dominguez Channel, Santa Clarita Valley,'' after ''La Habra Heights,''.

(C) BOULDER COUNTY, COLORADO.—Section 219(f)(109) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–220) is amended by striking ''$10,000,000 for water supply infrastructure'' and inserting ''$20,000,000 for water and wastewater infrastructure, including stormwater management and water supply''.

(D) CHARLOTTE COUNTY, FLORIDA.—Section 219(f)(121) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1261) is amended by striking ''$3,000,000 for'' and inserting ''$33,000,000 for wastewater and''.

(E) MIAMI-DADE COUNTY, FLORIDA.—Section 219(f)(128) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1261) is amended by striking ''$6,250,000 for'' and inserting ''$190,250,000 for wastewater infrastructure, including''.

(F) ALBANY, GEORGIA.—Section 219(f)(130) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1261) is amended by striking ''$4,000,000 for a storm drainage system,'' and inserting ''$109,000,000 for wastewater infrastructure, including stormwater management (including combined sewer overflows),''.

(G) ATLANTA, GEORGIA.—Section 219(e)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334) is amended by striking ''$25,000,000'' and inserting ''$75,000,000''.

(H) EAST POINT, GEORGIA.—Section 219(f)(136) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336;

121 Stat. 1261) is amended by striking ''$5,000,000 for'' and inserting ''$15,000,000 for stormwater management and other''.

(I) COOK COUNTY, ILLINOIS.—Section 219(f)(54) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat. 2763A–220) is amended by striking ''$35,000,000 for'' and inserting ''$100,000,000 for wastewater infrastructure, including stormwater management, and other''.

(J) CALUMET REGION, INDIANA.—Section 219(f)(12)(A) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat. 1843; 121 Stat. 1225) is amended by striking ''$100,000,000'' and inserting ''$125,000,000''.

(K) BATON ROUGE, LOUISIANA.—Section 219(f)(21) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat. 2763A–220; 121 Stat. 1226) is amended by striking ''$35,000,000'' and inserting ''$90,000,000''.

(L) SOUTH CENTRAL PLANNING AND DEVELOPMENT COMMISSION, LOUISIANA.—Section 219(f)(153) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1262) is amended by striking ''$2,500,000'' and inserting ''$12,500,000''.

(M) ST. CHARLES, ST. BERNARD, PLAQUEMINES, ST. JOHN THE BAPTIST, ST. JAMES, AND ASSUMPTION PARISHES, LOUISIANA.—

(i) ST. CHARLES, ST. BERNARD, AND PLAQUEMINES PARISHES, LOUISIANA.—Section 219(c)(33) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–219) is amended by striking ''Water and wastewater infrastructure'' and inserting ''Water supply and wastewater infrastructure, including stormwater infrastructure''.

(ii) ST. JOHN THE BAPTIST, ST. JAMES, AND ASSUMPTION PARISHES, LOUISIANA.—Section 219(c)(34) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–219) is amended—

(I) in the paragraph heading, by striking ''BAPTIST AND ST. JAMES'' and inserting ''BAPTIST, ST. JAMES, AND ASSUMPTION''; and

(II) by striking ''Baptist and St. James'' and inserting ''Baptist, St. James, and Assumption''.

(iii) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION ASSISTANCE.—Section 219(e) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 121 Stat. 1192) is amended—

(I) by striking the ''and'' at the end of paragraph (16);

(II) by striking the period at the end of paragraph (17) and inserting a semicolon; and

(III) by adding at the end the following:

''(18) $70,000,000 for the project described in subsection (c)(33); and

''(19) $36,000,000 for the project described in subsection (c)(34).''.

(N) MICHIGAN COMBINED SEWER OVERFLOWS.—Section 219(f)(157) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1262) is amended by striking ''correction of combined sewer overflows'' and inserting ''water and wastewater infrastructure, including stormwater management (including correction of combined sewer overflows)''.

(O) ALLEGHENY COUNTY, PENNSYLVANIA.—Section 219(f)(66)(A) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat. 2763A–221; 121 Stat. 1240) is amended by striking ''$20,000,000 for'' and inserting ''$30,000,000 for wastewater infrastructure, including stormwater management, and other''.

(P) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat. 2763A–220; 117 Stat. 1838; 130 Stat. 1677; 132 Stat. 3818; 134 Stat. 2719) is amended by striking ''$110,000,000'' and inserting ''$165,000,000''.

(Q) EASTERN SHORE AND SOUTHWEST VIRGINIA.—Section 219(f)(10)(A) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat. 1255) is amended by striking ''$20,000,000'' and inserting ''$52,000,000''.

(3) EFFECT ON AUTHORIZATION.—Notwithstanding the operation of section 6001(e) of the Water Resources Reform and Development Act of 2014 (as in effect on the day before the date of enactment of the Water Resources Development Act of 2016), any project included on a list published by the Secretary pursuant to such section the authorization for which is amended by this subsection remains authorized to be carried out by the Secretary.

SEC. 346. ADDITIONAL ASSISTANCE FOR CRITICAL PROJECTS.

(a) CONSISTENCY WITH REPORTS.—Congress finds that the project modifications described in this section are in accordance with the reports submitted to Congress by the Secretary under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d), titled ''Report to Congress on Future Water Resources Development'', or have otherwise been reviewed by Congress.

(b) PROJECTS.—

(1) CHESAPEAKE BAY.—Section 510(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3759; 121 Stat. 1202; 128 Stat. 1317) is amended—

(A) by inserting ''infrastructure and'' before ''resource protection'';

(B) by redesignating subparagraphs (E) and (F) as subparagraphs (G) and (H), respectively; and

(C) by inserting after subparagraph (D) the following:

''(E) wastewater treatment and related facilities;

''(F) water supply and related facilities;''.

(2) NEW YORK CITY WATERSHED.—Section 552(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3780) is amended—

(A) by striking ''design and construction assistance'' and inserting ''design, repair, replacement, and construction assistance''; and

(B) by striking ''treatment, and distribution facilities'' and inserting ''treatment, stormwater management, and water distribution facilities''.

(3) SOUTHEASTERN PENNSYLVANIA.—Section 566 of the Water Resources Development Act of 1996 (110 Stat. 3786; 113 Stat. 352) is amended—

(A) by striking the section heading and inserting ''**SOUTHEASTERN PENNSYLVANIA AND LOWER DELAWARE RIVER BASIN.**'';

(B) in subsection (a), by inserting ''and the Lower Delaware River Basin'' after ''southeastern Pennsylvania'';

(C) in subsection (b), by striking ''southeastern Pennsylvania, including projects for waste water treatment and related facilities,'' and inserting ''southeastern Pennsylvania and the Lower Delaware River Basin, including projects for wastewater treatment and related facilities (including sewer overflow infrastructure improvements and other stormwater management),'';

(D) by amending subsection (g) to read as follows:

''(g) AREAS DEFINED.—In this section:

''(1) LOWER DELAWARE RIVER BASIN.—The term 'Lower Delaware River Basin' means the Schuylkill Valley, Upper Estuary, Lower Estuary, and Delaware Bay subwatersheds of the Delaware River Basin in the Commonwealth of Pennsylvania and the States of New Jersey and Delaware.

''(2) SOUTHEASTERN PENNSYLVANIA.—The term 'southeastern Pennsylvania' means Philadelphia, Bucks, Chester, Delaware, and Montgomery Counties, Pennsylvania.''; and

(E) in subsection (h), by striking ''to carry out this section $25,000,000'' and inserting ''$50,000,000 to provide assistance under this section to non-Federal interests in southeastern Pennsylvania, and $20,000,000 to provide assistance under this section to non-Federal interests in the Lower Delaware River Basin''.

(4) FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FLORIDA.—Section 109 of division B of the Consolidated Appropriations Act, 2001 (Public Law 106–554, appendix D, 114 Stat. 2763A–222; 121 Stat. 1217) is amended, in subsection (f), by striking ''$100,000,000'' and inserting ''$200,000,000''.

(5) NORTHEASTERN MINNESOTA.—Section 569(h) of the Water Resources Development Act of 1999 (113 Stat. 368; 121 Stat. 1232) is amended by striking ''$54,000,000'' and inserting ''$80,000,000''.

(6) MISSISSIPPI.—Section 592 of the Water Resources Development Act of 1999 (113 Stat. 379; 117 Stat. 1837; 121 Stat. 1233; 123 Stat. 2851) is amended—

(A) in subsection (b), by striking ''and surface water resource protection and development'' and inserting ''surface water resource protection and development, stormwater management, and drainage systems''; and

(B) in subsection (g), by striking ''$200,000,000'' and inserting ''$300,000,000''.

(7) LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA.—Section 108(g) of division C of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2942) is amended by striking ''$25,000,000'' and inserting ''$50,000,000''.

(8) CENTRAL NEW MEXICO.—Section 593 of the Water Resources Development Act of 1999 (113 Stat. 380; 119 Stat. 2255) is amended—

(A) in subsection (a), by inserting ''Colfax,'' before ''Sandoval'';

(B) in subsection (c), by inserting ''water reuse,'' after ''conservation,''; and

(C) in subsection (h), by striking ''$50,000,000'' and inserting ''$100,000,000''.

(9) SOUTH CENTRAL PENNSYLVANIA.—Section 313(g)(1) of the Water Resources Development Act of 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat. 1146; 134 Stat. 2719) is amended by striking ''$400,000,000'' and inserting ''$410,000,000''.

(10) OHIO AND NORTH DAKOTA.—Section 594 of the Water Resources Development Act of 1999 (113 Stat. 381; 119 Stat. 2261; 121 Stat. 1140; 121 Stat. 1944) is amended in subsection (h), by striking ''$240,000,000'' and inserting ''$250,000,000''.

(11) TEXAS.—Section 5138 of the Water Resources Development Act of 2007 (121 Stat. 1250) is amended, in subsection (g), by striking ''$40,000,000'' and inserting ''$80,000,000''.

(12) LAKE CHAMPLAIN, VERMONT AND NEW YORK.—Section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150; 134 Stat. 2652) is amended—

(A) in subsection (b)(2)(C), by striking ''planning'' and inserting ''clean water infrastructure planning, design, and construction''; and

(B) in subsection (g), by striking ''$32,000,000'' and inserting ''$50,000,000''.

(13) WESTERN RURAL WATER.—Section 595 of the Water Resources Development Act of 1999 (113 Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat. 1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat. 2851; 128 Stat. 1316; 130 Stat. 1681; 134 Stat. 2719) is amended—

(A) in subsection (i)(1), by striking ''$435,000,000'' and inserting ''$800,000,000''; and

(B) in subsection (i)(2), by striking ''$150,000,000'' and inserting ''$200,000,000''.

(c) EFFECT ON AUTHORIZATION.—Notwithstanding the operation of section 6001(e) of the Water Resources Reform and Development Act of 2014 (as in effect on the day before the date of enactment of the Water Resources Development Act of 2016), any project included on a list published by the Secretary pursuant to such section the authorization for which is amended by this section remains authorized to be carried out by the Secretary.

SEC. 347. SENSE OF CONGRESS ON LEASE AGREEMENT.

It is the sense of Congress that the lease agreement for land and water areas within the Prado Flood Control Basin Project Area entered into between the Secretary and the City of Corona, California, for operations of the Corona Municipal Airport (Recreation Lease No. DACW09–1–67–60), is a valid lease of land at a water resources development project under section 4 of the Act of December 22, 1944 (16 U.S.C. 460d).

SEC. 348. FLOOD CONTROL AND OTHER PURPOSES.

Section 103(k)(4)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)(4)(B)) is amended by striking ''2023'' and inserting ''2032''.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

SEC. 401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AK	Elim Subsistence Harbor Study, Elim	March 12, 2021	Federal: $74,905,000 Non-Federal: $1,896,000 Total: $76,801,000
2. CA	Port of Long Beach Deep Draft Navigation, Los Angeles County	October 14, 2021 and May 31, 2022	Federal: $73,533,500 Non-Federal: $74,995,500 Total: $148,529,000
3. GA	Brunswick Harbor Modifications, Glynn County	March 11, 2022	Federal: $10,774,500 Non-Federal: $3,594,500 Total: $14,369,000
4. WA	Tacoma Harbor Navigation Improvement Project	May 26, 2022	Federal: $120,701,000 Non-Federal: $174,627,000 Total: $295,328,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AL	Selma Flood Risk Management and Bank Stabilization	October 7, 2021	Federal: $15,533,100 Non-Federal: $8,363,900 Total: $23,897,000
2. AL	Valley Creek Flood Risk Management, Bessemer and Birmingham	October 29, 2021	Federal: $17,725,000 Non-Federal: $9,586,000 Total: $27,311,000
3. CA	Lower Cache Creek, Yolo County, Woodland and Vicinity	June 21, 2021	Federal: $215,152,000 Non-Federal: $115,851,000 Total: $331,003,000
4. NE	Papillion Creek and Tributaries Lakes	January 24, 2022	Federal: $91,491,400 Non-Federal: $52,156,300 Total: $143,647,700

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
5. OR	Portland Metro Levee System	August 20, 2021	Federal: $77,111,100 Non-Federal: $41,521,300 Total: $118,632,400

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CT	Fairfield and New Haven Counties Coastal Storm Risk Management	January 19, 2021	Federal: $92,937,000 Non-Federal: $50,043,000 Total: $142,980,000
2. FL	Florida Keys, Monroe County, Coastal Storm Risk Management	September 24, 2021	Federal: $1,513,531,000 Non-Federal: $814,978,000 Total: $2,328,509,000
3. FL	Pinellas County, Treasure Island and Long Key Segments, Coastal Storm Risk Management	October 29, 2021	Initial Federal: $8,627,000 Initial Non-Federal: $5,332,000 Total: $13,959,000 Renourishment Federal: $92,000,000 Renourishment Non-Federal: $101,690,000 Renourishment Total: $193,690,000
4. LA	Upper Barataria Basin Hurricane and Storm Damage Risk Reduction	January 28, 2022	Federal: $1,005,001,000 Non-Federal: $541,155,000 Total: $1,546,156,000
5. PR	San Juan Metropolitan Area Coastal Storm Risk Management	September 16, 2021	Federal: $245,418,000 Non-Federal: $131,333,000 Total: $376,751,000
6. SC	Folly Beach, Coastal Storm Risk Management	October 26, 2021	Initial Federal: $45,490,000 Initial Non-Federal: $5,054,000 Total: $50,544,000 Renourishment Federal: $164,424,000 Renourishment Non-Federal: $26,767,000 Renourishment Total: $191,191,000

(4) FLOOD RISK MANAGEMENT AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Coastal Texas Protection and Restoration	September 16, 2021	Federal: $19,237,894,000 Non-Federal: $11,668,393,000 Total: $30,906,287,000

(5) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CA	Prado Basin Ecosystem Restoration, San Bernardino, Riverside and Orange Counties	April 22, 2021	Federal: $33,976,000 Non-Federal: $18,294,000 Total: $52,270,000
2. KY	Three Forks of Beargrass Creek Ecosystem Restoration, Louisville	May 24, 2022	Federal: $72,138,000 Non-Federal: $48,998,000 Total: $121,136,000

(6) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. DC	Washington, D.C. and Vicinity Flood Risk Management	July 22, 2021	Federal: $17,740,000 Non-Federal: $0 Total: $17,740,000
2. LA	Lake Pontchartrain and Vicinity	December 16, 2021	Federal: $807,000,000 Non-Federal: $434,000,000 Total: $1,241,000,000
3. LA	West Bank and Vicinity	December 17, 2021	Federal: $431,000,000 Non-Federal: $232,000,000 Total: $663,000,000
4. WA	Howard A. Hanson Dam, Water Supply and Ecosystem Restoration	May 19, 2022	Federal: $815,207,000 Non-Federal: $39,979,000 Total: $855,185,000

TITLE V—COLUMBIA RIVER BASIN RESTORATION

SEC. 501. DEFINITIONS.

In this title:

(1) CONTINUING AUTHORITY PROGRAM.—The term ''continuing authority program'' has the meaning given that term in section 7001(c)(1)(D)(iii) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(c)(1)(D)(iii)).

(2) COVERED STATE.—The term ''covered State'' means the State of Idaho, Montana, Oregon, or Washington.

(3) COVERED TRIBE.—The term ''covered Tribe'' means an Indian Tribe that has treaty land or treaty rights in relationship to the Columbia River Basin in a covered State.

(4) LOWER SNAKE RIVER DAMS.—The term ''Lower Snake River Dams'' means the dams on the Lower Snake River authorized by section 2 of the Act of March 2, 1945 (chapter 19, 59 Stat. 21).

(5) TASK FORCE.—The term ''Task Force'' means the Columbia River Basin Task Force established under section 503.

(6) TRUST.—The term ''Trust'' means the Columbia River Basin Trust established under section 502.

SEC. 502. COLUMBIA RIVER BASIN TRUST.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a committee to be known as the Columbia River Basin Trust.

(b) MEMBERSHIP.—The Trust shall be composed of the following:

(1) 8 members appointed by the Secretary, which shall represent equally the various interests of the public in the Columbia River Basin, including representatives of—

(A) agriculture groups;

(B) environmental or conservation organizations;

(C) the hydroelectric power industry;

(D) recreation user groups;

(E) marine transportation groups; and

(F) other appropriate interests, as determined by the Secretary.

(2) 4 representatives of each covered State, including at least 1 member of each applicable State government, appointed by the Secretary on the recommendation of the Governor of the applicable State.

(3) 1 representative of each covered Tribe, appointed by the Secretary on the recommendation of the applicable Tribe.

SEC. 503. COLUMBIA RIVER BASIN TASK FORCE.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a task force, to be known as the Columbia River Basin Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) a representative of the Corps of Engineers, who shall serve as Chairperson;

(2) a representative of the Department of Agriculture;

(3) a representative of the Bureau of Reclamation;

(4) a representative of the Bureau of Indian Affairs;

(5) a representative of the National Marine Fisheries Service;

(6) a representative of the Bonneville Power Administration; and

(7) each member of the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet not less frequently than 4 times each year;

(2) establish procedures for the preparation and approval of the restoration plan under subsection (e), which shall include a requirement that any final restoration plan be approved by at least 2/3 of the members of the Task Force; and

(3) prepare the restoration plan in accordance with subsection (e), including—

(A) reviewing restoration projects that may be included in the restoration plan; and

(B) developing recommendations to be included in the restoration plan.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Secretary shall transmit to the Task Force a

report containing the results of an assessment, carried out at full Federal expense, of water resources needs in the Columbia River Basin, including an assessment of—

(A) the effects of the Lower Snake River Dams on the Federal, State, and regional economies;

(B) the effects in the Columbia River Basin of the Lower Snake River Dams on—

(i) recreation;

(ii) hydropower generation and associated carbon emissions reductions;

(iii) water supplies;

(iv) flood control;

(v) marine transportation;

(vi) fish and wildlife, particularly anadromous salmonids and other species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(vii) down-river water quality, including temperature, sedimentation, and dissolved oxygen; and

(viii) Tribal treaty rights and culturally or historically significant Tribal lands;

(C) non-breaching alternatives for increasing fish passage and salmon recovery; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with—

(A) the Task Force;

(B) the Governor of each covered State; and

(C) the government of each covered Tribe.

(e) RESTORATION PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date on which the Secretary transmits the report under subsection (d), the Task Force shall prepare, at full Federal expense, a restoration plan for the Columbia River Basin, based on the results of the assessment contained in the report.

(2) CONTENTS OF PLAN.—The Task Force shall include in the restoration plan—

(A) a description of the overall goals of the restoration plan;

(B) recommendations for restoration projects in the Columbia River Basin, which may address any of—

(i) salmon recovery in the Columbia River Basin;

(ii) water quality and water supply improvements along the Snake River System;

(iii) low-carbon emission transportation and shipping routes;

(iv) Tribal treaty rights, and the protection of Tribal historical and cultural resources throughout the Columbia River Basin;

(v) Federal, State, and regional economies;

(vi) recreation and tourism;

(vii) hydropower generation and associated carbon emissions reductions; and

(viii) flood control; and

(C) recommendations for any other appropriate actions that may help achieve the goals of the restoration plan.

(3) REVISION OF PLAN.—The Task Force may, on an annual basis, revise the restoration plan.

(4) PUBLIC COMMENT.—Before finalizing the restoration plan, including any revision of the restoration plan, the Task Force shall make a proposed restoration plan available for public review and comment.

(5) TRANSMITTAL OF PLAN TO CONGRESS.—The Secretary shall transmit the final restoration plan, including any finalized revision of the restoration plan, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and to each Member of Congress from a covered State.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary, in coordination with the Task Force, shall identify critical restoration projects included in the final restoration plan transmitted under subsection (e)(5) that may be carried out in accordance with the criteria for projects carried out under a continuing authority program.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project identified under paragraph (1) after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(3) TRIBAL PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects identified under paragraph (1) shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian Tribe.

(4) COST SHARING.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any project under this subsection that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a project under this subsection for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, except that such Federal share shall not exceed $10,000,000 for any project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—For purposes of clause (i), the Secretary shall credit the non-Federal interest for contributions provided under clause (ii)(I).

(g) SAVINGS CLAUSE.—Nothing in this section authorizes the Secretary to modify, deauthorize, or remove any of the Lower Snake River Dams.

SEC. 504. ADMINISTRATION.

Nothing in this title diminishes or affects—

(1) any water right of an Indian Tribe;

(2) any fishing right of an Indian Tribe;

(3) any other right of an Indian Tribe;

(4) any treaty right that is in effect on the date of enactment of this Act;

(5) any external boundary of an Indian reservation of an Indian Tribe;

(6) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources; or

(7) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act'' (16 U.S.C. 470 et seq.));

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(K) the Marine Mammal Protection Act (16 U.S.C. 1361 et seq.).

TITLE VI—DETERMINATION OF BUDGETARY EFFECTS

SEC. 601. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7776, as amended.

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

There was no objection.

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

Mr. Speaker, this will be the fifth consecutive 2-year authorization of the Water Resources Development Act since 2014, a tradition revived by our former chair, Bill Shuster.

I am grateful for the partnership of Ranking Member SAM GRAVES, Subcommittee Chairwoman GRACE NAPOLITANO, and Subcommittee Ranking Member DAVID ROUZER for all their work in developing this historic Water Resources Development Act.

This legislation builds on the successes of previous water bills, moving projects from feasibility to construction. This 2-year cycle is critical to addressing future water resource needs of our Nation.

This bill authorizes construction of 18 reports of the Chief of Engineers that were studied and transmitted to Congress since the last water bill was signed into law. These Chief's reports represent thoroughly vetted, locally driven projects with highly engaged cost-share partners. Corps projects

cover a myriad of purposes from navigation, flood control, levees, ecosystem restoration, that will benefit communities all across the United States of America.

The bill also authorizes 72 new feasibility studies and directs the Corps to expedite the completion of 14 ongoing studies. It is critical that we keep our infrastructure in this Nation up-to-date with new challenges—with severe weather events, sea level rise, and other things—and deal with the challenges that communities across this country endure.

For two decades, I spent two decades—actually, I started longer than that—Bud Shuster in 1996—trying to free up the Harbor Maintenance Trust Fund. That is a tax paid by shippers, which ultimately is passed on to consumers on the value of imported goods which have been impounded for years, totaling nearly $10 billion, while our harbors need dredging, jetties need rebuilding. We finally got that done in 2020. That was historic.

It gives the Corps more resources on the harbor side, which means they can devote a little more of their allocation to the inland waterways and to their other 40-some-odd billion dollars of backlog of critical projects across the country.

It will meet the challenge of climate change by rebuilding these navigation jetties and breakwaters to new heights and dimensions necessary for sea level rise and extreme weather. It will study the impact of coastal storms on inland flooding—which is a particular concern of the ranking member—address future water supplies in the arid West, which is a particular concern of all of us in the West, but particularly those further south and the chair of the subcommittee.

Mr. Speaker, 21st century challenges should have 21st century solutions. The Corps has been hamstrung in their ability. We have worked with other Members who have heard similar concerns. We included a solution in this bill that will allow the Corps to be the innovation expert they need to be to address our Nation's ongoing new challenges.

I am also proud it will continue building upon efforts to provide equitable project outcomes and flexibility for communities with affordability concerns. It will address the needs of economically disadvantaged minority rural Tribal communities in an affordable manner.

In particular, the bill creates a Tribal liaison position within each Corps' district office. The Corps often fails to consult meaningfully with the Tribes. Tribal leaders will have a direct line of communication now into the regional office and back to the national office to get consultation, technical assistance, and information to them.

Mr. Speaker, I thank Subcommittee Chairwoman NAPOLITANO and Representative STANTON for their tireless work advocating for our Tribal communities.

For the first time in over a decade, it significantly expands the Corps' environmental infrastructure authorities to assist more communities in addressing drinking water and wastewater needs. We need major work in these areas. Communities all across America—red, blue, whatever—are suffering, and we need these tools to help them.

Mr. Speaker, I thank Chairwoman NAPOLITANO for her effort to help the Corps with flexibility and additional authorities that will help them meet future water supply needs of the arid regions of this Nation. We are rationing the Colorado River for the first time in history this year. Her input and advocacy also brought many of the environmental justice provisions to this bill—support for Tribal communities. She has been a tireless advocate for meeting the needs of her district and her State and the Nation.

Mr. Speaker, I thank SAM GRAVES—I couldn't have asked for a better partner working on this bill—for his steadfast support which has made it possible. I thank the gentleman from North Carolina (Mr. ROUZER) for his support and wise input on the bill before us today. Their input brought in critical perspectives.

We had the subcommittee vice chair from Georgia, Representative BOURDEAUX, who brought recreational safety concerns at local dams to our attention. We had the gentlewoman from Georgia (Ms. WILLIAMS), who supported a watershed-wide study of the Chattahoochee River.

I thank the gentleman from Hawaii (Mr. KAHELE), who was an ardent advocate of native Hawaiians and ensuring their participation in activities. I thank the gentleman for giving us new perspectives on that. Representative Newman of Illinois worked hard for all the Great Lakes.

Representative CARTER came to the table with fresh policy and project ideas to help Louisiana deal with natural disasters, sea level rise, and severe weather events.

Mr. Speaker, this is essential legislation, and I urge my colleagues to support it. I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in strong support of H.R. 7776, the Water Resources Development Act of 2022, or WRDA 2022.

Mr. Speaker, 3 weeks ago we advanced this bipartisan legislation out of committee by voice vote, and I am proud to continue the bipartisan tradition of passing a WRDA bill every 2 years—as the chairman pointed out—something we have done since 2014.

I thank Chairman DEFAZIO, Water Resources and Environment Subcommittee Chair NAPOLITANO, and Ranking Member ROUZER for all of their hard work and support in getting this legislation across the finish line here in the House.

WRDA 2022 authorizes water infrastructure projects and policies that are critical to local communities, but also provides far-reaching benefits to both the region and our national economy.

With the current supply chain crisis and surging inflation our country faces, it is more important than ever that Congress continues to support our Nation's water infrastructure that keeps our economy moving and protects our communities.

WRDA 2022 supports American competitiveness and our economy by ensuring the reliability and the effectiveness of our Nation's ports and inland waterways to move American goods and products to those who need them.

This legislation also boosts flood production for our local communities, such as those in Missouri's Sixth District, which is my own district.

In Missouri, we are at a crossroads of the largest rivers in the country—the Missouri River and the Mississippi River. These rivers are an invaluable natural resource that provide drinking water, irrigation, and transportation; however, they can also be the source of some very devastating flooding.

My constituents are still working to recover and rebuild their homes, farms, businesses, and their communities after devastating flooding that occurred in 2019.

I know all too well the consequences when water resources are mismanaged, which is why WRDA 2022 is going to ensure that the Corps remains focused on its core missions and priorities and activities like flood control and navigation.

To do this, this bill contains assistance for meeting levee inspection requirements, it examines ways to control erosion on our rivers, and it supports Missouri flood control projects.

These and other provisions in WRDA 2022 are going to provide benefits not only to Missourians, but citizens all across the country who depend on water resources and infrastructure in their daily lives.

Mr. Speaker, I thank everybody for their support in developing this legislation, and that includes staff on both sides of the aisle.

Specifically, on my team, I acknowledge the work of my staff director, Paul Sass, for his leadership of the Republican staff on this bill, and many other important bills for that matter, over the last 3½ years.

At the end of this week, Paul will be leaving the committee after more than 20 years of public service on Capitol Hill—and all of that time working for me in my personal office or on my committee staff. I thank him for his dedication and his guidance and friendship over the last two decades. He has a lot to be proud of as he moves forward onto the next chapter of his career. He can look back and be proud of all that he has done. I wish him and his family nothing but the best.

Mr. Speaker, I urge my colleagues to support today's legislation, WRDA

2022, and I reserve the balance of my time.

□ 1730

Mr. DEFAZIO. Mr. Speaker, I include in the RECORD a list of organizations that support H.R. 7776, totaling 51 very diverse organizations. I am certain there are more.

ORGANIZATIONS/LETTERS IN SUPPORT OF H.R. 7776, THE WATER RESOURCES DEVELOPMENT ACT OF 2022

Alabama Rivers Alliance, American Association of Port Authorities (AAPA), American Canoe Association, American Council of Engineering Companies (ACEC), American Rivers, American Shore and Beach Preservation Association (ASBPA), American Society of Civil Engineers (ASCE), American Soybean Association (ASA), American Waterways Operators (AWO), American Whitewater, Appalachian Mountain Club, Associated General Contractors of American (AGC), Association of California Water Agencies (ACWA), Association of Fish and Wildlife Agencies, California Outdoors, California Sportfishing Protection Alliance, City Council of the City of Newport, Oregon.

Fairfax Water, Florida Ports Council (FPC), Idaho Rivers United, International Union of Operating Engineers (IUOE), Interstate Council on Water Policy (ICWP), Iowa Confluence Water Trails, Laborer's International Union of North America (LIUNA), Lake Carriers' Association, Los Angeles County Department of Public Works, Metropolitan Washington Council of Governments (COG), Metropolitan Water District of Southern California, Michigan United Conversation Clubs, Multnomah County Drainage District (MCDD), National Association of Flood & Stormwater Management Agencies (NAFSMA), National Audubon Society, National Grain and Feed Association (NGFA).

National Parks Conservation Association (NPCA), National Water Supply Alliance (NWSA), National Wildlife Federation, Outdoor Alliance, Pacific Northwest Waterways Association (PNWA), Port of Long Beach, Port of Portland, Portland Cement Association (PCA), Public Power Council (PPC), Rafting Magazine, The Nature Conservancy, Theodore Roosevelt Conservation Partnership (TRCP), Trout Unlimited, U.S. Chamber of Commerce, United Association of Union Plumbers and Pipefitters (UA), Waterways Council, Inc. (WCI), Wild Salmon Center.

Mr. DEFAZIO. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. NAPOLITANO), who is the chair of the subcommittee.

Mrs. NAPOLITANO. Mr. Speaker, I thank Mr. DEFAZIO for yielding.

Mr. Speaker, I am pleased to join my chair, PETER DEFAZIO, Ranking Member GRAVES, and the subcommittee's ranking member, my friend, Mr. ROUZER, and bring to the floor H.R. 7776, the Water Resources Development Act of 2022.

The Water Resources Development Act is our legislative commitment to investing in and protecting our communities from flooding events, restoring our environment and ecosystems, and keeping our Nation's competitiveness by supporting our ports and harbors.

Through the biennial enactment of WRDA legislation, the Transportation and Infrastructure Committee has addressed local, regional, and national needs through authorization of new U.S. Army Corps of Engineers projects, studies, and policies that benefit every corner of the Nation.

We held four hearings in preparation for this bill, including a Member Day hearing. We had a formal process to receive legislative, policy, and project ideas from Members which resulted in 1,500 ideas submitted to us by Members, so that is quite an accomplishment for our staff to go through. I thank all Members for engaging with the committee on this bill and advocating for the needs of their districts. We were able to incorporate most of the requests from Members into the bill.

I am particularly thankful that we were able to make a commitment in this WRDA—thank God, the fifth WRDA—to address the needs of Tribal and disadvantaged communities. The bill requires the Army Corps of Engineers to improve outreach to these communities by creating liaison programs in each Corps district region across the country. That is new.

WRDA includes provisions to develop technical assistance programs that provide guidance to Tribal communities on water resource projects, identify opportunities and challenges on existing Corps projects, and provide planning assistance for future projects. The bill gives Corps personnel the training and tools to effectively address issues on Tribal lands of ancestral, historic, and cultural significance, including burial grounds.

WRDA also continues the effort we started over 10 years ago to improve water supply at Corps dams by addressing managed aquifer replenishment so that dams can hold water for recharge to local groundwater basins. The bill addresses the buildup and removal of sediment in reservoirs to improve operations and capacity of dams. The bill requires the Corps to take a particular focus on infrastructure in the West, to evaluate opportunities to improve water management, water supply, and address the impacts of climate change.

Section 116 of the bill continues Congress' goal of improving dam safety by assessing the status of all dams maintained by the Corps and determining the needs for rehabilitation, retrofit, or removal.

Section 128 of the bill is bipartisan legislation my good friend, Ranking Member ROUZER, and I introduced titled H.R. 7762, the Army Corps of Engineers Military Personnel Augmentation Act. It amends an outdated 1956 law which is prohibitive against current soldiers who have the technical skills to provide engineering support to the civil works mission of the Army Corps.

In 1956 there were not a lot of NCOs with advanced degrees, so it was presumed that only commissioned officers would be properly trained to handle civil works responsibilities. However, since that time and the development of the professional Army, there are many NCOs, National Guard officers, and warrant officers with advanced engineering and technical skills, and it no longer makes sense to exclude them from positions in civil works. This change is supported by the Secretary of the Army, the Chief of Engineers, and the National Guard Association of the United States.

The bill also provides for hundreds of local concerns throughout the country. I am proud that this bill transfers the authorization of 31 debris basins in my region to the Los Angeles County Flood Control District. These debris basins are locally owned and have been successfully operated and maintained by the County of Los Angeles for decades. This provision will formalize the current operations of these debris basins.

WRDA also includes authorization for the development of storm water, sewer, and ecosystem restoration projects in the San Gabriel Valley and greater Los Angeles County. This will improve flood protection and boost local water supply at the same time by investing in spreading grounds, dam infrastructure, and treatment operations.

Mr. Speaker, I thank the many people who have helped this bill become a reality. I thank the leadership at the U.S. Army Corps of Engineers—Assistant Secretary Connor and Lieutenant General Spellmon—and their incredible staff who have worked through over 1,000 submissions that we received for WRDA 2022.

I am very fortunate to have some of the best water leaders in the country in my district and southern California who provided valuable input for this bill, including Colonel Julie Balten and David Van Dorpe of the Los Angeles District.

Mr. Speaker, I urge my colleagues to support H.R. 7776.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER), who is a member of the Water Resources and Environment Subcommittee.

Mr. ROUZER. Mr. Speaker, I thank Chairman DEFAZIO, Chair NAPOLITANO, and Ranking Member GRAVES for their leadership and work to ensure the Water Resources Development Act, also known as WRDA for short, continues to be both bipartisan and biennial.

Because of this commitment, before the House today is H.R. 7776, the Water Resources Development Act of 2022. I am pleased to be a part of this continuing bipartisan tradition of passing a WRDA every 2 years. Just 3 weeks ago this bill passed out of the committee by voice vote.

The legislation is a product resulting from the input of many Members of Congress. It is an example of what can be achieved when Congress comes together to find solutions for their constituents and the American public.

WRDA bills provide congressional direction to the Army Corps of Engineers on the allocations of dollars for water

resource projects and policy across the Nation. This legislation authorizes a number of Chief's Reports and studies, as well as new environmental infrastructure projects for the first time since 2007.

In my home State of North Carolina, we rely on a significant amount of coastal and inland waterway infrastructure and resources. These bring us many benefits, but our communities can also face devastating consequences from flooding of inland waterways as a result.

WRDA 2022 will help our communities address these risks by directing the Corps to improve management of our Nation's coastal mapping projects which provide information to States and local communities so they can better respond to extreme weather events. This program and other provisions in this year's legislation will provide improved flood control and storm damage reduction for constituents and stakeholders all across the country.

I am pleased to be a part of this bipartisan effort, and, again, I thank Chairman DEFAZIO and Chair NAPOLITANO for working across the aisle with us on this critical commonsense legislation.

I also want to take a quick moment to thank Paul Sass, staff director for the minority of the committee who will soon be leaving for other opportunities. He has provided many years of service and hard work for the people of Missouri, Ranking Member GRAVES, myself, and all the members of the T & I Committee. I thank Paul for his great counsel and all the work he has done.

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

Mr. DEFAZIO. Mr. Speaker, may I ask as to how much time remains on my side.

The SPEAKER pro tempore. The gentleman from Oregon has 9 minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Georgia (Ms. BOURDEAUX).

Ms. BOURDEAUX. Mr. Speaker, today I rise in support of the Water Resources Development Act of 2022. I am grateful for Chairs DEFAZIO and NAPOLITANO and Ranking Members GRAVES and ROUZER as well as the Transportation and Infrastructure Committee staff for working with my office and me to ensure that some key needs for Georgia were met.

My district specifically is home to Lake Lanier and the Buford Dam, which are critical resources in the Chattahoochee River Basin. The Chattahoochee River supplies 70 percent of metro Atlanta's drinking water, and it is hard to overstate how essential the lake and river are to the metro area. The river is also a key source of water for farmers and agriculture throughout the State. But according to the Chattahoochee Riverkeeper, more than 1,000 miles of waterway within the watershed do not meet water quality standards.

This bill would authorize a watershed-based study for the Chattahoochee River Basin which will allow the Army Corps of Engineers to assess the water resource needs of the basin, including ecosystem protection and restoration, flood risk management, watershed protection, water supply, and drought preparedness.

This bill also includes my important legislation, Lake Lanier and Upper Chattahoochee River Safety Act, which would direct the Army Corps to carry out a review of potential threats to human life and safety from the use of the river. Unfortunately, there are parts of the river that are extremely dangerous, and during a release of water from Buford Dam, the Chattahoochee can rise as much as 11 feet in 1 minute. Based on the findings of this review, the bill would authorize the Corps to take measures necessary to make the river safer and minimize or eliminate some of these hazards.

Finally, I am proud to see Lake Lanier included as a focus area in the previously authorized harmful algal bloom demonstration program which will allow the Corps to work with local stakeholders to research tools for freshwater HABs detection, prevention, and management which is critical to protecting the drinking water of millions of people.

Mr. Speaker, the bill before us today delivers for my constituents and the people of Georgia. It delivers for the people of this country. I urge my colleagues to vote ''yes.''

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Arkansas (Mr. CRAWFORD), who is the ranking member of the subcommittee.

Mr. CRAWFORD. Mr. Speaker, I rise today in support of the Water Resources and Development Act.

WRDA authorizes projects designed to improve the Nation's water resources infrastructure, including ports and harbors, inland waterway navigation, and flood and storm protection.

I am thankful to Chairman DEFAZIO for working with me to ensure priorities of my district made it into the final language, and for the leadership of Ranking Member GRAVES as we fought for community-driven water solutions. WRDA is a testament to our ability to still pass critical legislation and still work in a bipartisan fashion to deliver results to the American people. I encourage my colleagues to vote in favor of H.R. 7776.

Finally, let me add my voice to those recognizing Paul Sass, who is ending his 20-year career on Capitol Hill at the end of the week as the Republican staff director. Since coming to the T&I Committee with Ranking Member GRAVES, Paul has dedicated countless hours to improving, investing in, and securing our Nation's infrastructure. He has not only been a valuable asset to the Graves staff, but he has been a resource to my staff as well and helped lead the committee's commitment to a safe and efficient transportation system.

I thank Paul for his years of public service, and I wish him all the best in his next chapter.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, a big thank you to Representatives DEFAZIO, NAPOLITANO, GRAVES, ROUZER, and their incredible staff who put together the Water Resources Development Act of 2022.

There is always talk about congressional dysfunction, and that is certainly true in the Senate, not here in the House of Representatives. This is the fifth consecutive biennial WRDA that the House has brought to the floor since 2014.

The Water Resources Development Act provides key provisions for Solano and Yolo Counties, the bay area, the Sacramento-San Joaquin Delta, and all of California's Third Congressional District.

Specifically, the Water Resources Development Act directs the Army Corps of Engineers to examine the economic and national security benefits of dredging the Mare Island Strait channel which has not been studied since 1999. This is the first step in my ongoing efforts to increase Federal investment into Mare Island and its ship repair facilities for the U.S. Navy and Coast Guard, including the $13 million private investment announced by the Mare Island Dry Dock Company.

It also authorizes $50 million for environmentally friendly infrastructure projects in the five counties comprising the California Delta. Furthermore, it provides construction and authorizes construction for the Lower Cache Creek flood risk management project with the city of Woodland. It doubles Federal funding to $50 million to support restoration efforts at the Lake Tahoe basin. It requires the Army Corps to use more dredged sediment for beneficial use and to restore the San Francisco Bay Area wetlands instead of just dumping the dredged sediment in the open ocean.

It authorizes the Army Corps' national levee safety initiative to help manage flood risk across the entire Nation, including more than 200 miles of the Sacramento River which I currently represent.

It makes the Sacramento-San Joaquin Delta a new focus area for the Corps in its effort to combat invasive species. Finally, it directs the Army Corps to complete long-overdue recommendations to Congress on finally making water supply a purpose of all Army Corps reservoirs and related infrastructure, which is a critical change for Western States like California facing more frequent and severe droughts due to climate change.

Mr. Speaker, I look forward to working with the chairs, the ranking members, and my colleagues from both parties to get this timely legislation to

President Biden's desk for signature by the end of the calendar year.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. BABIN).

□ 1745

Mr. BABIN. Mr. Speaker, I thank my friend from Missouri, Ranking Member GRAVES, for yielding me time to speak on the 2022 Water Resources Development Act.

As someone who has seen firsthand the impact WRDA has had on Americans and our communities, I am greatly honored to have worked on this year's legislation.

A major priority for southeast Texas, the Texas Coastal Spine, is authorized in this legislation. This must-do project to protect our home State from hurricane storm surge and flooding will make millions of Texans, as well as our State's most important economic hubs, where a huge percentage of our Nation's gasoline and strategic fuels are manufactured, much safer.

Additionally, this bill expedites vital projects at the Port of Houston and the Sabine-Neches Waterway, the busiest port in the country and where more military equipment is shipped than any other waterway respectively.

We need to get this bill across the finish line. And I thank Chairman DEFAZIO, Ranking Member GRAVES, as well as Subcommittee Chairwoman NAPOLITANO and Ranking Member ROUZER and their staffs for everyone's hard work on this bill.

I also take a moment to thank Paul Sass, the departing Republican staff director, for his many years of service on the Transportation and Infrastructure Committee. Paul's commitment to mission and dedication to public service have improved, not only our committee, but the Congress as a whole. And I wish him the absolute best of luck with all of his future endeavors.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Hawaii (Mr. KAHELE).

Mr. KAHELE. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of the fiscal year 2022 Water Resources and Development Act, legislation which will invest in America's ports, harbors, and inland waterways, as well as build more climate-resilient communities.

For the first time ever, WRDA includes Section 219 environmental infrastructure projects for the State of Hawaii, which will ensure that Maui, Kauai, Hawaii and Honolulu County are able to address wastewater infrastructure and confront these challenges head-on today, because the cost of waiting is too great.

This WRDA will also, for the first time ever, include a provision that will enable NHOs, or Native Hawaiian Organizations, to waive local cost-sharing requirements of up to $200,000 for critical environmental projects, which will open the doors to new environmental restoration projects and career opportunities in every county. This provision will help to provide more parity between indigenous communities, and I applaud its inclusion in this bill.

I am proud to support this bipartisan effort to invest in our ports and harbors, build more resilient communities, and support our indigenous brothers and sisters across the country.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, I thank both the chairs and the ranking members for their work on this piece of legislation and, specifically, helping to combat some injustices.

Injustice number one is this bill works to prohibit once and for all, finally getting rid of all the toxic discharges out of Lake Okeechobee into what we call our northern estuaries in Florida. That is fixing injustice number one.

Injustice number two that this bill specifically addresses is, with those toxic, poisonous waters there are Corps of Engineers personnel that are working on top of those, sometimes for 8 or 10 hours a day, for weeks or months on end. And it actually requires that a letter be put in the file of those military personnel denoting their exposure to this so if something happens to them down the road they don't have to fight like so many of our servicemembers have to fight to get the appropriate care.

So I thank them for their work in helping to fix injustices in this specific piece of legislation.

Mr. DEFAZIO. Mr. Speaker, I again inquire as to the remaining time just to check here. We are tight on time.

The SPEAKER pro tempore. The gentleman from Oregon has 4 minutes remaining. The gentleman from Missouri has 10½ minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. CARTER).

Mr. CARTER of Louisiana. Mr. Speaker, in Louisiana, we know the awesome power of the water. We also know that it is the lifeblood of our Nation's economy and environment.

The Army Corps of Engineers is the Federal department that most supports water management, ecosystem restoration, and flood control, critical issues in my region.

The Water Resources Development Act is the mechanism Congress uses for these authorizations, and it is a critical policy for my district. As a member of the Transportation and Infrastructure Committee, I am proud to have worked to include important updates for my district in WRDA, such as instructing the Corps of Engineers to continue paused ecosystem restoration on the Mississippi River Gulf Outlet; authorizing $136 million for St. John, St. Bernard, St. James, St. Charles, and Plaquemines Parishes for comprehensive treatment facilities and water infrastructure.

And on a personal note, the final version included my amendment to improve safety features along the banks of the Mississippi River, an important move after the recent tragic drowning of three children in Algiers in my district.

As we work to untangle supply chains and navigate climate change, we can't delay critical water management projects. I urge the favorable passage of the WRDA act, H.R. 7776.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN. Mr. Speaker, I thank the leadership and ranking member for allowing all the amendments and the language included in this bill.

WRDA has always been key for infrastructure development projects in all our States and territories, and this year's bill will not be the exception. This has been a cornerstone in the process of Puerto Rico's recovery, and this legislation enables it to continue to do so.

This bill includes the reauthorization of three major flood risk management projects in Puerto Rico: Rio Guanajibo in Mayaguez, Rio Nigua in Salinas, and Rio Grande de Loiza in Gurabo, that had waited for funding, in some cases, for over a decade, to the point that the original authorizations had to be withdrawn and new validation studies required.

The projects had later received funding for at least their initial stages after passage of the Bipartisan Budget Act of 2018, but needed this reauthorization so their development can continue with the planning and design, the allocated funding is protected from loss, and updated project needs can be addressed in the future so they can move on construction.

So by advancing this legislation containing these provisions, this House demonstrates its commitment to our communities. I look forward for the approval of this bill. And again, I thank all the staff and leadership and the ranking member for allowing all these amendments.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who has done some extraordinary work for her district and Florida on this bill.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding. And I congratulate him on this incredible work product and a remarkable career.

I rise today in support of H.R. 7776, the Water Resources Development Act. This bill will advance the economic interests of South Florida.

After more than 20 years of work, the Port Everglades deepening and widening project will enable safe passage of next-generation cruise and cargo ships, and it is estimated to create 1,500 good, permanent jobs when it is finished.

This bill authorizes an additional $269 million in Federal funding for Port

Everglades to complete the project, protect our coral reefs from disruption, and begin construction on an overdue new Coast Guard station.

I came to Congress as a young mom, and I remember telling my children about the potential effects of climate change. Now, in 2022, we know that the perils of a warming planet are no longer just predictions.

We have over 1,000 miles of levees and canals, 150 water control structures, and 16 major pump stations providing flood protection for 11 million residents in central and South Florida alone.

A 2009 study identified 18 water control structures in Miami-Dade and Broward Counties alone that are within 6 inches of failure.

I urge passage of this important bill, and I appreciate the opportunity to speak in favor of it.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Mr. Speaker, Hurricane Harvey exposed how unprepared our infrastructure and flood mitigation efforts were for one of the most strategically important regions in the Nation.

Aside from the emotional and psychological toll Harvey inflicted on my community, it is estimated that Harvey cost $125 billion in damages.

Instead of continually spending money on the back end of tragedies that experts agree cost infinitely more, I am proud the Federal Government is authorizing investments in flood mitigation and prevention that will help deter another Harvey-like scenario.

I am also pleased that language in section 325 authorizes the Secretary to provide technical assistance related to non-Federal interests and the removal of sediment obstructing inflow channels to Addicks and Barker Reservoirs.

In addition to the statutory changes for sediment removal, I am proud to support the authorization of $19.2 billion for the Texas coastal protection and restoration project.

The Port of Houston is home to the largest petrochemical manufacturing complex in the Americas; 42 percent of the specialty chemical feedstocks, 27 percent of the gas, and 60 percent of the jet aviation fuel are all produced in the region. It is good to see government working for the people.

Mr. DEFAZIO. Mr. Speaker, I yield 30 seconds to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Speaker, I rise today in support of this year's Water Resources Development Act, which includes funding for several critical priorities for my State and my district.

I am very proud to share that this bill authorizes funding to help the city of Newport replace its woefully outdated and dangerous Big Creek Dam. This dam holds the city's water supply; sits right above the city; could completely wipe out the city in an earthquake.

Funding is also designated for wastewater treatment and dredging along the Oregon coast, particularly in our areas that are facing a lot of issues with the Pacific Ocean.

I really appreciate the opportunity to present on this report and urge its passage.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. MALLIOTAKIS).

Ms. MALLIOTAKIS. Mr. Speaker, I rise today to support this legislation that includes my language to secure additional funds for the Staten Island seawall to protect my constituents from a future hurricane.

In October, it will be 10 years since Hurricane Sandy devastated parts of New York City. Particularly hard-hit was my borough of Staten Island, where 24 lives were lost, hundreds of families were displaced, and thousands of homes were damaged.

Since the project's approval in 2013, bureaucratic red tape resulted in costly redesigns and repeated delays. This vital flood mitigation project is long overdue, and I made a commitment that when I came to Congress I would get it back on track.

In February, the city and Federal Governments came to an agreement on the radiation clean-up in Great Kills Park, which will allow for construction on the project's levee, floodwall, and tide gate.

This fall, the contract for the first phase is expected to be issued so we can break ground on the drainage portion in South Beach and finally begin this long-awaited project that is critical to the livelihoods of my constituents, and will help reduce flood insurance costs.

Today, we will ensure that the project will be fully funded through this bill. I thank my colleagues for their support of this legislation.

Mr. DEFAZIO. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I give great accolades to the chairman for his years of service.

This bill, H.R. 7776, deals with water resources infrastructure, makes communities more resilient, and helps indigenous minority communities, but urban areas as well.

The first longstanding impact that we have had in Texas over the years, one of the big ones was Hurricane Ike; 195 dead, 143 miles per hour and, of course, $38 billion. It was, in fact, the seventh most expensive hurricane.

We have continued with the devastation through Hurricane Harvey. This helps us with the Ike Dike and the coastal spine. We are saving lives and helping people.

I support this bill because we can live on the Gulf Coast.

Mr. Speaker, I rise in support of H.R. 7776, the "Water Resources Development Act of 2022."

This is the bill costal regions await because it outlines what critical infrastructure projects will be funded by or in part by the federal government.

I rise to speak on behalf of the city of Houston, which was shortchanged by the General Land Office of Houston, which has not received a single dollar out of $4.3 billion in Hurricane Harvey funding appropriated by this body for flood mitigation.

Houston experienced 25 percent of the damage caused by Hurricane Harvey which occurred in the city of Houston and twenty-five percent occurred in Harris County.

Harris County did receive its Hurricane Harvey Flood mitigation funding, while Houston did not receive funding for the billions in damage caused by flood water.

As the Member of Congress representing the 18th Congressional District of Texas, a senior member of the House Homeland Security Committee, and the person who led the successful effort in the House of Representatives to secure the federal disaster funding needed to mitigate and recover from the epic damage caused by Hurricane Harvey, I address this body to say if this has happened to the fourth largest city in the Nation, it can happen to any community.

When Congress appropriates, there should be no light between our decision and the expending of disaster mitigation funding.

The funds provided to insure that the same level of damage given the same factors are not repeated in the future.

Because of the inexplicable decision by the Texas General Land Office (GLO) refusing to award to the City of Houston or Harris County any of the nearly $1 billion in funding for flood mitigation projects from the $4.2 billion grant it received from the U.S. Department of Housing and Urban Development are not ready for another storm of the size and intensity of Hurricane Harvey.

I requested that the Department of Housing and Urban Development review the propriety and legality of the action and Texas GLO and suspend it from distribution any of $4.2 billion tranche, until after HUD completes its review.

The review should include a determination of whether the decision of the Texas GLO complies with Title VI of the 1964 Civil Rights Act and the Department's regulations.

HUD found that there was nothing it could do because of the agreement that the Trump Administration entered into with the State of Texas.

It is impossible to justify the decision not to award a single dollar out of the $1 billion funding tranche to the City of Houston and Harris County, which are the economic hub of Texas and the southwest United States, and which accounts for 16.3 percent of the state population and more than 44 percent of the population directly affected by Hurricane Harvey.

Hurricane Harvey did not impact all jurisdictions equally. Houston has experienced 5 major flood events in 5 years, with Harris County as the only county affected by disasters in 2015, 2016, 2017, and 2019. The cost per-capita of damage in the City of Houston is much greater than in rural areas because of the infrastructure and density of residential and business structures.

The Texas GLO appears to have forgotten or disregarded the damage to Houston and Harris County as a result of Hurricane Harvey, which dropped 21 trillion gallons of rainfall on Texas and Louisiana, most of it on the Houston Metroplex.

To put in perspective the devastation wrought by Hurricane Harvey, the volume of water that fell on Houston and other affected areas of Texas and Louisiana could fill more

than 24,000 Astrodomes or supply the water for the raging Niagara Falls for 15 days.

Houston received more than 50 inches of rainfall and whole sections of Houston, Beaumont, Bayou City, Port Arthur, and other cities were underwater for days.

More than 13,000 people were rescued in the Houston area and more than 30,000 persons were forced out of their homes due to the storm. In just the first three days of the storm, more than 49,000 homes that had suffered flood damage and more than 1,000 homes were completely destroyed in the storm. The cost of removing debris dwarfed the $70 million spent by Houston removing debris after Hurricane Ike in 2008.

Given these facts, it is irrational and unconscionable that Texas GLO awarded nearly $1 billion in U.S. Housing and Urban Development funds to other local governments in 46 Southeast Texas counties but none to the City of Houston.

I am in support of this bill because it renews America's commitment to our environment by funding U.S. Army Corps of Engineers to carry out critical infrastructure projects, especially in our Nation's coastal areas and waterways. It also prioritizes climate change in the research and implementation of the Corps' work.

H.R. 7776 will implement long-overdue modernization of the Corps' procedures and ensure that the economic benefits associated with a revitalized infrastructure are specifically advancing disadvantaged groups. Section 224 of this legislation mandates a report on the distribution of funds to Small Disadvantaged Businesses.

Those businesses include the thousands of small companies owned by people of color and indigenous people. This legislation gives us the opportunity to recenter our Nation's infrastructure development around black and brown business owners who have been perpetually left behind.

I am pleased that this legislation requires a report to Congress by the Secretary of the Army—who oversees the Army Corps of Engineers—that specifies the amount of contract and subcontract dollars awarded by the Corps to ''small and disadvantaged businesses''.

I hope to work with the Senate to further reinforce the Army Corps, putting in place reliable strong programs and outreach for use of MWBE in this work.

The programs for economic assistance and inclusion of MWBE by the Army Corps in these infrastructure programs must be done. MWBE and stopping flooding work together.

This transparency will help ensure that small businesses owned by people of color are given a fair opportunity to compete for contract and subcontract dollars in water projects. Furthermore, the report will enable Congress to hold the Corps accountable if the share of dollars to small disadvantaged businesses is inadequate.

Projects to research and mitigate flooding are critical to my constituents in Houston, as flood waters present a perpetual risk to my district and the surrounding community. Levees, bayous, reservoirs, and watersheds must all be maintained and reinforced to protect Houston from flood risks. Minority-owned businesses, who face these perpetual risks, must be included in the contracts to protect our communities from those risks.

In 2017, when Hurricane Harvey wreaked havoc on Houston and the entire coast of Texas, it caused more than $125 billion dollars in damage and killed 68 Texans.

As time passes, hurricanes become more intense as our planet warms. Funding the Corps' projects will not only help protect communities in Houston by reducing flooding, but also by lessening America's carbon footprint. That will make these natural disasters less likely to occur.

H.R. 7776 funds projects in Houston like the removing of sediment from the Addicks and Barker reservoirs, restoring our coastal regions, and expanding the Houston Ship Channel. These are critical to the economic viability and well-being of millions of people in South Texas.

It is time for Congress to act to save lives and protect our communities. This funding will dually promote a greener America while also working to lift marginalized groups. In doing both, we make our Nation a more prosperous and equitable place.

Mr. GRAVES of Missouri. Mr. Speaker, can I inquire as to time remaining?

The SPEAKER pro tempore. The gentleman has 7½ minutes remaining.

Mr. GRAVES of Missouri. And the time for the other side?

The SPEAKER pro tempore. The gentleman from Oregon has 1½ minutes remaining.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. GIMENEZ).

Mr. GIMENEZ. Mr. Speaker, I rise today in support of the Water Resources Development Act to improve our ports and harbors, inland waterway navigation, flood and storm protection, and other pieces of water resources infrastructure, all with a focus on locally driven projects rather than a nationwide partisan wish list.

This bill is an example of supporting real infrastructure, and it goes to prove that if we focus on real infrastructure, Congress can come together in a bipartisan manner.

This legislation has a lot of wins for South Florida. In it, we get provisions to expedite projects to protect Miami-Dade County and Monroe County from future storm damage. The flooding this past weekend in Miami underscored the importance of these projects for our region, particularly as we begin hurricane season.

We also doubled funding levels for the Florida Keys Water Quality Improvement Project to expand sanitary sewer systems in the Keys.

Overall, this legislation will be greatly beneficial to South Florida. It is incredible what we can accomplish when we put political hackery to the side and focus on the real needs of the American people. I urge my colleagues to support this year's WRDA.

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Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, this bill is very important and includes important hurricane protection for the Upper Barataria area, which is going to help Jefferson, St. Charles, and Lafourche Parishes, all the way up to Ascension Parish. If this had been in place when Hurricane Ida made landfall, we would have had fundamentally different conditions.

It is going to make higher, stronger levees. In the New Orleans area, $3 billion in new investments there, which we worked on with Congressman CARTER and Congressman SCALISE.

It clarifies the cost-share for the Mississippi River-Gulf Outlet, something that never should have been in contention.

It helps to manage water on the Mississippi River, expedites the Comite project, and makes tens of millions of dollars in additional authorizations for water and wastewater in the capital, river, and bayou regions.

Mr. Speaker, there are a lot of people who helped with this legislation. One of them is Paul Sass, and I thank Paul for his nearly 20 years of service to this House and to this committee. Had he not been around working on many of these bills, it simply would not have happened, and I appreciate it. Having worked with the ranking member for some period of time, I couldn't imagine working 20 years with him. Amazing.

Mr. Speaker, I also thank Ranking Member SAM GRAVES for his hard work on this. I thank Chairman DEFAZIO, Tim Petty, Leslie Parker, and Melissa Beaumont for their work on this important legislation.

This is all about making investments of millions of dollars before disasters happen in order to prevent billions of dollars in disaster recovery and loss of life.

Lastly, I thank Water Resources and Environment Subcommittee Chair NAPOLITANO, as well as Ranking Member ROUZER, for their hard work on this legislation.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, maintaining and improving our ports, waterways, and water infrastructure is critically important to the 14th District of Texas, as well as to our great State and Nation. Our families, our businesses, and the critical infrastructure along the upper Texas Gulf Coast will benefit from WRDA 2022.

Of particular importance to Texas, and the Nation, quite frankly, is a coastal spine. I have heard it several ways. It will mitigate the impact of major hurricanes and other significant water events in and around Galveston Bay, just south of the Houston Ship Channel, and all the families and the vast petrochemical industry that surrounds it.

In September 2008, Texas 14 was slammed by Hurricane Ike along a track similar to the deadly 1900 Storm of Galveston that cost 5,000 to 8,000 lives and billions of dollars in damage.

The damage from Ike, and the even more catastrophic Hurricane Harvey, could have been reduced significantly by the proposed coastal barrier that we call the Ike Dike. After years and years of pushing for this vital barrier system, I am proud that it is included in WRDA 2022.

While this bill does not reflect all the priorities we might prefer, I urge my colleagues to vote in favor of this bill. I, too, add my order of thanks to both sides. This has been a great task, a great staff we have.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I thank my colleague for yielding.

Tonight, I join my colleagues in support of this year's Water Resources Development Act. While it may not be readily apparent, the threat of storm damage and floods remains front and center, despite the prolonged drought across the Western United States.

In the wake of wildfires, mudslides will bring vegetation down from mountainsides into our public waterways. With fewer but more intense storms seen this year, the risk of flash floods has increased.

Now, as with many bipartisan bills, there are policies and provisions that I believe are missing from this measure. That work is not done. I will continue to push for more control over project construction to be given to local water agencies; more up-front inclusion of Tribes so we can avoid ruining their cultural and burial sites, literally crushing skulls while working on levees—this is about basic respect; and for the Army Corps and EPA to work with our constituents, rather than against them, such as penalties for when farmers plow their fields or change crops.

Indeed, we need to keep this conversation going, but I appreciate the legislation and the direction we are going.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, H.R. 7776, or WRDA 2022, is a very good bipartisan piece of legislation that will improve flood control infrastructure. It is going to improve ports, harbors, and inland waterways all across the country.

This bill provides the support and the investment in our country's water infrastructure needed to keep our supply chain moving and boost the competitiveness of the American economy.

When it comes right down to it, this bill is a projects bill that was pulled together based off requests from Members from all across the country in the House on both sides of the aisle, and there isn't a single line in this bill that cannot be attributed to an individual Member request.

I again thank my colleagues and the members of the committee for coming together to develop this bipartisan legislation. Again, I thank the chairman for his work.

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

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of my time.

Most of what we do here would not be possible without the hard work of staff, so I would like to take a moment specifically to thank the staff of the Subcommittee on Water Resources and Environment that took the lead in developing WRDA 2022 and ensuring that Members' priorities and national priorities were included: Ryan Seiger, the staff director of the subcommittee, who worked to enact more of WRDA than any other staffer on Capitol Hill; Alexa Williams; Logan Ferree; Michael Bauman. On the minority side: Ryan Hambleton, the minority staff director; Leslie Parker; Tim Petty; and Melissa Beaumont. Without them and their work, we would not be here today.

Paul Sass has already been thanked a number of times, but I congratulate him on his 20 years on the Hill and wish him well in his next endeavor.

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

Ms. JOHNSON of Texas. Madam Speaker, nearly 80 percent of our traded goods rely on American ports, harbors, and inland waterways to reach consumers.

Therefore, it is incumbent upon us to support our waterways and ecosystems, improve our defenses against floods and extreme weather, and create good-paying jobs along the way—and that's what the Water Resources Development Act of 2022 (WRDA) will do.

Specifically, this bill authorizes the construction of 16 new projects and 72 feasibility studies approved by the Corps of Engineers and expedites the completion of 15 ongoing investigations. The bill also includes a water resource initiative that is very important to my constituents and the many residents of North Texas.

The White Rock Lake is a 1,015-acre city lake located outside of Dallas. The lake is one of the most heavily-used parks in the Dallas Parks system. It is home to the Dallas Arboretum, the White Rock Lake Museum, the Bath House Cultural Center, a large boat ramp and fishing pier, over nine miles of hiking and biking trails, a dog park, a picnic area, and pavilions. White Rock Lake has experienced an accumulation of sediment since it was last dredged in 1998, reducing the overall capacity of the lake, with reductions in both its water quality and recreational use. And with the pandemic increasing the already heavy usage rate of the lake, the need to dredge it has never been more urgent.

The goals of the White Rock Lake dredging project included in the WRDA are to remove sediment from the shoreline to improve maintenance, improve water quality to minimize negative impacts to aquatic habitat and other environmentally sensitive areas, and restore the depth of the lake to enhance watersport recreation.

The bill also authorizes $19.2 billion in funding to restore and protect Texas' coastline. The project is one of the largest in the history of the Corps of Engineers and includes improvements that reduce risks to public health and the economy, restore critical ecosystems, advance coastal resiliency, and help prepare the state for future damaging weather events.

I want to commend Chairman DEFAZIO and Subcommittee Chairwoman NAPOLITANO for their perseverance in developing this bipartisan bill and getting it to the House floor for a vote.

I strongly support the passage of the Water Resources Development Act of 2022 and encourage my colleagues to pass a bill that is essential to America's economic competitiveness and helps improve the quality of our waterways for all our constituents.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill, H.R. 7776, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 88) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 88

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the ''event''), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 18, 2022, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to

erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO).

GENERAL LEAVE

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 88.

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

There was no objection.

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

Mr. Speaker, today, we are again considering legislation, H. Con. Res. 88, to authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby. I thank Majority Leader HOYER for introducing this resolution on behalf of the Washington regional delegation.

The Greater Washington Soap Box Derby is an annual competitive event that encourages boys and girls, ages 9 through 16, to construct and race their own soap box vehicles.

On Capitol Hill, the event has become a great tradition in the Washington, D.C., metropolitan area over the last quarter of a century. It provides a terrific opportunity for children to appreciate the workmanship necessary to build the vehicles and enjoy the thrill of competition.

The Greater Washington Soap Box Derby organizers will work with the Architect of the Capitol and the Capitol Police to ensure appropriate rules and regulations are in place and the event remains free to the public and safe for all those involved.

Mr. Speaker, I support this legislation and urge my colleagues to join me. I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution, as has been pointed out, authorizes the use of the Capitol Grounds for the annual Greater Washington Soap Box Derby on June 18, 2022.

This is a time-honored tradition. With the exception of World War II, it has run every year since 1934 and provides children in the greater Washington area an opportunity to build knowledge and character through fair and honest competition.

This is one of the many regional competitions across the country to qualify children to compete in the All-American Soap Box Derby. This is a program I participated in some 40-odd years ago. It is a good program, and I fully endorse it.

Mr. Speaker, I urge support of the legislation, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader and sponsor of this legislation.

Mr. HOYER. Mr. Speaker, I thank the chair and the ranking member for bringing this bill to the floor.

I am honored to bring this resolution to the floor every year. It authorizes an event, as you have been told, that I am proud to support every year. This will be the first time it has been held since 2019 because of the pandemic.

That event is the Greater Washington Soap Box Derby, one of my favorite events of the year. The Soap Box Derby brings families together from across the greater Washington metropolitan area, encouraging kids and their adult family members or community members to compete in a fun and educational race.

This is my 29th year sponsoring the Soap Box Derby resolution. I don't know whether that is a record on the Soap Box Derby, but in any event, this is the Greater Washington Soap Box Derby's 79th year.

The race will be held on June 18, and you will see soap box racers from ages 8 to 17 compete in three divisions: stock, super stock, and masters. The winner from each division, Mr. Speaker, will have a chance to compete at the national All-American Soap Box Derby, which is held each year in Akron, Ohio.

Much of the fun, however, takes place even before the race begins. Participants spend weeks, perhaps months, building and testing their racers at home, a wonderful bonding experience for kids, parents, grandparents, and other family members and those engaged in mentorship in their communities.

Soap box derbies have been called the greatest amateur racing event in the world. They have become a staple of the American experience and an important piece of Americana. They teach sportsmanship, engineering, manufacturing, and leadership.

Oftentimes, racers are sponsored by local civic groups, service organizations, and police or fire departments, with members coming out to cheer on their hometown participants.

Mr. Speaker, I am proud to sponsor this resolution today that will authorize the use of the Grounds of the U.S. Capitol for this year's Soap Box Derby.

I thank my cosponsors, members of the region's congressional delegation: Representatives DON BEYER, DAVID TRONE, GERRY CONNOLLY, ANTHONY BROWN, JENNIFER WEXTON, and JAMIE RASKIN.

I am also proud that several Greater Washington Soap Box Derby champions have come from Maryland's Fifth District, my district, in recent years, including the winners from 2007, 2008, 2009, 2012, 2013, 2014, and 2018. So my guys do pretty well in this race, and some of them are gals, by the way.

Our racers even won a national championship in 2007 and 2008. I am excited to see how the Fifth District racers do this year, and I am looking forward to seeing their colorful and creative soap box designs.

I thank the organizers of the Greater Washington Soap Box Derby, as well as Chairman DEFAZIO and the Committee on Transportation and Infrastructure, for their support. I hope every Member, as they have in the past, will join in supporting this resolution. I invite them to join me in cheering on the Greater Washington Soap Box Derby on June 18.

Mr. GRAVES of Missouri. Mr. Speaker, this resolution authorizes the use of the Capitol Grounds for a longstanding tradition for the children of the greater Washington, D.C., area.

Once in a while, we do some fun stuff here on the floor, and this is one of those things. I urge support of the legislation, and I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of my time.

Again, I thank the majority leader for bringing this legislation. I misspoke earlier. I thought it had only been a quarter of a century. It has been 29 years.

That is extraordinary, and this is a wonderful event for youth. It does bring a little something to Capitol Hill other than the day-to-day business, which can sometimes be suffocating.

I urge my colleagues to support this legislation unanimously, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H. Con. Res. 88, "authorizing the use of Capitol grounds for the Greater Washington Soap Box Derby."

This bill calls for support to hold the traditional Soap Box Derby association's free, public event on the Capitol grounds.

The Soap Box Derby international nonprofit organization, whose mission is to "build knowledge and character, and to create meaningful experiences through collaboration and fair and honest competition," prides itself for allowing the race to take place on the most powerful hill in the world, Capitol Hill.

For 88 years, this event has been an opportunity in which the community comes out to support our youth. Annually, our youth get the opportunity to participate in the international nonprofit's biggest event.

Participants who compete range from ages 9–16 years old and come from the Greater Washington, D.C. Metropolitan Area. They could potentially have the honor of representing D.C. in the National Soap Box Derby competition.

This completely sponsored soap box derby event will be free of charge for the public and has a flexible date that will ensure it does not interfere with the needs of Congress.

In Texas, anytime we can celebrate our youth and their accomplishments, while also bringing the community together, it is an opportunity fellowship and relationships through friendly competition.

Mr. Speaker, I urge my colleagues to join me in supporting H. Con. Res. 88, to host the traditional, Greater Washington Soap Box Derby on our nation's Capitol grounds, an event that will bring the community together for a wonderful celebration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res 88.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1815

FOOD AND DRUG AMENDMENTS OF 2022

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7667) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7667

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Food and Drug Amendments of 2022''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

TITLE I—FEES RELATING TO DRUGS

SEC. 101. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Prescription Drug User Fee Amendments of 2022''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made by this title will be dedicated toward expediting the drug development process and the process for the review of human drug applications, including postmarket drug safety activities, as set forth in the goals identified for purposes of part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g et seq.), in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 102. DEFINITIONS.

(a) HUMAN DRUG APPLICATION.—Section 735(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g(1)) is amended by striking ''an allergenic extract product, or'' and inserting ''does not include an application with respect to an allergenic extract

product licensed before October 1, 2022, does not include an application with respect to a standardized allergenic extract product submitted pursuant to a notification to the applicant from the Secretary regarding the existence of a potency test that measures the allergenic activity of an allergenic extract product licensed by the applicant before October 1, 2022, does not include an application with respect to''.

(b) PRESCRIPTION DRUG PRODUCT.—Section 735(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g(3)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) by striking ''(3) The term'' and inserting ''(3)(A) The term'';

(3) by striking ''Such term does not include whole blood'' and inserting the following:

''(B) Such term does not include whole blood'';

(4) by striking ''an allergenic extract product,'' and inserting ''an allergenic extract product licensed before October 1, 2022, a standardized allergenic extract product submitted pursuant to a notification to the applicant from the Secretary regarding the existence of a potency test that measures the allergenic activity of an allergenic extract product licensed by the applicant before October 1, 2022,'' ; and

(5) by adding at the end the following:

''(C)(i) If a written request to place a product in the discontinued section of either of the lists referenced in subparagraph (A)(iii) is submitted to the Secretary on behalf of an applicant, and the request identifies the date the product is withdrawn from sale, then for purposes of assessing the prescription drug program fee under section 736(a)(2), the Secretary shall consider such product to have been included in the discontinued section on the later of—

''(I) the date such request was received; or

''(II) if the product will be withdrawn from sale on a future date, such future date when the product is withdrawn from sale.

''(ii) For purposes of this subparagraph, a product shall be considered withdrawn from sale once the applicant has ceased its own distribution of the product, whether or not the applicant has ordered recall of all previously distributed lots of the product, except that a routine, temporary interruption in supply shall not render a product withdrawn from sale.''.

(c) SKIN-TEST DIAGNOSTIC PRODUCT.—Section 735 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g) is amended by adding at the end the following:

''(12) The term 'skin-test diagnostic product'—

''(A) means a product—

''(i) for prick, scratch, intradermal, or subcutaneous administration;

''(ii) expected to produce a limited, local reaction at the site of administration (if positive), rather than a systemic effect;

''(iii) not intended to be a preventive or therapeutic intervention; and

''(iv) intended to detect an immediate- or delayed-type skin hypersensitivity reaction to aid in the diagnosis of—

''(I) an allergy to an antimicrobial agent;

''(II) an allergy that is not to an antimicrobial agent, if the diagnostic product was authorized for marketing prior to October 1, 2022; or

''(III) infection with fungal or mycobacterial pathogens; and

''(B) includes positive and negative controls required to interpret the results of a product described in subparagraph (A).''.

SEC. 103. AUTHORITY TO ASSESS AND USE DRUG FEES.

(a) TYPES OF FEES.—

(1) HUMAN DRUG APPLICATION FEE.—Section 736(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(a)) is amended—

(A) in the matter preceding paragraph (1), by striking ''fiscal year 2018'' and inserting ''fiscal year 2023'';

(B) in paragraph (1)(A), by striking ''(c)(5)'' each place it appears and inserting ''(c)(6)'';

(C) in paragraph (1)(C), by inserting ''prior to approval'' after ''or was withdrawn''; and

(D) in paragraph (1), by adding at the end the following:

''(H) EXCEPTION FOR SKIN-TEST DIAGNOSTIC PRODUCTS.—A human drug application for a skin-test diagnostic product shall not be subject to a fee under subparagraph (A).''.

(2) PRESCRIPTION DRUG PROGRAM FEE.—Section 736(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(a)(2)) is amended—

(A) in subparagraph (A)—

(i) by striking ''Except as provided in subparagraphs (B) and (C)'' and inserting the following:

''(i) FEE.—Except as provided in subparagraphs (B) and (C)'';

(ii) by striking ''subsection (c)(5)'' and inserting ''subsection (c)(6)''; and

(iii) by adding at the end the following:

''(ii) SPECIAL RULE.—If a drug product that is identified in a human drug application approved as of October 1 of a fiscal year is not a prescription drug product as of that date because the drug product is in the discontinued section of a list referenced in section 735(3)(A)(iii), and on any subsequent day during such fiscal year the drug product is a prescription drug product, then except as provided in subparagraphs (B) and (C), each person who is named as the applicant in a human drug application with respect to such product, and who, after September 1, 1992, had pending before the Secretary a human drug application or supplement, shall pay the annual prescription drug program fee established for a fiscal year under subsection (c)(6) for such prescription drug product. Such fee shall be due on the last business day of such fiscal year and shall be paid only once for each such product for a fiscal year in which the fee is payable.''; and

(B) by amending subparagraph (B) to read as follows:

''(B) EXCEPTION FOR CERTAIN PRESCRIPTION DRUG PRODUCTS.—A prescription drug program fee shall not be assessed for a prescription drug product under subparagraph (A) if such product is—

''(i) a large volume parenteral product (a sterile aqueous drug product packaged in a single-dose container with a volume greater than or equal to 100 mL, not including powders for reconstitution or pharmacy bulk packages) identified on the list compiled under section 505(j)(7);

''(ii) pharmaceutically equivalent (as defined in section 314.3 of title 21, Code of Federal Regulations (or any successor regulation)) to another product on the list of products compiled under section 505(j)(7) (not including the discontinued section of such list); or

''(iii) a skin-test diagnostic product.''.

(b) FEE REVENUE AMOUNTS.—

(1) IN GENERAL.—Paragraph (1) of section 736(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(b)) is amended to read as follows:

''(1) IN GENERAL.—For each of the fiscal years 2023 through 2027, fees under subsection (a) shall, except as provided in subsections (c), (d), (f), and (g), be established to generate a total revenue amount under such subsection that is equal to the sum of—

''(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

''(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

''(C) the dollar amount equal to the strategic hiring and retention adjustment for the fiscal year (as determined under subsection (c)(2));

''(D) the dollar amount equal to the capacity planning adjustment for the fiscal year (as determined under subsection (c)(3));

''(E) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(4));

''(F) the dollar amount equal to the additional direct cost adjustment for the fiscal year (as determined under subsection (c)(5)); and

''(G) additional dollar amounts for each fiscal year as follows:

''(i) $65,773,693 for fiscal year 2023.

''(ii) $25,097,671 for fiscal year 2024.

''(iii) $14,154,169 for fiscal year 2025.

''(iv) $4,864,860 for fiscal year 2026.

''(v) $1,314,620 for fiscal year 2027.''.

(2) ANNUAL BASE REVENUE.—Paragraph (3) of section 736(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(b)) is amended to read as follows:

''(3) ANNUAL BASE REVENUE.—For purposes of paragraph (1), the dollar amount of the annual base revenue for a fiscal year shall be—

''(A) for fiscal year 2023, $1,151,522,958; and

''(B) for fiscal years 2024 through 2027, the dollar amount of the total revenue amount established under paragraph (1) for the previous fiscal year, not including any adjustments made under subsection (c)(4) or (c)(5).''.

(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

(1) INFLATION ADJUSTMENT.—Section 736(c)(1)(B)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(c)(1)(B)(ii)) is amended by striking ''Washington-Baltimore, DC–MD–VA–WV'' and inserting ''Washington-Arlington-Alexandria, DC–VA–MD–WV''.

(2) STRATEGIC HIRING AND RETENTION ADJUSTMENT.—Section 736(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(c)) is amended—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) STRATEGIC HIRING AND RETENTION ADJUSTMENT.—For each fiscal year, after the annual base revenue established in subsection (b)(1)(A) is adjusted for inflation in accordance with paragraph (1), the Secretary shall further increase the fee revenue and fees by the following amounts:

''(A) For fiscal year 2023, $9,000,000.

''(B) For each of fiscal years 2024 through 2027, $4,000,000.''.

(3) CAPACITY PLANNING ADJUSTMENT.—Paragraph (3), as redesignated, of section 736(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(c)) is amended to read as follows:

''(3) CAPACITY PLANNING ADJUSTMENT.—

''(A) IN GENERAL.—For each fiscal year, after the annual base revenue established in subsection (b)(1)(A) is adjusted in accordance with paragraphs (1) and (2), such revenue shall be adjusted further for such fiscal year, in accordance with this paragraph, to reflect changes in the resource capacity needs of the Secretary for the process for the review of human drug applications.

''(B) METHODOLOGY.—For purposes of this paragraph, the Secretary shall employ the capacity planning methodology utilized by the Secretary in setting fees for fiscal year 2021, as described in the notice titled 'Prescription Drug User Fee Rates for Fiscal Year 2021' published in the Federal Register

on August 3, 2020 (85 Fed. Reg. 46651). The workload categories used in applying such methodology in forecasting shall include only the activities described in that notice and, as feasible, additional activities that are also directly related to the direct review of applications and supplements, including additional formal meeting types, the direct review of postmarketing commitments and requirements, the direct review of risk evaluation and mitigation strategies, and the direct review of annual reports for approved prescription drug products. Subject to the exceptions in the preceding sentence, the Secretary shall not include as workload categories in applying such methodology in forecasting any non-core review activities, including those activities that the Secretary referenced for potential future use in such notice but did not utilize in setting fees for fiscal year 2021.

''(C) LIMITATION.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsections (b)(1)(A) (the annual base revenue for the fiscal year), (b)(1)(B) (the dollar amount of the inflation adjustment for the fiscal year), and (b)(1)(C) (the dollar amount of the strategic hiring and retention adjustment for the fiscal year).

''(D) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice under paragraph (6) of the fee revenue and fees resulting from the adjustment and the methodologies under this paragraph.''.

(4) OPERATING RESERVE ADJUSTMENT.—Paragraph (4), as redesignated, of section 736(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(c)) is amended—

(A) by amending subparagraph (A) to read as follows:

''(A) INCREASE.—For fiscal year 2023 and subsequent fiscal years, the Secretary shall, in addition to adjustments under paragraphs (1), (2), and (3), further increase the fee revenue and fees if such an adjustment is necessary to provide for operating reserves of carryover user fees for the process for the review of human drug applications for each fiscal year in at least the following amounts:

''(i) For fiscal year 2023, at least 8 weeks of operating reserves.

''(ii) For fiscal year 2024, at least 9 weeks of operating reserves.

''(iii) For fiscal year 2025 and subsequent fiscal years, at least 10 weeks of operating reserves.''; and

(B) in subparagraph (C), by striking ''paragraph (5)'' and inserting ''paragraph (6)''.

(5) ADDITIONAL DIRECT COST ADJUSTMENT.—Paragraph (5), as redesignated, of section 736(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(c)) is amended to read as follows:

''(5) ADDITIONAL DIRECT COST ADJUSTMENT.—

''(A) INCREASE.—The Secretary shall, in addition to adjustments under paragraphs (1), (2), (3), and (4), further increase the fee revenue and fees—

''(i) for fiscal year 2023, by $44,386,150; and

''(ii) for each of fiscal years 2024 through 2027, by the amount set forth in clauses (i) through (iv) of subparagraph (B), as applicable, multiplied by the Consumer Price Index for urban consumers (Washington-Arlington-Alexandria, DC–VA–MD–WV; Not Seasonally Adjusted; All Items; Annual Index) for the most recent year of available data, divided by such Index for 2021.

''(B) APPLICABLE AMOUNTS.—The amounts referred to in subparagraph (A)(ii) are the following:

''(i) For fiscal year 2024, $60,967,993.

''(ii) For fiscal year 2025, $35,799,314.

''(iii) For fiscal year 2026, $35,799, 314.

''(iv) For fiscal year 2027, $35,799,314.''.

(6) ANNUAL FEE SETTING.—Paragraph (6), as redesignated, of section 736(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(c)) is amended by striking ''September 30, 2017'' and inserting ''September 30, 2022''.

(d) CREDITING AND AVAILABILITY OF FEES.—Section 736(g)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(g)(3)) is amended by striking ''fiscal years 2018 through 2022'' and inserting ''fiscal years 2023 through 2027''.

(e) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, EXEMPTIONS, AND RETURNS; DISPUTES CONCERNING FEES.—Section 736(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(i)) is amended to read as follows:

''(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, EXEMPTIONS, AND RETURNS; DISPUTES CONCERNING FEES.—To qualify for consideration for a waiver or reduction under subsection (d), an exemption under subsection (k), or the return of any fee paid under this section, including if the fee is claimed to have been paid in error, a person shall—

''(1) not later than 180 days after such fee is due, submit to the Secretary a written request justifying such waiver, reduction, exemption, or return; and

''(2) include in the request any legal authorities under which the request is made.''.

(f) ORPHAN DRUGS.—Section 736(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(k)) is amended—

(1) in paragraph (1)(B), by striking ''during the previous year'' and inserting ''as determined under paragraph (2)''; and

(2) by amending paragraph (2) to read as follows:

''(2) EVIDENCE OF QUALIFICATION.—An exemption under paragraph (1) applies with respect to a drug only if the applicant involved submits a certification that the applicant's gross annual revenues did not exceed $50,000,000 for the last calendar year ending prior to the fiscal year for which the exemption is requested. Such certification shall be supported by—

''(A) tax returns submitted to the United States Internal Revenue Service; or

''(B) as necessary, other appropriate financial information.''.

SEC. 104. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2) is amended—

(1) in subsection (a)(1), by striking ''Beginning with fiscal year 2018, not'' and inserting ''Not'';

(2) by striking ''Prescription Drug User Fee Amendments of 2017'' each place it appears and inserting ''Prescription Drug User Fee Amendments of 2022'';

(3) in subsection (a)(3)(A), by striking ''Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter'' and inserting ''Not later than 30 calendar days after the end of each quarter of each fiscal year for which fees are collected under this part'';

(4) in subsection (a)(3)(B), by adding at the end the following:

''(v) For fiscal years 2023 and 2024, of the meeting requests from sponsors for which the Secretary has determined that a face-to-face meeting is appropriate, the number of face-to-face meetings requested by sponsors to be conducted in person (in such manner as the Secretary shall prescribe on the internet website of the Food and Drug Administration), and the number of such in-person meetings granted by the Secretary.'';

(5) in subsection (a)(4), by striking ''Beginning with fiscal year 2020, the'' and inserting ''The'';

(6) in subsection (b), by striking ''Beginning with fiscal year 2018, not'' and inserting ''Not'';

(7) in subsection (c), by striking ''Beginning with fiscal year 2018, for'' and inserting ''For''; and

(8) in subsection (f)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''fiscal year 2022'' and inserting ''fiscal year 2027''; and

(B) in paragraph (5), by striking ''January 15, 2022'' and inserting ''January 15, 2027''.

SEC. 105. SUNSET DATES.

(a) AUTHORIZATION.—Sections 735 and 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g; 379h) shall cease to be effective October 1, 2027.

(b) REPORTING REQUIREMENTS.—Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2) shall cease to be effective January 31, 2028.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2022, subsections (a) and (b) of section 104 of the FDA Reauthorization Act of 2017 (Public Law 115–52) are repealed.

SEC. 106. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2022, or the date of the enactment of this Act, whichever is later, except that fees under part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g et seq.) shall be assessed for all human drug applications received on or after October 1, 2022, regardless of the date of the enactment of this Act.

SEC. 107. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to human drug applications and supplements (as defined in such part as of such day) that on or after October 1, 2017, but before October 1, 2022, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2023.

TITLE II—FEES RELATING TO DEVICES

SEC. 201. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Medical Device User Fee Amendments of 2022''.

(b) FINDING.—The Congress finds that the fees authorized under the amendments made by this title will be dedicated toward expediting the process for the review of device applications and for assuring the safety and effectiveness of devices, as set forth in the goals identified for purposes of part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i et seq.), in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 202. DEFINITIONS.

Section 737 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i) is amended—

(1) in paragraph (9)—

(A) in the matter preceding subparagraph (A), by striking ''and premarket notification submissions'' and inserting ''premarket notification submissions, and de novo classification requests'';

(B) in subparagraph (D), by striking ''and submissions'' and inserting ''submissions, and requests'';

(C) in subparagraph (F), by striking ''and premarket notification submissions'' and inserting ''premarket notification submissions, and de novo classification requests'';

(D) in each of subparagraphs (G) and (H), by striking ''or submissions'' and inserting ''submissions, or requests''; and

(E) in subparagraph (K), by striking ''or premarket notification submissions'' and inserting ''premarket notification submissions, or de novo classification requests''; and

(2) in paragraph (11), by striking ''2016'' and inserting ''2021''.

SEC. 203. AUTHORITY TO ASSESS AND USE DEVICE FEES.

(a) TYPES OF FEES.—Section 738(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(a)) is amended—

(1) in paragraph (1), by striking ''fiscal year 2018'' and inserting ''fiscal year 2023''; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''October 1, 2017'' and inserting ''October 1, 2022'';

(ii) in clause (iii), by striking ''75 percent'' and inserting ''80 percent''; and

(iii) in clause (viii), by striking ''3.4 percent'' and inserting ''4.5 percent'';

(B) in subparagraph (B)(iii), by striking ''or premarket notification submission'' and inserting ''premarket notification submission, or de novo classification request''; and

(C) in subparagraph (C), by striking ''or periodic reporting concerning a class III device'' and inserting ''periodic reporting concerning a class III device, or de novo classification request''.

(b) FEE AMOUNTS.—Section 738(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(b)) is amended—

(1) in paragraph (1), by striking ''2018 through 2022'' and inserting ''2023 through 2027'';

(2) by amending paragraph (2) to read as follows:

''(2) BASE FEE AMOUNTS SPECIFIED.—For purposes of paragraph (1), the base fee amounts specified in this paragraph are as follows:

''Fee Type	Fiscal Year 2023	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027
Premarket Application	$425,000	$435,000	$445,000	$455,000	$470,000
Establishment Registration	$6,250	$6,875	$7,100	$7,575	$8,465''; and

(3) by amending paragraph (3) to read as follows:

''(3) TOTAL REVENUE AMOUNTS SPECIFIED.—For purposes of paragraph (1), the total revenue amounts specified in this paragraph are as follows:

''(A) $312,606,000 for fiscal year 2023.

''(B) $335,750,000 for fiscal year 2024.

''(C) $350,746,400 for fiscal year 2025.

''(D) $366,486,300 for fiscal year 2026.

''(E) $418,343,000 for fiscal year 2027.''.

(c) ANNUAL FEE SETTING; ADJUSTMENTS.—Section 738(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(c)) is amended—

(1) in paragraph (1), by striking ''2017'' and inserting ''2022'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''2018'' and inserting ''2023'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''fiscal year 2018'' and inserting ''fiscal year 2023''; and

(ii) in clause (ii), by striking ''fiscal year 2016'' and inserting ''fiscal year 2022'';

(C) in subparagraph (C), by striking ''Washington-Baltimore, DC–MD–VA–WV'' and inserting ''Washington-Arlington-Alexandria, DC–VA–MD–WV''; and

(D) in subparagraph (D), in the matter preceding clause (i), by striking ''fiscal years 2018 through 2022'' and inserting ''fiscal years 2023 through 2027'';

(3) in paragraph (3), by striking ''2018 through 2022'' and inserting ''2023 through 2027'';

(4) by redesignating paragraphs (4) and (5) as paragraphs (7) and (8), respectively; and

(5) by inserting after paragraph (3) the following:

''(4) PERFORMANCE IMPROVEMENT ADJUSTMENT.—

''(A) IN GENERAL.—For each of fiscal years 2025 through 2027, after the adjustments under paragraphs (2) and (3), the base establishment registration fee amounts for such fiscal year shall be increased to reflect changes in the resource needs of the Secretary due to improved review performance goals for the process for the review of device applications identified in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2022, as the Secretary determines necessary to achieve an increase in total fee collections for such fiscal year equal to the following amounts:

''(i) For fiscal year 2025, the product of—

''(I) the amount determined under subparagraph (B)(i)(I); and

''(II) the applicable inflation adjustment under paragraph (2)(B) for such fiscal year.

''(ii) For fiscal year 2026, the product of—

''(I) the sum of the amounts determined under subparagraphs (B)(i)(II), (B)(ii)(I), and (B)(iii)(I); and

''(II) the applicable inflation adjustment under paragraph (2)(B) for such fiscal year.

''(iii) For fiscal year 2027, the product of—

''(I) the sum of the amounts determined under subparagraphs (B)(i)(III), (B)(ii)(II), and (B)(iii)(II); and

''(II) the applicable inflation adjustment under paragraph (2)(B) for such fiscal year.

''(B) AMOUNTS.—

''(i) PRE-SUBMISSION AMOUNT.—For purposes of subparagraph (A), with respect to the pre-submission written feedback goal, the amounts determined under this subparagraph are as follows:

''(I) For fiscal year 2025, $15,396,600 if such goal for fiscal year 2023 is met.

''(II) For fiscal year 2026:

''(aa) $15,396,600 if such goal for fiscal year 2023 is met and such goal for fiscal year 2024 is not met.

''(bb) $36,792,200 if such goal for fiscal year 2024 is met.

''(III) For fiscal year 2027:

''(aa) $15,396,600 if such goal for fiscal year 2023 is met and such goal for each of fiscal years 2024 and 2025 is not met.

''(bb) $36,792,200 if such goal for fiscal year 2024 is met and such goal for fiscal year 2025 is not met.

''(cc) $40,572,600 if such goal for fiscal year 2025 is met.

''(ii) DE NOVO CLASSIFICATION AMOUNT.—For purposes of subparagraph (A), with respect to the de novo decision goal, the amounts determined under this subparagraph are as follows:

''(I) For fiscal year 2026, $6,323,500 if such goal for fiscal year 2023 is met.

''(II) For fiscal year 2027:

''(aa) $6,323,500 if such goal for fiscal year 2023 is met and such goal for fiscal year 2024 is not met.

''(bb) $11,765,400 if such goal for fiscal year 2024 is met.

''(iii) PREMARKET NOTIFICATION AND PREMARKET APPROVAL AMOUNT.—For purposes of subparagraph (A), with respect to the 510(k) decision goal, 510(k) shared outcome total time to decision goal, PMA decision goal, and PMA shared outcome total time to decision goal, the amounts determined under this subparagraph are as follows:

''(I) For fiscal year 2026, $1,020,000 if the four goals for fiscal year 2023 are met.

''(II) For fiscal year 2027:

''(aa) $1,020,000 if the four goals for fiscal year 2023 are met and one or more of the four goals for fiscal year 2024 are not met.

''(bb) $3,906,000 if the four goals for fiscal year 2024 are met.

''(C) PERFORMANCE CALCULATION.—For purposes of this paragraph, performance of the goals listed in subparagraph (D) shall be determined as specified in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2022 and based on data available as of the following dates:

''(i) The performance of the pre-submission written feedback goal shall be based on data available as of—

''(I) for fiscal year 2023, March 31, 2024;

''(II) for fiscal year 2024, March 31, 2025; and

''(III) for fiscal year 2025, March 31, 2026.

''(ii) The performance of the de novo decision goal, 510(k) decision goal, 510(k) shared outcome total time to decision goal, PMA decision goal, and PMA shared outcome total time to decision goal shall be based on data available as of—

''(I) for fiscal year 2023, March 31, 2025; and

''(II) for fiscal year 2024, March 31, 2026.

''(D) GOALS DEFINED.—For purposes of this paragraph, the terms 'pre-submission written feedback goal', 'de novo decision goal', '510(k) decision goal', '510(k) shared outcome total time to decision goal', 'PMA decision goal', and 'PMA shared outcome total time to decision goal' refer to the goals identified by the same names in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2022.

''(5) HIRING ADJUSTMENT.—

''(A) IN GENERAL.—For each of fiscal years 2025 through 2027, after the adjustments under paragraphs (2), (3), and (4), if applicable, if the number of hires to support the process for the review of device applications falls below the thresholds specified in subparagraph (B) for the applicable fiscal years, the base establishment registration fee amounts shall be decreased as the Secretary determines necessary to achieve a reduction in total fee collections equal to the hiring adjustment amount under subparagraph (C).

''(B) THRESHOLDS.—The thresholds specified in this subparagraph are as follows:

''(i) For fiscal year 2025, the threshold is 123 hires for fiscal year 2023.

''(ii) For fiscal year 2026, the threshold is 38 hires for fiscal year 2024.

''(iii) For fiscal year 2027, the threshold is—

''(I) 22 hires for fiscal year 2025 if the base establishment registration fees are not increased by the amount determined under paragraph (4)(A)(i); or

''(II) 75 hires for fiscal year 2025 if such fees are so increased.

''(C) HIRING ADJUSTMENT AMOUNT.—The hiring adjustment amount for fiscal year 2025 and each subsequent fiscal year is the product of—

''(i) the number of hires by which the hiring goal specified in subparagraph (D) for the fiscal year before the prior fiscal year was not met;

''(ii) $72,877; and

''(iii) the applicable inflation adjustment under paragraph (2)(B) for the fiscal year for which the hiring goal was not met.

''(D) HIRING GOALS.—The hiring goals for each of fiscal years 2023 through 2025 are as follows:

''(i) For fiscal year 2023, 144 hires.

''(ii) For fiscal year 2024, 42 hires.

''(iii) For fiscal year 2025:

''(I) 24 hires if the base establishment registration fees are not increased by the amount determined under paragraph (4)(A)(i).

''(II) 83 hires if the base establishment registration fees are increased by the amount determined under paragraph (4)(A)(i).

''(E) NUMBER OF HIRES.—For purposes of this paragraph, the number of hires shall be determined by the Secretary as set forth in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2022.

''(6) OPERATING RESERVE ADJUSTMENT.—

''(A) IN GENERAL.—For each of fiscal years 2023 through 2027, after the adjustments under paragraphs (2), (3), (4), and (5), if applicable, if the Secretary has operating reserves of carryover user fees for the process for the review of device applications in excess of the designated amount in subparagraph (B), the Secretary shall decrease the base establishment registration fee amounts to provide for not more than such designated amount of operating reserves.

''(B) DESIGNATED AMOUNT.—Subject to subparagraph (C), for each fiscal year, the designated amount in this subparagraph is equal to the sum of—

''(i) 13 weeks of operating reserves of carryover user fees; and

''(ii) 1 month of operating reserves maintained pursuant to paragraph (8).

''(C) EXCLUDED AMOUNT.—For the period of fiscal years 2023 through 2026, a total amount equal to $118,000,000 shall not be considered part of the designated amount under subparagraph (B) and shall not be subject to the decrease under subparagraph (A).''.

(d) SMALL BUSINESSES.—Section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended in each of subsections (d)(2)(B)(iii) and (e)(2)(B)(iii) by inserting '', if extant,'' after ''national taxing authority''.

(e) CONDITIONS.—Section 738(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(g)) is amended—

(1) in paragraph (1)(A), by striking ''$320,825,000'' and inserting ''$398,566,000''; and

(2) in paragraph (2), by inserting ''de novo classification requests,'' after ''class III device,''.

(f) CREDITING AND AVAILABILITY OF FEES.—Section 738(h)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(h)(3)) is amended to read as follows:

''(3) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—For each of fiscal years 2023 through 2027, there is authorized to be appropriated for fees under this section an amount equal to the revenue amount determined under subparagraph (B), less the amount of reductions determined under subparagraph (C).

''(B) REVENUE AMOUNT.—For purposes of this paragraph, the revenue amount for each fiscal year is the sum of—

''(i) the total revenue amount under subsection (b)(3) for the fiscal year, as adjusted under paragraphs (2) and (3) of subsection (c); and

''(ii) the performance improvement adjustment amount for the fiscal year under subsection (c)(4), if applicable.

''(C) REDUCTIONS.—For purposes of this paragraph, the amount of reductions for each fiscal year is the sum of—

''(i) the hiring adjustment amount for the fiscal year under subsection (c)(5), if applicable; and

''(ii) the operating reserve adjustment amount for the fiscal year under subsection (c)(6), if applicable.''.

SEC. 204. REAUTHORIZATION; REPORTING REQUIREMENTS.

(a) PERFORMANCE REPORTS.—Section 738A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(a)) is amended—

(1) by striking ''fiscal year 2018'' each place it appears and inserting ''fiscal year 2023'';

(2) by striking ''Medical Device User Fee Amendments of 2017'' each place it appears and inserting ''Medical Device User Fee Amendments of 2022'';

(3) in paragraph (1)—

(A) in subparagraph (A), by redesignating the second clause (iv) (relating to analysis) as clause (v); and

(B) in subparagraph (A)(iv), by striking ''fiscal year 2020'' and inserting ''fiscal year 2023''; and

(4) in paragraph (4), by striking ''2018 through 2022'' and inserting ''2023 through 2027''.

(b) REAUTHORIZATION.—Section 738A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(b)) is amended—

(1) in paragraph (1), by striking ''2022'' and inserting ''2027''; and

(2) in paragraph (5), by striking ''2022'' and inserting ''2027''.

SEC. 205. CONFORMITY ASSESSMENT PILOT PROGRAM.

Section 514(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360d(d)) is amended to read as follows:

''(d) ACCREDITATION SCHEME FOR CONFORMITY ASSESSMENT.—

''(1) IN GENERAL.—The Secretary shall establish a program under which—

''(A) testing laboratories meeting criteria specified in guidance by the Secretary may be accredited by accreditation bodies meeting criteria specified in guidance by the Secretary, to conduct testing to support the assessment of the conformity of a device to certain standards recognized under this section; and

''(B) subject to paragraph (2), results from tests conducted to support the assessment of conformity of devices as described in subparagraph (A) conducted by testing laboratories accredited pursuant to this subsection shall be accepted by the Secretary for purposes of demonstrating such conformity unless the Secretary finds that certain results of such tests should not be so accepted.

''(2) SECRETARIAL REVIEW OF ACCREDITED LABORATORY RESULTS.—The Secretary may—

''(A) review the results of tests conducted by testing laboratories accredited pursuant to this subsection, including by conducting periodic audits of such results or of the processes of accredited bodies or testing laboratories;

''(B) following such review, take additional measures under this Act, as the Secretary determines appropriate, such as—

''(i) suspension or withdrawal of accreditation of a testing laboratory or recognition of an accreditation body under paragraph (1)(A); or

''(ii) requesting additional information with respect to a device; and

''(C) if the Secretary becomes aware of information materially bearing on the safety or effectiveness of a device for which an assessment of conformity was supported by testing conducted by a testing laboratory accredited under this subsection, take such additional measures under this Act, as the Secretary determines appropriate, such as—

''(i) suspension or withdrawal of accreditation of a testing laboratory or recognition of an accreditation body under paragraph (1)(A); or

''(ii) requesting additional information with regard to such device.

''(3) IMPLEMENTATION AND REPORTING.—

''(A) PILOT PROGRAM TRANSITION.—After September 30, 2023, the pilot program previously initiated under this subsection, as in effect prior to the date of enactment of the Medical Device User Fee Amendments of 2022, shall be considered to be completed, and the Secretary may continue operating a program consistent with this subsection.

''(B) REPORT.—The Secretary shall make available on the internet website of the Food and Drug Administration an annual report on the progress of the pilot program under this subsection.''.

SEC. 206. REAUTHORIZATION OF THIRD-PARTY REVIEW PROGRAM.

Section 523(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m(c)) is amended by striking ''2022'' and inserting ''2027''.

SEC. 207. SUNSET DATES.

(a) AUTHORIZATION.—Sections 737 and 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i; 379j) shall cease to be effective October 1, 2027.

(b) REPORTING REQUIREMENTS.—Section 738A (21 U.S.C. 379j– 1) of the Federal Food, Drug, and Cosmetic Act (regarding reauthorization and reporting requirements) shall cease to be effective January 31, 2028.

(c) PREVIOUS SUNSET PROVISIONS.—Effective October 1, 2022, subsections (a) and (b) of section 210 of the FDA Reauthorization Act of 2017 (Public Law 115–52) are repealed.

SEC. 208. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2022, or the date of the enactment of this Act, whichever is later, except that fees under part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i et seq.) shall be assessed for all submissions listed in section 738(a)(2)(A) of such Act received on or after October 1, 2022, regardless of the date of the enactment of this Act.

SEC. 209. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to the submissions listed in section 738(a)(2)(A) of such Act (as defined in such part as of such day) that on or after October 1, 2017, but before October 1, 2022, were received by the Food and Drug Administration with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2023.

TITLE III—FEES RELATING TO GENERIC DRUGS

SEC. 301. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Generic Drug User Fee Amendments of 2022''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made by this title will be dedicated to human generic drug activities, as set forth in the goals identified for purposes of part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41 et seq.), in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 302. AUTHORITY TO ASSESS AND USE HUMAN GENERIC DRUG FEES.

(a) TYPES OF FEES.—Section 744B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal year 2018'' and inserting ''fiscal year 2023'';

(2) in paragraph (2)(C), by striking ''2018 through 2022'' and inserting ''2023 through 2027'';

(3) in paragraph (3)(B), by striking ''2018 through 2022'' and inserting ''2023 through 2027'';

(4) in paragraph (4)(D), by striking ''2018 through 2022'' and inserting ''2023 through 2027''; and

(5) in paragraph (5)(D), by striking ''2018 through 2022'' and inserting ''2023 through 2027''.

(b) FEE REVENUE AMOUNTS.—Section 744B(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in the heading, by striking ''2018'' and inserting ''2023'';

(ii) by striking ''2018'' and inserting ''2023''; and

(iii) by striking ''$493,600,000'' and inserting ''$582,500,000''; and

(B) by amending subparagraph (B) to read as follows:

''(B) FISCAL YEARS 2024 THROUGH 2027.—

''(i) IN GENERAL.—For each of the fiscal years 2024 through 2027, fees under paragraphs (2) through (5) of subsection (a) shall be established to generate a total estimated revenue amount under such subsection that is equal to the base revenue amount for the fiscal year under clause (ii), as adjusted pursuant to subsection (c).

''(ii) BASE REVENUE AMOUNT.—The base revenue amount for a fiscal year referred to in clause (i) is equal to the total revenue amount established under this paragraph for the previous fiscal year, not including any adjustments made for such previous fiscal year under subsection (c)(3).''; and

(2) in paragraph (2)—

(A) in subparagraph (C), by striking ''one-third the amount'' and inserting ''twenty-four percent'';

(B) in subparagraph (D), by striking ''Seven percent'' and inserting ''Six percent''; and

(C) in subparagraph (E)(i), by striking ''Thirty-five percent'' and inserting ''Thirty-six percent''.

(c) ADJUSTMENTS.—Section 744B(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''2019'' and inserting ''2024''; and

(ii) by striking ''to equal the product of the total revenues established in such notice for the prior fiscal year multiplied'' and inserting ''to equal the base revenue amount for the fiscal year (as specified in subsection (b)(1)(B)) multiplied''; and

(B) in subparagraph (C), by striking ''Washington-Baltimore, DC–MD–VA–WV'' and inserting ''Washington-Arlington-Alexandria, DC–VA–MD–WV''; and

(2) by striking paragraph (2) and inserting the following:

''(2) CAPACITY PLANNING ADJUSTMENT.—

''(A) IN GENERAL.—Beginning with fiscal year 2024, the Secretary shall, in addition to the adjustment under paragraph (1), further increase the fee revenue and fees under this section for a fiscal year, in accordance with this paragraph, to reflect changes in the resource capacity needs of the Secretary for human generic drug activities.

''(B) CAPACITY PLANNING METHODOLOGY.—The Secretary shall establish a capacity planning methodology for purposes of this paragraph, which shall—

''(i) be derived from the methodology and recommendations made in the report titled 'Independent Evaluation of the GDUFA Resource Capacity Planning Adjustment Methodology: Evaluation and Recommendations' announced in the Federal Register on August 3, 2020;

''(ii) incorporate approaches and attributes determined appropriate by the Secretary, including approaches and attributes made in such report, except that in incorporating such approaches and attributes the workload categories used in forecasting resources shall only be the workload categories specified in section VIII.B.2.e. of the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2022; and

''(iii) be effective beginning with fiscal year 2024.

''(C) LIMITATIONS.—

''(i) IN GENERAL.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsection (b)(1)(B)(ii) (the base revenue amount for the fiscal year) and paragraph (1) (the dollar amount of the inflation adjustment for the fiscal year).

''(ii) PERCENTAGE LIMITATION.—An adjustment under this paragraph shall not exceed three percent of the sum described in clause (i) for the fiscal year, except that such limitation shall be four percent if—

''(I) for purposes of a fiscal year 2024 adjustment, the Secretary determines that during the period from April 1, 2021, through March 31, 2023—

''(aa) the total number of abbreviated new drug applications submitted was greater than or equal to 2,000; or

''(bb) thirty-five percent or more of abbreviated new drug applications submitted related to complex products (as that term is defined in section XI of the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2022);

''(II) for purposes of a fiscal year 2025 adjustment, the Secretary determines that during the period from April 1, 2022, through March 31, 2024—

''(aa) the total number of abbreviated new drug applications submitted was greater than or equal to 2,300; or

''(bb) thirty-five percent or more of abbreviated new drug applications submitted related to complex products (as so defined);

''(III) for purposes of a fiscal year 2026 adjustment, the Secretary determines that during the period from April 1, 2023, through March 31, 2025—

''(aa) the total number of abbreviated new drug applications submitted was greater than or equal to 2,300; or

''(bb) thirty-five percent or more of abbreviated new drug applications submitted related to complex products (as so defined); and

''(IV) for purposes of a fiscal year 2027 adjustment, the Secretary determines that during the period from April 1, 2024, through March 31, 2026—

''(aa) the total number of abbreviated new drug applications submitted was greater than or equal to 2,300; or

''(bb) thirty-five percent or more of abbreviated new drug applications submitted related to complex products (as so defined).

''(D) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice referred to in subsection (a) the fee revenue and fees resulting from the adjustment and the methodology under this paragraph.

''(3) OPERATING RESERVE ADJUSTMENT.—

''(A) IN GENERAL.—For fiscal year 2024 and each subsequent fiscal year, the Secretary may, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees under this section for such fiscal year if such an adjustment is necessary to provide operating reserves of carryover user fees for human generic drug activities for not more than the number of weeks specified in subparagraph (B) with respect to that fiscal year.

''(B) NUMBER OF WEEKS.—The number of weeks specified in this subparagraph is—

''(i) 8 weeks for fiscal year 2024;

''(ii) 9 weeks for fiscal year 2025; and

''(iii) 10 weeks for each of fiscal year 2026 and 2027.

''(C) DECREASE.—If the Secretary has carryover balances for human generic drug activities in excess of 12 weeks of the operating reserves referred to in subparagraph (A), the Secretary shall decrease the fee revenue and fees referred to in such subparagraph to provide for not more than 12 weeks of such operating reserves.

''(D) RATIONALE FOR ADJUSTMENT.—If an adjustment under this paragraph is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under subsection (a) publishing the fee revenue and fees for the fiscal year involved.''.

(d) ANNUAL FEE SETTING.—Section 744B(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(d)(1)) is amended—

(1) in the paragraph heading, by striking ''2018 THROUGH 2022'' and inserting ''2023 THROUGH 2027''; and

(2) by striking ''more than 60 days before the first day of each of fiscal years 2018 through 2022'' and inserting ''later than 60 days before the first day of each of fiscal years 2023 through 2027''.

(e) CREDITING AND AVAILABILITY OF FEES.—Section 744B(i)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(i)(3)) is amended by striking ''fiscal years 2018 through 2022'' and inserting ''fiscal years 2023 through 2027''.

(f) EFFECT OF FAILURE TO PAY FEES.—The heading of paragraph (3) of section 744B(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(g)) is amended by striking ''AND PRIOR APPROVAL SUPPLEMENT FEE''.

SEC. 303. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43) is amended—

(1) in subsection (a)(1), by striking ''Beginning with fiscal year 2018, not'' and inserting ''Not'';

(2) by striking ''Generic Drug User Fee Amendments of 2017'' each place it appears

and inserting ''Generic Drug User Fee Amendments of 2022'';

(3) in subsection (a)(2), by striking ''Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter'' and inserting ''Not later than 30 calendar days after the end of each quarter of each fiscal year for which fees are collected under this part'';

(4) in subsection (a)(3), by striking ''Beginning with fiscal year 2020, the'' and inserting ''The'';

(5) in subsection (b), by striking ''Beginning with fiscal year 2018, not'' and inserting ''Not'';

(6) in subsection (c), by striking ''Beginning with fiscal year 2018, for'' and inserting ''For''; and

(7) in subsection (f)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''fiscal year 2022'' and inserting ''fiscal year 2027''; and

(B) in paragraph (5), by striking ''January 15, 2022'' and inserting ''January 15, 2027''.

SEC. 304. SUNSET DATES.

(a) AUTHORIZATION.—Sections 744A and 744B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41; 379j–42) shall cease to be effective October 1, 2027.

(b) REPORTING REQUIREMENTS.—Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43) shall cease to be effective January 31, 2028.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2022, subsections (a) and (b) of section 305 of the FDA Reauthorization Act of 2017 (Public Law 115–52) are repealed.

SEC. 305. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2022, or the date of the enactment of this Act, whichever is later, except that fees under part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41 et seq.) shall be assessed for all abbreviated new drug applications received on or after October 1, 2022, regardless of the date of the enactment of this Act.

SEC. 306. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41 et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to abbreviated new drug applications (as defined in such part as of such day) that were received by the Food and Drug Administration within the meaning of section 505(j)(5)(A) of such Act (21 U.S.C. 355(j)(5)(A)), prior approval supplements that were submitted, and drug master files for Type II active pharmaceutical ingredients that were first referenced on or after October 1, 2017, but before October 1, 2022, with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2023.

TITLE IV—FEES RELATING TO BIOSIMILAR BIOLOGICAL PRODUCTS

SEC. 401. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Biosimilar User Fee Amendments of 2022''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made by this title will be dedicated to expediting the process for the review of biosimilar biological product applications, including postmarket safety activities, as set forth in the goals identified for purposes of part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51 et seq.), in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 402. DEFINITIONS.

(a) ADJUSTMENT FACTOR.—Section 744G(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51(1)) is amended to read as follows:

''(1) The term 'adjustment factor' applicable to a fiscal year is the Consumer Price Index for urban consumers (Washington-Arlington-Alexandria, DC–VA–MD–WV; Not Seasonally Adjusted; All items; Annual Index) for September of the preceding fiscal year divided by such Index for September 2011.''.

(b) BIOSIMILAR BIOLOGICAL PRODUCT APPLICATION.—Section 744G(4)(B)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51(4)(B)(iii)) is amended—

(1) by striking subclause (II) (relating to an allergenic extract product); and

(2) by redesignating subclauses (III) and (IV) as subclauses (II) and (III), respectively.

SEC. 403. AUTHORITY TO ASSESS AND USE BIOSIMILAR FEES.

(a) TYPES OF FEES.—

(1) IN GENERAL.—The matter preceding paragraph (1) in section 744H(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)) is amended by striking ''fiscal year 2018'' and inserting ''fiscal year 2023''.

(2) INITIAL BIOSIMILAR BIOLOGICAL PRODUCT DEVELOPMENT FEE.—Clauses (iv)(I) and (v)(II) of section 744H(a)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)(1)(A)) are each amended by striking ''5 days'' and inserting ''7 days''.

(3) ANNUAL BIOSIMILAR BIOLOGICAL PRODUCT DEVELOPMENT FEE.—Section 744H(a)(1)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)(1)(B)) is amended—

(A) in clause (i), by inserting before the period at the end the following: '', except where such product (including, where applicable, ownership of the relevant investigational new drug application) is transferred to a licensee, assignee, or successor of such person, and written notice of such transfer is provided to the Secretary, in which case such licensee, assignee, or successor shall pay the annual biosimilar biological product development fee'';

(B) in clause (iii)—

(i) in subclause (I), by striking ''or'' at the end;

(ii) in subclause (II), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(III) been administratively removed from the biosimilar biological product development program for the product under subparagraph (E)(v).''; and

(C) in clause (iv), by striking ''is accepted for filing on or after October 1 of such fiscal year'' and inserting ''is subsequently accepted for filing''.

(4) REACTIVATION FEE.—Section 744H(a)(1)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)(1)(D)) is amended to read as follows:

''(D) REACTIVATION FEE.—

''(i) IN GENERAL.—A person that has discontinued participation in the biosimilar biological product development program for a product under subparagraph (C), or who has been administratively removed from the biosimilar biological product development program for a product under subparagraph (E)(v), shall, if the person seeks to resume participation in such program, pay all annual biosimilar biological product development fees previously assessed for such product and still owed and a fee (referred to in this section as 'reactivation fee') by the earlier of the following:

''(I) Not later than 7 days after the Secretary grants a request by such person for a biosimilar biological product development meeting for the product (after the date on which such participation was discontinued or the date of administrative removal, as applicable).

''(II) Upon the date of submission (after the date on which such participation was discontinued or the date of administrative removal, as applicable) by such person of an investigational new drug application describing an investigation that the Secretary determines is intended to support a biosimilar biological product application for that product.

''(ii) APPLICATION OF ANNUAL FEE.—A person that pays a reactivation fee for a product shall pay for such product, beginning in the next fiscal year, the annual biosimilar biological product development fee under subparagraph (B), except where such product (including, where applicable, ownership of the relevant investigational new drug application) is transferred to a licensee, assignee, or successor of such person, and written notice of such transfer is provided to the Secretary, in which case such licensee, assignee, or successor shall pay the annual biosimilar biological product development fee.''.

(5) EFFECT OF FAILURE TO PAY FEES.—Section 744H(a)(1)(E) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)(1)(E)) is amended by adding at the end the following:

''(v) ADMINISTRATIVE REMOVAL FROM THE BIOSIMILAR BIOLOGICAL PRODUCT DEVELOPMENT PROGRAM.—If a person has failed to pay an annual biosimilar biological product development fee for a product as required under subparagraph (B) for a period of two consecutive fiscal years, the Secretary may administratively remove such person from the biosimilar biological product development program for the product. At least 30 days prior to administratively removing a person from the biosimilar biological product development program for a product under this clause, the Secretary shall provide written notice to such person of the intended administrative removal.''.

(6) BIOSIMILAR BIOLOGICAL PRODUCT APPLICATION FEE.—Section 744H(a)(2)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)(2)(D)) is amended by inserting after ''or was withdrawn'' the following: ''prior to approval''.

(7) BIOSIMILAR BIOLOGICAL PRODUCT PROGRAM FEE.—Section 744H(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''and'' at the end;

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following:

''(ii) may be dispensed only under prescription pursuant to section 503(b); and''; and

(B) by adding at the end the following:

''(E) MOVEMENT TO DISCONTINUED LIST.—

''(i) DATE OF INCLUSION.—If a written request to place a product on the list referenced in subparagraph (A) of discontinued biosimilar biological products is submitted to the Secretary on behalf of an applicant, and the request identifies the date the product is withdrawn from sale, then for purposes of assessing the biosimilar biological product program fee, the Secretary shall consider such product to have been included on such list on the later of—

''(I) the date such request was received; or

''(II) if the product will be withdrawn from sale on a future date, such future date when the product is withdrawn from sale.

''(ii) TREATMENT AS WITHDRAWN FROM SALE.—For purposes of clause (i), a product shall be considered withdrawn from sale once the applicant has ceased its own distribution of the product, whether or not the applicant has ordered recall of all previously distributed lots of the product, except that a routine, temporary interruption in supply shall not render a product withdrawn from sale.

''(iii) SPECIAL RULE.—If a biosimilar biological product that is identified in a biosimilar biological product application approved as of October 1 of a fiscal year appears, as of October 1 of such fiscal year, on the list referenced in subparagraph (A) of discontinued biosimilar biological products, and on any subsequent day during such fiscal year the biosimilar biological product does not appear on such list, then except as provided in subparagraph (D), each person who is named as the applicant in a biosimilar biological product application with respect to such product shall pay the annual biosimilar biological product program fee established for a fiscal year under subsection (c)(5) for such biosimilar biological product. Notwithstanding subparagraph (B), such fee shall be due on the last business day of such fiscal year and shall be paid only once for each such product for each fiscal year.''.

(8) BIOSIMILAR BIOLOGICAL PRODUCT FEE.—Section 744H(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)) is amended by striking paragraph (4).

(c) FEE REVENUE AMOUNTS.—Subsection (b) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(3) by amending paragraph (1) (as so redesignated) to read as follows:

''(1) IN GENERAL.—For each of the fiscal years 2023 through 2027, fees under subsection (a) shall, except as provided in subsection (c), be established to generate a total revenue amount equal to the sum of—

''(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

''(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

''(C) the dollar amount equal to the strategic hiring and retention adjustment (as determined under subsection (c)(2));

''(D) the dollar amount equal to the capacity planning adjustment for the fiscal year (as determined under subsection (c)(3));

''(E) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(4));

''(F) for fiscal year 2023 an additional amount of $4,428,886; and

''(G) for fiscal year 2024 an additional amount of $320,569.'';

(4) in paragraph (2) (as so redesignated)—

(A) in the paragraph heading, by striking ''; LIMITATIONS ON FEE AMOUNTS'';

(B) by striking subparagraph (B); and

(C) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(5) by amending paragraph (3) (as so redesignated) to read as follows:

''(3) ANNUAL BASE REVENUE.—For purposes of paragraph (1), the dollar amount of the annual base revenue for a fiscal year shall be—

''(A) for fiscal year 2023, $43,376,922; and

''(B) for fiscal years 2024 through 2027, the dollar amount of the total revenue amount established under paragraph (1) for the previous fiscal year, excluding any adjustments to such revenue amount under subsection (c)(4).''.

(d) ADJUSTMENTS; ANNUAL FEE SETTING.—Section 744H(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''subsection (b)(2)(B)'' and inserting ''subsection (b)(1)(B)''; and

(ii) in clause (i), by striking ''subsection (b)'' and inserting ''subsection (b)(1)(A)''; and

(B) in subparagraph (B)(ii), by striking ''Washington-Baltimore, DC–MD–VA–WV'' and inserting ''Washington-Arlington-Alexandria, DC–VA–MD–WV'';

(2) by striking paragraphs (2) through (4) and inserting the following:

''(2) STRATEGIC HIRING AND RETENTION ADJUSTMENT.—For each fiscal year, after the annual base revenue under subsection (b)(1)(A) is adjusted for inflation in accordance with paragraph (1), the Secretary shall further increase the fee revenue and fees by $150,000.

''(3) CAPACITY PLANNING ADJUSTMENT.—

''(A) IN GENERAL.—For each fiscal year, the Secretary shall, in addition to the adjustments under paragraphs (1) and (2), further adjust the fee revenue and fees under this section for a fiscal year to reflect changes in the resource capacity needs of the Secretary for the process for the review of biosimilar biological product applications.

''(B) METHODOLOGY.—For purposes of this paragraph, the Secretary shall employ the capacity planning methodology utilized by the Secretary in setting fees for fiscal year 2021, as described in the notice titled 'Biosimilar User Fee Rates for Fiscal Year 2021' published in the Federal Register on August 4, 2020 (85 Fed. Reg. 47220). The workload categories used in applying such methodology in forecasting shall include only the activities described in that notice and, as feasible, additional activities that are also directly related to the direct review of biosimilar biological product applications and supplements, including additional formal meeting types, the direct review of postmarketing commitments and requirements, the direct review of risk evaluation and mitigation strategies, and the direct review of annual reports for approved biosimilar biological products. Subject to the exceptions in the preceding sentence, the Secretary shall not include as workload categories in applying such methodology in forecasting any non-core review activities, including those activities that the Secretary referenced for potential future use in such notice but did not utilize in setting fees for fiscal year 2021.

''(C) LIMITATIONS.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsections (b)(1)(A) (the annual base revenue for the fiscal year), (b)(1)(B) (the dollar amount of the inflation adjustment for the fiscal year), and (b)(1)(C) (the dollar amount of the strategic hiring and retention adjustment).

''(D) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice under paragraph (5) the fee revenue and fees resulting from the adjustment and the methodologies under this paragraph.

''(4) OPERATING RESERVE ADJUSTMENT.—

''(A) INCREASE.—For fiscal year 2023 and subsequent fiscal years, the Secretary shall, in addition to adjustments under paragraphs (1), (2), and (3), further increase the fee revenue and fees if such an adjustment is necessary to provide for at least 10 weeks of operating reserves of carryover user fees for the process for the review of biosimilar biological product applications.

''(B) DECREASE.—

''(i) FISCAL YEAR 2023.—For fiscal year 2023, if the Secretary has carryover balances for such process in excess of 33 weeks of such operating reserves, the Secretary shall decrease such fee revenue and fees to provide for not more than 33 weeks of such operating reserves.

''(ii) FISCAL YEAR 2024.—For fiscal year 2024, if the Secretary has carryover balances for such process in excess of 27 weeks of such operating reserves, the Secretary shall decrease such fee revenue and fees to provide for not more than 27 weeks of such operating reserves.

''(iii) FISCAL YEAR 2025 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2025 and subsequent fiscal years, if the Secretary has carryover balances for such process in excess of 21 weeks of such operating reserves, the Secretary shall decrease such fee revenue and fees to provide for not more than 21 weeks of such operating reserves.

''(C) FEDERAL REGISTER NOTICE.—If an adjustment under subparagraph (A) or (B) is made, the rationale for the amount of the increase or decrease in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (5)(B) establishing fee revenue and fees for the fiscal year involved.''; and

(3) in paragraph (5), in the matter preceding subparagraph (A), by striking ''2018'' and inserting ''2023''.

(e) CREDITING AND AVAILABILITY OF FEES.—Subsection (f)(3) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(f)(3)) is amended by striking ''2018 through 2022'' and inserting ''2023 through 2027''.

(f) WRITTEN REQUESTS FOR WAIVERS AND RETURNS; DISPUTES CONCERNING FEES.—Section 744H(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(h)) is amended to read as follows:

''(h) WRITTEN REQUESTS FOR WAIVERS AND RETURNS; DISPUTES CONCERNING FEES.—To qualify for consideration for a waiver under subsection (d), or for the return of any fee paid under this section, including if the fee is claimed to have been paid in error, a person shall submit to the Secretary a written request justifying such waiver or return and, except as otherwise specified in this section, such written request shall be submitted to the Secretary not later than 180 days after such fee is due. A request submitted under this paragraph shall include any legal authorities under which the request is made.''.

SEC. 404. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 744I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–53) is amended—

(1) in subsection (a)(1), by striking ''Beginning with fiscal year 2018, not'' and inserting ''Not'';

(2) by striking ''Biosimilar User Fee Amendments of 2017'' each place it appears and inserting ''Biosimilar User Fee Amendments of 2022'';

(3) in subsection (a)(2), by striking ''Beginning with fiscal year 2018, the'' and inserting ''The'';

(4) in subsection (a)(3)(A), by striking ''Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter'' and inserting ''Not later than 30 calendar days after the end of each quarter of each fiscal year for which fees are collected under this part'';

(5) in subsection (b), by striking ''Not later than 120 days after the end of fiscal year 2018 and each subsequent fiscal year for which

fees are collected under this part'' and inserting ''Not later than 120 days after the end of each fiscal year for which fees are collected under this part'';

(6) in subsection (c), by striking ''Beginning with fiscal year 2018, and for'' and inserting ''For''; and

(7) in subsection (f)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''fiscal year 2022'' and inserting ''fiscal year 2027''; and

(B) in paragraph (3), by striking ''January 15, 2022'' and inserting ''January 15, 2027''.

SEC. 405. SUNSET DATES.

(a) AUTHORIZATION.—Sections 744G and 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51, 379j–52) shall cease to be effective October 1, 2027.

(b) REPORTING REQUIREMENTS.—Section 744I of the Federal Food, Drug, and Cosmetic Act shall cease to be effective January 31, 2028.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2022, subsections (a) and (b) of section 405 of the FDA Reauthorization Act of 2017 (Public Law 115–52) are repealed.

SEC. 406. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2022, or the date of the enactment of this Act, whichever is later, except that fees under part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51 et seq.) shall be assessed for all biosimilar biological product applications received on or after October 1, 2022, regardless of the date of the enactment of this Act.

SEC. 407. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51 et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to biosimilar biological product applications and supplements (as defined in such part as of such day) that were accepted by the Food and Drug Administration for filing on or after October 1, 2017, but before October 1, 2022, with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2023.

TITLE V—IMPROVING DIVERSITY IN CLINICAL STUDIES

SEC. 501. DIVERSITY ACTION PLANS FOR CLINICAL STUDIES.

(a) DRUGS.—Section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) is amended by adding at the end the following:

''(5)(A) In order for a new drug that is being studied in a phase 3 study, as defined in section 312.21(c) of title 21, Code of Federal Regulations (or successor regulations), or other pivotal study (other than bioavailability or bioequivalence studies), to be exempt pursuant to this subsection, the sponsor of a clinical investigation of such new drug shall submit to the Secretary a diversity action plan.

''(B) Such diversity action plan shall include—

''(i) the sponsor's goals for enrollment in such clinical study;

''(ii) the sponsor's rationale for such goals; and

''(iii) an explanation of how the sponsor intends to meet such goals.

''(C) The sponsor shall submit such diversity action plan in the form and manner specified in the guidance required by section 524B as soon as practicable but no later than when the sponsor seeks feedback regarding such a phase 3 study or other pivotal study of the drug.

''(D) The Secretary may waive the requirement in subparagraph (A) if the Secretary determines that a waiver is necessary based on what is known about the prevalence of the disease in terms of the patient population that may use the new drug.

''(E) No diversity action plan shall be required for a submission described in section 561.''.

(b) DEVICES.—Section 520(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(g)) is amended by adding at the end the following:

''(9)(A)(i) In order for a device in a clinical study for which submission of an application for an investigational device exemption is required to be exempt under this subsection, the sponsor of such study shall submit to the Secretary in such application a diversity action plan in the form and manner specified in the guidance required by section 524B.

''(ii) In order for a device in a clinical study for which submission of an application for an investigational device exemption is not required, except for a device being studied as described in section 812.2(c) of title 21, Code of Federal Regulations (or successor regulations), to be exempt under this subsection, the sponsor of such study shall develop and implement a diversity action plan. Such diversity action plan shall be submitted to the Secretary in any premarket notification under section 510(k), request for classification under section 513(f)(2), or application for premarket approval under section 515 for such device.

''(B) A diversity action plan under clause (i) or (ii) of subparagraph (A) shall include—

''(i) the sponsor's goals for enrollment in the clinical study;

''(ii) the sponsor's rationale for such goals; and

''(iii) an explanation of how the sponsor intends to meet such goals.

''(C) The Secretary may waive the requirement in subparagraph (A) or (B) if the Secretary determines that a waiver is necessary based on what is known about the prevalence of the disease in terms of the patient population that may use the device.

''(D) No diversity action plan shall be required for a submission described in section 561.''.

(c) GUIDANCE.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

''SEC. 524B. GUIDANCE ON DIVERSITY ACTION PLANS FOR CLINICAL STUDIES.

''(a) IN GENERAL.—The Secretary shall issue guidance relating to—

''(1) the format and content of the diversity action plans required by sections 505(i)(5) and 520(g)(9) pertaining to the sponsor's goals for clinical study enrollment, disaggregated by age group, sex, race, geographic location, socioeconomic status, and ethnicity, including with respect to—

''(A) the rationale for the sponsor's enrollment goals, which may include—

''(i) the estimated prevalence or incidence in the United States of the disease or condition for which the drug or device is being developed or investigated, if such estimated prevalence or incidence is known or can be determined based on available data;

''(ii) what is known about the disease or condition for which the drug or device is being developed or investigated;

''(iii) any relevant pharmacokinetic or pharmacogenomic data;

''(iv) what is known about the patient population for such disease or condition, including, to the extent data is available—

''(I) demographic information, including age group, sex, race, geographic location, socioeconomic status, and ethnicity;

''(II) non-demographic factors, including co-morbidities affecting the patient population; and

''(III) potential barriers to enrolling diverse participants, such as patient population size, geographic location, and socioeconomic status; and

''(v) any other data or information relevant to selecting appropriate enrollment goals, disaggregated by demographic subgroup, such as the inclusion of pregnant and lactating women;

''(B) an explanation for how the sponsor intends to meet such goals, including demographic-specific outreach and enrollment strategies, study-site selection, clinical study inclusion and exclusion practices, and any diversity training for study personnel; and

''(C) procedures for the public posting of key information from the diversity action plan that would be useful to patients and providers on the sponsor's website, as appropriate; and

''(2) how sponsors should include in regular reports to the Secretary—

''(A) the sponsor's progress in meeting the goals referred to in paragraph (1)(A); and

''(B) if the sponsor does not expect to meet such goals—

''(i) any updates needed to be made to a diversity action plan referred to in paragraph (1) to help meet such goals; and

''(ii) the sponsor's reasons for why the sponsor does not expect to meet such goals.

''(b) ISSUANCE.—The Secretary shall—

''(1) not later than 12 months after the date of enactment of this section, issue new draft guidance or update existing draft guidance described in subsection (a); and

''(2) not later than 9 months after closing the comment period on such draft guidance, finalize such guidance.''.

(d) APPLICABILITY.—Sections 505(i)(5) and 520(g)(9) of the Federal Food, Drug, and Cosmetic Act, as added by subsections (a) and (b) of this section, apply only with respect to clinical investigations with respect to which enrollment commences after the date that is 180 days after the publication of final guidance under section 524B(b)(2) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (c).

SEC. 502. EVALUATION OF THE NEED FOR FDA AUTHORITY TO MANDATE POST-APPROVAL STUDIES OR POSTMARKET SURVEILLANCE DUE TO INSUFFICIENT DEMOGRAPHIC SUBGROUP DATA.

(a) IN GENERAL.—Not later than 2 years after the date of publication of final guidance pursuant to section 524B(b)(2) of the Federal Food, Drug, and Cosmetic Act, as added by section 501(c) of this Act, the Secretary of Health and Human Services shall commence an evaluation to assess whether additions or changes to statutes or regulations are warranted to ensure that sponsors conduct post-approval studies or postmarket surveillance where—

(1) premarket studies collected insufficient data for underrepresented subgroups according to the goals specified in the diversity action plans of such sponsors; and

(2) the Secretary has requested additional studies be conducted.

(b) DETERMINATION AND REPORTING.—Not later than 180 days after the commencement of the evaluation under subsection (a), the Secretary of Health and Human Services shall submit a report to the Congress on the outcome of such evaluation, including any recommendations related to additional needed authorities.

SEC. 503. PUBLIC WORKSHOPS TO ENHANCE CLINICAL STUDY DIVERSITY.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the

Secretary of Health and Human Services, in consultation with drug sponsors, medical device manufacturers, patients, and other stakeholders, shall convene one or more public workshops to solicit input from stakeholders on increasing the enrollment of historically underrepresented populations in clinical studies and encouraging clinical study participation that reflects the prevalence of the disease or condition among demographic subgroups, where appropriate, and other topics, including—

(1) how and when to collect and present the prevalence or incidence data on a disease or condition by demographic subgroup, including possible sources for such data and methodologies for assessing such data;

(2) considerations for the dissemination, after approval, of information to the public on clinical study enrollment demographic data;

(3) the establishment of goals for enrollment in clinical trials, including the relevance of the estimated prevalence or incidence, as applicable, in the United States of the disease or condition for which the drug or device is being developed; and

(4) approaches to support inclusion of underrepresented populations and to encourage clinical study participation that reflects the population expected to use the drug or device under study, including with respect to—

(A) the establishment of inclusion and exclusion criteria for certain subgroups, such as pregnant and lactating women and individuals with disabilities, including intellectual or developmental disabilities or mental illness;

(B) considerations regarding informed consent with respect to individuals with intellectual or developmental disabilities or mental illness, including ethical and scientific considerations;

(C) the appropriate use of decentralized trials or digital health tools;

(D) clinical endpoints;

(E) biomarker selection; and

(F) studying analysis.

(b) PUBLIC DOCKET.—The Secretary of Health and Human Services shall establish a public comment period to receive written comments related to the topics addressed during each public workshop convened under this section. The public comment period shall remain open for 60 days following the date on which each public workshop is convened.

(c) REPORT.—Not later than 180 days after the close of the public comment period for each public workshop convened under this section, the Secretary of Health and Human Services shall make available on the public website of the Food and Drug Administration a report on the topics discussed at such workshop. The report shall include a summary of, and response to, recommendations raised in such workshop.

SEC. 504. ANNUAL SUMMARY REPORT ON PROGRESS TO INCREASE DIVERSITY IN CLINICAL STUDIES.

(a) IN GENERAL.—Beginning not later than 2 years after the date of enactment of this Act, and each year thereafter, the Secretary of Health and Human Services shall submit to the Congress, and publish on the public website of the Food and Drug Administration, a report that—

(1) summarizes, in aggregate, the diversity action plans received pursuant to section 505(i)(5) or 520(g)(9) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a) or (b) of section 501 of this Act; and

(2) contains information on—

(A) for drugs, biological products, and devices approved, licensed, cleared, or classified under section 505, 515, 510(k), or 513(f)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355; 360e; 360(k); and 360(f)(2)), or section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)), whether the clinical studies conducted with respect to such applications met the demographic subgroup enrollment goals from the diversity action plan submitted for such applications;

(B) the reasons provided for why enrollment goals from submitted diversity action plans were not met; and

(C) any postmarket studies of a drug or device in a demographic subgroup or subgroups required or recommended by the Secretary based on inadequate premarket clinical study diversity or based on other reasons where a premarket study lacked adequate diversity, including the status and completion date of any such study.

(b) CONFIDENTIALITY.—Nothing in this section shall be construed as authorizing the Secretary of Health and Human Services to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

SEC. 505. PUBLIC MEETING ON CLINICAL STUDY FLEXIBILITIES INITIATED IN RESPONSE TO COVID–19 PANDEMIC.

(a) IN GENERAL.—Not later than 180 days after the date on which the COVID–19 emergency period ends, the Secretary of Health and Human Services shall convene a public meeting to discuss the recommendations provided by the Food and Drug Administration during the COVID–19 emergency period to mitigate disruption of clinical studies, including recommendations detailed in the guidance entitled ''Conduct of Clinical Trials of Medical Products During the COVID–19 Public Health Emergency, Guidance for Industry, Investigators, and Institutional Review Boards'', as updated on August 8, 2021, and by any subsequent updates to such guidance. The Secretary of Health and Human Services shall invite to such meeting representatives from the pharmaceutical and medical device industries who sponsored clinical studies during the COVID–19 emergency period and organizations representing patients.

(b) TOPICS.—Not later than 90 days after the date on which the public meeting under subsection (a) is convened, the Secretary of Health and Human Services shall make available on the public website of the Food and Drug Administration a report on the topics discussed at such meeting. Such topics shall include discussion of—

(1) the actions drug sponsors took to utilize such recommendations and the frequency at which such recommendations were employed;

(2) the characteristics of the sponsors, studies, and patient populations impacted by such recommendations;

(3) a consideration of how recommendations intended to mitigate disruption of clinical studies during the COVID–19 emergency period, including any recommendations to consider decentralized clinical studies when appropriate, may have affected access to clinical studies for certain patient populations, especially unrepresented or underrepresented racial and ethnic minorities; and

(4) recommendations for incorporating certain clinical study disruption mitigation recommendations into current or additional guidance to improve clinical study access and enrollment of diverse patient populations.

(c) COVID–19 EMERGENCY PERIOD DEFINED.—In this section, the term ''COVID–19 emergency period'' has the meaning given the term ''emergency period'' in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)).

SEC. 506. DECENTRALIZED CLINICAL STUDIES.

(a) GUIDANCE.—The Secretary of Health and Human Services shall—

(1) not later than 12 months after the date of enactment of this Act, issue draft guidance that addresses considerations for decentralized clinical studies, including considerations regarding the engagement, enrollment, and retention of a meaningfully diverse clinical population, with respect to race, ethnicity, age, sex, and geographic location, when appropriate; and

(2) not later than 1 year after closing the comment period on such draft guidance, finalize such guidance.

(b) CONTENT OF GUIDANCE.—The guidance under subsection (a) shall address the following:

(1) Recommendations for how digital health technology or other remote assessment options, such as telehealth, could support decentralized clinical studies, including guidance on considerations for selecting technological platforms and mediums, data collection and use, data integrity and security, and communication to study participants through digital technology.

(2) Recommendations for subject recruitment and retention, including considerations for sponsors to minimize or reduce burdens for clinical study participants through the use of digital health technology, telehealth, local health care providers and laboratories, or other means.

(3) Recommendations with respect to the evaluation of data collected within a decentralized clinical study setting.

(c) DEFINITION.—In this section, the term ''decentralized clinical study'' means a clinical study in which some or all of the study-related activities occur at a location separate from the investigator's location.

TITLE VI—GENERIC DRUG COMPETITION

SEC. 601. INCREASING TRANSPARENCY IN GENERIC DRUG APPLICATIONS.

(a) IN GENERAL.—Section 505(j)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(3)) is amended by adding at the end the following:

''(H)(i) Upon request (in controlled correspondence or otherwise) by a person that has submitted or intends to submit an abbreviated application for a new drug under this subsection for which the Secretary has specified in regulation, including in section 314.94(a)(9) of title 21, Code of Federal Regulations (or any successor regulations), or recommended in applicable guidance, certain qualitative or quantitative criteria with respect to an inactive ingredient, or on the Secretary's own initiative during the review of such abbreviated application, the Secretary shall inform the person whether such new drug is qualitatively and quantitatively the same as the listed drug.

''(ii) Notwithstanding section 301(j), if the Secretary determines that such new drug is not qualitatively or quantitatively the same as the listed drug, the Secretary shall identify and disclose to the person—

''(I) the ingredient or ingredients that cause the new drug not to be qualitatively or quantitatively the same as the listed drug; and

''(II) for any ingredient for which there is an identified quantitative deviation, the amount of such deviation.

''(iii) If the Secretary determines that such new drug is qualitatively and quantitatively the same as the listed drug, the Secretary shall not change or rescind such determination after the submission of an abbreviated application for such new drug under this subsection unless—

''(I) the formulation of the listed drug has been changed and the Secretary has determined that the prior listed drug formulation

was withdrawn for reasons of safety or effectiveness; or

''(II) the Secretary makes a written determination that the prior determination must be changed because an error has been identified.

''(iv) If the Secretary makes a written determination described in clause (iii)(II), the Secretary shall provide notice and a copy of the written determination to the person making the request under clause (i).

''(v) The disclosures required by this subparagraph are disclosures authorized by law including for purposes of section 1905 of title 18, United States Code.''.

(b) GUIDANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue draft guidance, or update guidance, describing how the Secretary will determine whether a new drug is qualitatively and quantitatively the same as the listed drug (as such terms are used in section 505(j)(3)(H) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a)), including with respect to assessing pH adjusters.

(2) PROCESS.—In issuing guidance as required by paragraph (1), the Secretary of Health and Human Services shall—

(A) publish draft guidance;

(B) provide a period of at least 60 days for comment on the draft guidance; and

(C) after considering any comments received, and not later than one year after the close of the comment period on the draft guidance, publish final guidance.

(c) APPLICABILITY.—Section 505(j)(3)(H) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), applies beginning on the date of enactment of this Act, irrespective of the date on which the guidance required by subsection (b) is finalized.

SEC. 602. ENHANCING ACCESS TO AFFORDABLE MEDICINES.

Section 505(j)(10)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(10)(A)) is amended by striking clauses (i) through (iii) and inserting the following:

''(i) a revision to the labeling of the listed drug has been approved by the Secretary within 90 days of when the application is otherwise eligible for approval under this subsection;

''(ii) the sponsor of the application agrees to submit revised labeling for the drug that is the subject of the application not later than 60 days after approval under this subsection of the application;

''(iii) the labeling revision described under clause (i) does not include a change to the 'Warnings' section of the labeling; and''.

TITLE VII—RESEARCH, DEVELOPMENT, AND SUPPLY CHAIN IMPROVEMENTS

Subtitle A—In General

SEC. 701. ANIMAL TESTING ALTERNATIVES.

Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended—

(1) in subsection (b)(5)(B)(i)(II), by striking ''animal'' and inserting ''nonclinical tests'';

(2) in subsection (i)—

(A) in paragraph (1)(A), by striking ''preclinical tests (including tests on animals)'' and inserting ''nonclinical tests''; and

(B) in paragraph (2)(B), by striking ''animal'' and inserting ''nonclinical tests''; and

(3) after subsection (y), by inserting the following:

''(z) NONCLINICAL TEST DEFINED.—For purposes of this section, the term 'nonclinical test' means a test conducted in vitro, in silico, or in chemico, or a nonhuman in vivo test, that occurs before or during the clinical trial phase of the investigation of the safety and effectiveness of a drug. Such test may include the following:

''(1) Cell-based assays.

''(2) Organ chips and microphysiological systems.

''(3) Computer modeling.

''(4) Other nonhuman or human biology-based test methods.

''(5) Animal tests.''.

SEC. 702. EMERGING TECHNOLOGY PROGRAM.

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 201 et seq.) is amended by inserting after section 566 of such Act (21 U.S.C. 360bbb–5) the following:

''SEC. 566A. EMERGING TECHNOLOGY PROGRAM.

''(a) PROGRAM ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish a program to support the adoption of, and improve the development of, innovative approaches to drug product design and manufacturing.

''(2) ACTIONS.—In carrying out the program under paragraph (1), the Secretary may—

''(A) facilitate and increase communication between public and private entities, consortia, and individuals with respect to innovative drug product design and manufacturing;

''(B) solicit information regarding, and conduct or support research on, innovative approaches to drug product design and manufacturing;

''(C) convene meetings with representatives of industry, academia, other Federal agencies, international agencies, and other interested persons, as appropriate;

''(D) convene working groups to support drug product design and manufacturing research and development;

''(E) support education and training for regulatory staff and scientists related to innovative approaches to drug product design and manufacturing;

''(F) advance regulatory science related to the development and review of innovative approaches to drug product design and manufacturing;

''(G) convene or participate in working groups to support the harmonization of international regulatory requirements related to innovative approaches to drug product design and manufacturing; and

''(H) award grants or contracts to carry out or support the program under paragraph (1).

''(3) GRANTS AND CONTRACTS.—To seek a grant or contract under this section, an entity shall submit an application—

''(A) in such form and manner as the Secretary may require; and

''(B) containing such information as the Secretary may require, including a description of—

''(i) how the entity will conduct the activities to be supported through the grant or contract; and

''(ii) how such activities will further research and development related to, or adoption of, innovative approaches to drug product design and manufacturing.

''(b) GUIDANCE.—The Secretary shall—

''(1) issue or update guidance to help facilitate the adoption of, and advance the development of, innovative approaches to drug product design and manufacturing; and

''(2) include in such guidance descriptions of—

''(A) any regulatory requirements related to the development or review of technologies related to innovative approaches to drug product design and manufacturing, including updates and improvements to such technologies after product approval; and

''(B) data that can be used to demonstrate the identity, safety, purity, and potency of drugs manufactured using such technologies.

''(c) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report containing—

''(1) an annual accounting of the allocation of funds made available to carry out this section;

''(2) a description of how Food and Drug Administration staff were utilized to carry out this section and, as applicable, any challenges or limitations related to staffing;

''(3) the number of public meetings held or participated in by the Food and Drug Administration pursuant to this section, including meetings convened as part of a working group described in subparagraph (D) or (G) of subsection (a)(2), and the topics of each such meeting; and

''(4) the number of drug products approved or licensed, after the date of enactment of this section, using an innovative approach to drug product design and manufacturing.

''(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $20,000,000 for each fiscal year 2023 through 2027.''.

SEC. 703. IMPROVING THE TREATMENT OF RARE DISEASES AND CONDITIONS.

(a) REPORT ON ORPHAN DRUG PROGRAM.—

(1) IN GENERAL.—Not later than September 30, 2026, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report summarizing the activities of the Food and Drug Administration related to designating drugs under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb) for a rare disease or condition and approving such drugs under section 505 of such Act (21 U.S.C. 355) or licensing such drugs under section 351 of the Public Health Service Act (42 U.S.C. 262), including—

(A) the number of applications for such drugs under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262) received by the Food and Drug Administration, the number of such applications accepted and rejected for filing, and the number of such applications pending, approved, and disapproved by the Food and Drug Administration;

(B) a description of trends in drug approvals for rare diseases and conditions across review divisions at the Food and Drug Administration;

(C) the extent to which the Food and Drug Administration is consulting with external experts pursuant to section 569(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–8(a)(2)) on topics pertaining to drugs for a rare disease or condition, including how and when any such consultation is occurring; and

(D) the Food and Drug Administration's efforts to promote best practices in the development of novel treatments for rare diseases, including—

(i) reviewer training on rare disease-related policies, methods, and tools; and

(ii) new regulatory science and coordinated support for patient and stakeholder engagement.

(2) PUBLIC AVAILABILITY.—The Secretary shall make the report under paragraph (1) available to the public, including by posting the report on the website of the Food and Drug Administration.

(3) INFORMATION DISCLOSURE.—Nothing in this subsection shall be construed to authorize the disclosure of information that is prohibited from disclosure under section 1905 of title 18, United States Code, or subject to withholding under paragraph (4) of section 552(b) of title 5, United States Code (commonly referred to as the ''Freedom of Information Act'').

(b) STUDY ON EUROPEAN UNION SAFETY AND EFFICACY REVIEWS OF DRUGS FOR RARE DISEASES AND CONDITIONS.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall enter into a contract with an appropriate entity to conduct a study on processes for evaluating the safety and efficacy of drugs for rare diseases or conditions in the United States and the European Union, including—

(A) flexibilities, authorities, or mechanisms available to regulators in the United States and the European Union specific to rare diseases or conditions;

(B) the consideration and use of supplemental data submitted during review processes in the United States and the European Union, including data associated with open label extension studies and expanded access programs specific to rare diseases or conditions;

(C) an assessment of collaborative efforts between United States and European Union regulators related to—

(i) product development programs under review;

(ii) policies under development recently issued; and

(iii) scientific information related to product development or regulation; and

(D) recommendations for how Congress can support collaborative efforts described in subparagraph (C).

(2) CONSULTATION.—The contract under paragraph (1) shall provide for consultation with relevant stakeholders, including—

(A) representatives from the Food and Drug Administration and the European Medicines Agency;

(B) rare disease or condition patients; and

(C) patient groups that—

(i) represent rare disease or condition patients; and

(ii) have international patient outreach.

(3) REPORT.—The contract under paragraph (1) shall provide for, not later than 2 years after the date of entering into such contract—

(A) the completion of the study under paragraph (1); and

(B) the submission of a report on the results of such study to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(4) PUBLIC AVAILABILITY.—The contract under paragraph (1) shall provide for the appropriate entity referred to in paragraph (1) to make the report under paragraph (3) available to the public, including by posting the report on the website of the appropriate entity.

(c) PUBLIC MEETING.—

(1) IN GENERAL.—Not later than December 31, 2023, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall convene one or more public meetings to solicit input from stakeholders regarding the approaches described in paragraph (2).

(2) APPROACHES.—The public meeting or meetings under paragraph (1) shall address approaches to increasing and improving engagement with rare disease or condition patients, groups representing such patients, rare disease or condition experts, and experts on small population studies, in order to improve the understanding with respect to rare diseases or conditions of—

(A) patient burden;

(B) treatment options; and

(C) side effects of treatments, including—

(i) comparing the side effects of treatments; and

(ii) understanding the risks of side effects relative to the health status of the patient and the progression of the disease or condition.

(3) PUBLIC DOCKET.—The Secretary of Health and Human Services shall establish a public docket to receive written comments related to the approaches addressed during each public meeting under paragraph (1). Such public docket shall remain open for 60 days following the date of each such public meeting.

(4) REPORTS.—Not later than 180 days after each public meeting under paragraph (1), the Commissioner of Food and Drugs shall develop and publish on the website of the Food and Drug Administration a report on—

(A) the approaches discussed at the public meeting; and

(B) any related recommendations.

(d) CONSULTATION ON THE SCIENCE OF SMALL POPULATION STUDIES.—Section 569(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–8(a)(2)) is amended by adding at the end the following:

''(C) SMALL POPULATION STUDIES.—The external experts on the list maintained pursuant to subparagraph (A) may include experts on the science of small population studies.''.

(e) STUDY ON SUFFICIENCY AND USE OF FDA MECHANISMS FOR INCORPORATING THE PATIENT AND CLINICIAN PERSPECTIVE IN FDA PROCESSES RELATED TO APPLICATIONS CONCERNING DRUGS FOR RARE DISEASES OR CONDITIONS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the use of Food and Drug Administration mechanisms and tools to ensure that patient and physician perspectives are considered and incorporated throughout the processes of the Food and Drug Administration—

(A) for approving or licensing under section 505 of the Federal Food, Drug, or Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262) a drug designated as a drug for a rare disease or condition under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb); and

(B) in making any determination related to such a drug's approval, including assessment of the drug's—

(i) safety or effectiveness; or

(ii) postapproval safety monitoring.

(2) TOPICS.—The study under paragraph (1) shall—

(A) identify and compare the processes that the Food and Drug Administration has formally put in place and utilized to gather external expertise (including patients, patient groups, and physicians) related to applications for rare diseases or conditions;

(B) examine tools or mechanisms to improve efforts and initiatives of the Food and Drug Administration to collect and consider such external expertise with respect to applications for rare diseases or conditions throughout the application review and approval or licensure processes, including within internal benefit-risk assessments, advisory committee processes, and postapproval safety monitoring; and

(C) examine processes or alternatives to address or resolve conflicts of interest that impede the Food and Drug Administration in gaining external expert input on rare diseases or conditions with a limited set of clinical and research experts.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) complete the study under paragraph (1);

(B) submit a report on the results of such study to the Congress; and

(C) include in such report recommendations, if appropriate, for changes to the processes and authorities of the Food and Drug Administration to improve the collection and consideration of external expert opinions of patients, patient groups, and physicians with expertise in rare diseases or conditions.

(f) DEFINITION.—In this section, the term ''rare disease or condition'' has the meaning given such term in section 526(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb(a)(2)).

SEC. 704. ANTIFUNGAL RESEARCH AND DEVELOPMENT.

(a) DRAFT GUIDANCE.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall issue draft guidance for industry for the purposes of assisting entities seeking approval under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or licensure under section 351 of the Public Health Service Act (42 U.S.C. 262) of antifungal therapies designed to treat coccidioidomycosis (commonly known as Valley Fever).

(b) FINAL GUIDANCE.—Not later than 18 months after the close of the public comment period on the draft guidance issued pursuant to subsection (a), the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall finalize the draft guidance.

(c) WORKSHOP.—To assist entities developing preventive vaccines for fungal infections and coccidioidomycosis, the Secretary of Health and Human Services shall hold a public workshop.

SEC. 705. ADVANCING QUALIFIED INFECTIOUS DISEASE PRODUCT INNOVATION.

(a) IN GENERAL.—Section 505E of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355f) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) an application pursuant to section 351(a) of the Public Health Service Act.'';

(2) in subsection (d)(1), by inserting ''of this Act or section 351(a) of the Public Health Service Act'' after ''section 505(b)''; and

(3) by amending subsection (g) to read as follows:

''(g) QUALIFIED INFECTIOUS DISEASE PRODUCT.—The term 'qualified infectious disease product' means a drug, including an antibacterial or antifungal drug or a biological product, for human use that—

''(1) acts directly on bacteria or fungi or on substances produced by such bacteria or fungi; and

''(2) is intended to treat a serious or life-threatening infection, including such an infection caused by—

''(A) an antibacterial or antifungal resistant pathogen, including novel or emerging infectious pathogens; or

''(B) qualifying pathogens listed by the Secretary under subsection (f).''.

(b) PRIORITY REVIEW.—Section 524A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n–1(a)) is amended by inserting ''of this Act or section 351(a) of the Public Health Service Act that requires clinical data (other than bioavailability studies) to demonstrate safety or effectiveness'' before the period at the end.

SEC. 706. NATIONAL CENTERS OF EXCELLENCE IN ADVANCED AND CONTINUOUS PHARMACEUTICAL MANUFACTURING.

(a) IN GENERAL.—Section 3016 of the 21st Century Cures Act (21 U.S.C. 399h) is amended to read as follows:

"SEC. 3016. NATIONAL CENTERS OF EXCELLENCE IN ADVANCED AND CONTINUOUS PHARMACEUTICAL MANUFACTURING.

''(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs—

''(1) shall solicit and, beginning not later than one year after the date of enactment of the Prescription Drug User Fee Amendments of 2022, receive requests from institutions of higher education, or consortia of institutions of higher education, to be designated as a National Center of Excellence in Advanced and Continuous Pharmaceutical Manufacturing (in this section referred to as a 'National Center of Excellence') to support the advancement, development, and implementation of advanced and continuous pharmaceutical manufacturing; and

''(2) shall so designate not more than 5 institutions of higher education or consortia of such institutions that—

''(A) request such designation; and

''(B) meet the criteria specified in subsection (c).

''(b) REQUEST FOR DESIGNATION.—A request for designation under subsection (a) shall be made to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Any such request shall include a description of how the institution of higher education, or consortium of institutions of higher education, meets or plans to meet each of the criteria specified in subsection (c).

''(c) CRITERIA FOR DESIGNATION DESCRIBED.—The criteria specified in this subsection with respect to an institution of higher education, or consortium of institutions of higher education, are that the institution or consortium has, as of the date of the submission of a request under subsection (a) by such institution or consortium—

''(1) physical and technical capacity for research, development, implementation, and demonstration of advanced and continuous pharmaceutical manufacturing;

''(2) manufacturing knowledge-sharing networks with other institutions of higher education, large and small pharmaceutical manufacturers, generic and nonprescription manufacturers, contract manufacturers, and other relevant entities;

''(3) proven capacity to design, develop, implement, and demonstrate new, highly effective technologies for use in advanced and continuous pharmaceutical manufacturing;

''(4) a track record for creating, preserving, and transferring knowledge with respect to advanced and continuous pharmaceutical manufacturing;

''(5) the proven ability to facilitate training of an adequate future workforce for research on, and implementation of, advanced and continuous pharmaceutical manufacturing; and

''(6) experience in participating in and leading advanced and continuous pharmaceutical manufacturing technology partnerships with other institutions of higher education, large and small pharmaceutical manufacturers, generic and nonprescription manufacturers, contract manufacturers, and other relevant entities—

''(A) to support companies seeking to implement advanced and continuous pharmaceutical manufacturing in the United States;

''(B) to support Federal agencies with technical assistance and employee training, which may include regulatory and quality metric guidance as applicable, and hands-on training, for advanced and continuous pharmaceutical manufacturing;

''(C) with respect to advanced and continuous pharmaceutical manufacturing, to organize and conduct research and development activities needed to create new and more effective technology, develop and share knowledge, create intellectual property, and maintain technological leadership;

''(D) to develop best practices for designing and implementing advanced and continuous pharmaceutical manufacturing processes; and

''(E) to assess and respond to the national workforce needs for advanced and continuous pharmaceutical manufacturing, including the development and implementing of training programs.

''(d) TERMINATION OF DESIGNATION.—The Secretary may terminate the designation of any National Center of Excellence designated under this section if the Secretary determines such National Center of Excellence no longer meets the criteria specified in subsection (c). Not later than 90 days before the effective date of such a termination, the Secretary shall provide written notice to the National Center of Excellence, including the rationale for such termination.

''(e) CONDITIONS FOR DESIGNATION.—As a condition of designation as a National Center of Excellence under this section, the Secretary shall require that an institution of higher education or consortium of institutions of higher education enter into an agreement with the Secretary under which the institution or consortium agrees—

''(1) to collaborate directly with the Food and Drug Administration to publish the reports required by subsection (g);

''(2) to share data with the Food and Drug Administration regarding best practices and research generated through the funding under subsection (f);

''(3) to develop, along with industry partners (which may include large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract research organizations or contract manufacturers that carry out drug development and manufacturing activities) and another institution or consortium designated under this section, if any, a roadmap for developing an advanced and continuous pharmaceutical manufacturing workforce;

''(4) to develop, along with industry partners and other institutions or consortia of such institutions designated under this section, a roadmap for strengthening existing, and developing new, relationships with other institutions of higher education or consortia thereof; and

''(5) to provide an annual report to the Food and Drug Administration regarding the institution's or consortium's activities under this section, including a description of how the institution or consortium continues to meet and make progress on the criteria specified in subsection (c).

''(f) FUNDING.—

''(1) IN GENERAL.—The Secretary shall award funding, through grants, contracts, or cooperative agreements, to the National Centers of Excellence designated under this section for the purpose of studying and recommending improvements to advanced and continuous pharmaceutical manufacturing, including such improvements as may enable the Centers—

''(A) to continue to meet the conditions specified in subsection (e);

''(B) to expand capacity for research on, and development of, advanced and continuous pharmaceutical manufacturing; and

''(C) to implement research infrastructure in advanced and continuous pharmaceutical manufacturing suitable for accelerating the development of drug products needed to respond to emerging medical threats, such as emerging drug shortages, quality issues disrupting the supply chain, epidemics and pandemics, and other such situations requiring the rapid development of new products or new manufacturing processes.

''(2) CONSISTENCY WITH FDA MISSION.—As a condition on receipt of funding under this subsection, a National Center of Excellence shall agree to consider any input from the Secretary regarding the use of funding that would—

''(A) help to further the advancement of advanced and continuous pharmaceutical manufacturing through the National Center of Excellence; and

''(B) be relevant to the mission of the Food and Drug Administration.

''(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as precluding a National Center for Excellence designated under this section from receiving funds under any other provision of this Act or any other Federal law.

''(g) ANNUAL REVIEW AND REPORTS.—

''(1) ANNUAL REPORT.—Beginning not later than one year after the date on which the first designation is made under subsection (a), and annually thereafter, the Secretary shall—

''(A) submit to Congress a report describing the activities, partnerships and collaborations, Federal policy recommendations, previous and continuing funding, and findings of, and any other applicable information from, the National Centers of Excellence designated under this section;

''(B) include in such report an accounting of the Federal administrative expenses described in subsection (i)(2) over the reporting period; and

''(C) make such report available to the public in an easily accessible electronic format on the website of the Food and Drug Administration.

''(2) REVIEW OF NATIONAL CENTERS OF EXCELLENCE AND POTENTIAL DESIGNEES.—The Secretary shall periodically review the National Centers of Excellence designated under this section to ensure that such National Centers of Excellence continue to meet the criteria for designation under this section.

''(3) REPORT ON LONG-TERM VISION OF FDA ROLE.—Not later than 2 years after the date on which the first designation is made under subsection (a), the Secretary, in consultation with the National Centers of Excellence designated under this section, shall submit a report to the Congress on the long-term vision of the Department of Health and Human Services on the role of the Food and Drug Administration in supporting advanced and continuous pharmaceutical manufacturing, including—

''(A) a national framework of principles related to the implementation and regulation of advanced and continuous pharmaceutical manufacturing;

''(B) a plan for the development of Federal regulations and guidance for how advanced and continuous pharmaceutical manufacturing can be incorporated into the development of pharmaceuticals and regulatory responsibilities of the Food and Drug Administration;

''(C) a plan for development of Federal regulations or guidance for how advanced and continuous pharmaceutical manufacturing will be reviewed by the Food and Drug Administration; and

''(D) appropriate feedback solicited from the public, which may include other institutions of higher education, large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract manufacturers.

''(h) DEFINITIONS.—In this section:

''(1) ADVANCED.—The term 'advanced', with respect to pharmaceutical manufacturing, refers to an approach that incorporates novel technology, or uses an established technique or technology in a new or innovative way,

that enhances drug quality or improves the performance of a manufacturing process.

''(2) CONTINUOUS.—The term 'continuous', with respect to pharmaceutical manufacturing, refers to a process—

''(A) where the input materials are continuously fed into and transformed within the process, and the processed output materials are continuously removed from the system; and

''(B) that consists of an integrated process that consists of a series of two or more simultaneous unit operations.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

''(4) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs.

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $100,000,000 for the period of fiscal years 2023 through 2027.

''(2) FEDERAL ADMINISTRATIVE EXPENSES.—Of the amounts made available to carry out this section for a fiscal year, the Secretary shall not use more than eight percent for Federal administrative expenses, including training, technical assistance, reporting, and evaluation.''.

(b) TRANSITION RULE.—Section 3016 of the 21st Century Cures Act (21 U.S.C. 399h), as in effect on the day before the date of the enactment of this section, shall apply with respect to grants awarded under such section before such date of enactment.

(c) CLERICAL AMENDMENT.—The item relating to section 3016 in the table of contents in section 1(b) of the 21st Century Cures Act (Public Law 114–255) is amended to read as follows:

''Sec. 3016. National Centers of Excellence in Advanced and Continuous Pharmaceutical Manufacturing.''.

SEC. 707. ADVANCED MANUFACTURING TECHNOLOGIES DESIGNATION PILOT PROGRAM.

Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 506J (21 U.S.C. 356j) the following:

''SEC. 506K. ADVANCED MANUFACTURING TECHNOLOGIES DESIGNATION PILOT PROGRAM.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall initiate a pilot program under which persons may request designation of an advanced manufacturing technology as described in subsection (b).

''(b) DESIGNATION PROCESS.—The Secretary shall establish a process for the designation under this section of methods of manufacturing drugs, including biological products, and active pharmaceutical ingredients of such drugs, as advanced manufacturing technologies. A method of manufacturing, or a combination of manufacturing methods, is eligible for designation as an advanced manufacturing technology if such method or combination of methods incorporates a novel technology, or uses an established technique or technology in a novel way, that will substantially improve the manufacturing process for a drug and maintain equivalent or provide superior drug quality, including by—

''(1) reducing development time for a drug using the designated manufacturing method; or

''(2) increasing or maintaining the supply of—

''(A) a drug that is described in section 506C(a) and is intended to treat a serious or life-threatening condition; or

''(B) a drug that is on the drug shortage list under section 506E.

''(c) EVALUATION AND DESIGNATION OF AN ADVANCED MANUFACTURING TECHNOLOGY.—

''(1) SUBMISSION.—A person who requests designation of a method of manufacturing as an advanced manufacturing technology under this section shall submit to the Secretary data or information demonstrating that the method of manufacturing meets the criteria described in subsection (b) in a particular context of use. The Secretary may facilitate the development and review of such data or information by—

''(A) providing timely advice to, and interactive communication with, such person regarding the development of the method of manufacturing; and

''(B) involving senior managers and experienced staff of the Food and Drug Administration, as appropriate, in a collaborative, cross-disciplinary review of the method of manufacturing, as applicable.

''(2) EVALUATION AND DESIGNATION.—Not later than 180 calendar days after the receipt of a request under paragraph (1), the Secretary shall determine whether to designate such method of manufacturing as an advanced manufacturing technology, in a particular context of use, based on the data and information submitted under paragraph (1) and the criteria described in subsection (b).

''(d) REVIEW OF ADVANCED MANUFACTURING TECHNOLOGIES.—If the Secretary designates a method of manufacturing as an advanced manufacturing technology, the Secretary shall—

''(1) expedite the development and review of an application submitted under section 505 of this Act or section 351 of the Public Health Service Act, including supplemental applications, for drugs that are manufactured using a designated advanced manufacturing technology and could help mitigate or prevent a shortage or substantially improve manufacturing processes for a drug and maintain equivalent or provide superior drug quality, as described in subsection (b); and

''(2) allow the holder of an advanced technology designation, or a person authorized by the advanced manufacturing technology designation holder, to reference or rely upon, in an application submitted under section 505 of this Act or section 351 of the Public Health Service Act, including a supplemental application, data and information about the designated advanced manufacturing technology for use in manufacturing drugs in the same context of use for which the designation was granted.

''(e) IMPLEMENTATION AND EVALUATION OF ADVANCED MANUFACTURING TECHNOLOGIES PILOT.—

''(1) PUBLIC MEETING.—The Secretary shall publish in the Federal Register a notice of a public meeting, to be held not later than 180 days after the date of enactment of this section, to discuss and obtain input and recommendations from relevant stakeholders regarding—

''(A) the goals and scope of the pilot program, and a suitable framework, procedures, and requirements for such program; and

''(B) ways in which the Food and Drug Administration will support the use of advanced manufacturing technologies and other innovative manufacturing approaches for drugs.

''(2) PILOT PROGRAM GUIDANCE.—

''(A) IN GENERAL.—The Secretary shall—

''(i) not later than 180 days after the public meeting under paragraph (1), issue draft guidance regarding the goals and implementation of the pilot program under this section; and

''(ii) not later than 2 years after the date of enactment of this section, issue final guidance regarding the implementation of such program.

''(B) CONTENT.—The guidance described in subparagraph (A) shall address—

''(i) the process by which a person may request a designation under subsection (b);

''(ii) the data and information that a person requesting such a designation is required to submit under subsection (c), and how the Secretary intends to evaluate such submissions;

''(iii) the process to expedite the development and review of applications under subsection (d); and

''(iv) the criteria described in subsection (b) for eligibility for such a designation.

''(3) REPORT.—Not later than 3 years after the date of enactment of this section and annually thereafter, the Secretary shall publish on the website of the Food and Drug Administration and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report containing a description and evaluation of the pilot program being conducted under this section, including the types of innovative manufacturing approaches supported under the program. Such report shall include the following:

''(A) The number of persons that have requested designations and that have been granted designations.

''(B) The number of methods of manufacturing that have been the subject of designation requests and that have been granted designations.

''(C) The average number of calendar days for completion of evaluations under subsection (c)(2).

''(D) An analysis of the factors in data submissions that are relevant to determinations to designate and not to designate after evaluation under subsection (c)(2).

''(E) The number of applications received under section 505 of this Act or section 351 of the Public Health Service Act, including supplemental applications, that have included an advanced manufacturing technology designated under this section, and the number of such applications approved.

''(f) SUNSET.—The Secretary—

''(1) may not consider any requests for designation submitted under subsection (c) after October 1, 2029; and

''(2) may continue all activities under this section with respect to advanced manufacturing technologies that were designated pursuant to subsection (d) prior to such date, if the Secretary determines such activities are in the interest of the public health.''.

SEC. 708. PUBLIC WORKSHOP ON CELL THERAPIES.

Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall convene a public workshop with relevant stakeholders to discuss best practices on generating scientific data necessary to further facilitate the development of certain human cell-, tissue-, and cellular-based medical products (and the latest scientific information about such products) that are regulated as drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and biological products under section 351 of the Public Health Service Act (42 U.S.C. 262), namely, stem-cell and other cellular therapies.

SEC. 709. REAUTHORIZATION OF BEST PHARMACEUTICALS FOR CHILDREN.

Section 409I(d)(1) of the Public Health Service Act (42 U.S.C. 284m(d)(1)) is amended by striking ''2018 through 2022'' and inserting ''2023 through 2027''.

SEC. 710. REAUTHORIZATION FOR HUMANITARIAN DEVICE EXEMPTION AND DEMONSTRATION GRANTS FOR IMPROVING PEDIATRIC AVAILABILITY.

(a) HUMANITARIAN DEVICE EXEMPTION.—Section 520(m)(6)(A)(iv) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(m)(6)(A)(iv)) is amended by striking ''2022'' and inserting ''2027''.

(b) PEDIATRIC MEDICAL DEVICE SAFETY AND IMPROVEMENT ACT.—Section 305(e) of the Pediatric Medical Device Safety and Improvement Act of 2007 (Public Law 110–85) is amended by striking ''2018 through 2022'' and inserting ''2023 through 2027''.

SEC. 711. REAUTHORIZATION OF PROVISION RELATED TO EXCLUSIVITY OF CERTAIN DRUGS CONTAINING SINGLE ENANTIOMERS.

Section 505(u)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(u)(4)) is amended by striking ''2022'' and inserting ''2027''.

SEC. 712. REAUTHORIZATION OF THE CRITICAL PATH PUBLIC-PRIVATE PARTNERSHIP PROGRAM.

Section 566(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–5(f)) is amended by striking ''$6,000,000 for each of fiscal years 2018 through 2022'' and inserting ''$10,000,000 for each of fiscal years 2023 through 2027''.

SEC. 713. REAUTHORIZATION OF ORPHAN DRUG GRANTS.

Section 5 of the Orphan Drug Act (21 U.S.C. 360ee) is amended—

(1) in subsection (a)—

(A) by striking ''and (3)'' and inserting ''(3)''; and

(B) by inserting before the period at the end the following: '', and (4) developing regulatory science pertaining to the chemistry, manufacturing, and controls of individualized medical products to treat individuals with rare diseases or conditions''; and

(2) in subsection (c), by striking ''2018 through 2022'' and inserting ''2023 through 2027''.

SEC. 714. RESEARCH INTO PEDIATRIC USES OF DRUGS; ADDITIONAL AUTHORITIES OF FOOD AND DRUG ADMINISTRATION REGARDING MOLECULARLY TARGETED CANCER DRUGS.

(a) IN GENERAL.—

(1) ADDITIONAL ACTIVE INGREDIENT FOR APPLICATION DRUG; LIMITATION REGARDING NOVEL-COMBINATION APPLICATION DRUG.—Section 505B(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)(3)) is amended—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(B) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—For purposes of paragraph (1)(B), the investigation described in this paragraph is (as determined by the Secretary) a molecularly targeted pediatric cancer investigation of—

''(i) the drug or biological product for which the application referred to in such paragraph is submitted; or

''(ii) such drug or biological product in combination with—

''(I) an active ingredient of a drug or biological product—

''(aa) for which an approved application under section 505(j) under this Act or under section 351(k) of the Public Health Service Act is in effect; and

''(bb) that is determined by the Secretary to be the standard of care for treating a pediatric cancer; or

''(II) an active ingredient of a drug or biological product—

''(aa) for which an approved application under section 505(b) of this Act or section 351(a) of the Public Health Service Act to treat an adult cancer is in effect and is held by the same person submitting the application under paragraph (1)(B); and

''(bb) that is directed at a molecular target that the Secretary determines to be substantially relevant to the growth or progression of a pediatric cancer.

''(B) ADDITIONAL REQUIREMENTS.—

''(i) DESIGN OF INVESTIGATION.—A molecularly targeted pediatric cancer investigation referred to in subparagraph (A) shall be designed to yield clinically meaningful pediatric study data that is gathered using appropriate formulations for each age group for which the study is required, regarding dosing, safety, and preliminary efficacy to inform potential pediatric labeling.

''(ii) LIMITATION.—An investigation described in subparagraph (A)(ii) may be required only if the drug or biological product for which the application referred to in paragraph (1)(B) contains either—

''(I) a single new active ingredient; or

''(II) more than one active ingredient, if an application for the combination of active ingredients has not previously been approved but each active ingredient has been previously approved to treat an adult cancer.

''(iii) RESULTS OF ALREADY-COMPLETED PRECLINICAL STUDIES OF APPLICATION DRUG.—The Secretary may require that reports on an investigation required pursuant to paragraph (1)(B) include the results of all preclinical studies on which the decision to conduct such investigation was based.

''(iv) RULE OF CONSTRUCTION REGARDING INACTIVE INGREDIENTS.—With respect to a combination of active ingredients referred to in subparagraph (A)(ii), such subparagraph shall not be construed as addressing the use of inactive ingredients with such combination.''.

(2) DETERMINATION OF APPLICABLE REQUIREMENTS.—Section 505B(e)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)(1)) is amended by adding at the end the following: ''The Secretary shall determine whether subparagraph (A) or (B) of subsection (a)(1) shall apply with respect to an application before the date on which the applicant is required to submit the initial pediatric study plan under paragraph (2)(A).''.

(3) CLARIFYING APPLICABILITY.—Section 505B(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)(1)) is amended by adding at the end the following:

''(C) RULE OF CONSTRUCTION.—No application that is subject to the requirements of subparagraph (B) shall be subject to the requirements of subparagraph (A), and no application (or supplement to an application) that is subject to the requirements of subparagraph (A) shall be subject to the requirements of subparagraph (B).''.

(4) CONFORMING AMENDMENTS.—Section 505B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)) is amended—

(A) in paragraph (3)(C), as redesignated by paragraph (1)(A) of this subsection, by striking ''investigations described in this paragraph'' and inserting ''investigations referred to in subparagraph (A)''; and

(B) in paragraph (3)(D), as redesignated by paragraph (1)(A) of this subsection, by striking ''the assessments under paragraph (2)(B)'' and inserting ''the assessments required under paragraph (1)(A)''.

(b) GUIDANCE.—The Secretary shall—

(1) not later than 12 months after the date of enactment of this Act, issue draft guidance on the implementation of the requirements in subsection (a); and

(2) not later than 12 months after closing the comment period on such draft guidance, finalize such guidance.

(c) APPLICABILITY.—The amendments made by this section apply with respect to any application under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) and any application under section 351(a) of the Public Health Service Act (42 U.S.C. 262), that is submitted on or after the date that is 3 years after the date of enactment of this Act.

(d) REPORTS TO CONGRESS.—

(1) SECRETARY OF HEALTH AND HUMAN SERVICES.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the Secretary's efforts, in coordination with industry, to ensure implementation of the amendments made by subsection (a).

(2) GAO STUDY AND REPORT.—

(A) STUDY.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of the effectiveness of requiring assessments and investigations described in section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.355c), as amended by subsection (a), in the development of drugs and biological products for pediatric cancer indications.

(B) FINDINGS.—Not later than 7 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report containing the findings of the study conducted under subparagraph (A).

Subtitle B—Inspections

SEC. 721. FACTORY INSPECTION.

(a) IN GENERAL.—Section 704(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)(1)) is amended by striking ''restricted devices'' each place it appears and inserting ''devices''.

(b) RECORDS OR OTHER INFORMATION.—

(1) ESTABLISHMENTS.—Section 704(a)(4)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)(4)(A)) is amended—

(A) by striking ''an establishment that is engaged in the manufacture, preparation, propagation, compounding, or processing of a drug'' and inserting ''an establishment that is engaged in the manufacture, preparation, propagation, compounding, or processing of a drug or device, or that is subject to inspection under paragraph (5)(C),''; and

(B) by inserting after ''a sufficient description of the records requested'' the following: ''and a rationale for requesting such records or other information in advance of, or in lieu of, an inspection''.

(2) GUIDANCE.—

(A) IN GENERAL.—The Secretary of Health and Human Services shall issue or update guidance describing—

(i) circumstances in which the Secretary intends to issue requests for records or other information in advance of, or in lieu of, an inspection under section 704(a)(4) of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (1);

(ii) processes for responding to such requests electronically or in physical form; and

(iii) factors the Secretary intends to consider in evaluating whether such records and other information are provided within a reasonable timeframe, within reasonable limits, and in a reasonable manner, accounting for resource and other limitations that may exist, including for small businesses.

(B) TIMING.—The Secretary of Health and Human Services shall—

(i) not later than 1 year after the date of enactment of this Act, issue draft guidance under subparagraph (A); and

(ii) not later than 1 year after the close of the comment period for such draft guidance, issue final guidance under subparagraph (A).

(c) BIORESEARCH MONITORING INSPECTIONS.—

(1) IN GENERAL.—Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) is amended by adding at the end the following:

''(5) BIORESEARCH MONITORING INSPECTIONS.—

''(A) IN GENERAL.—The Secretary may, to ensure the accuracy and reliability of studies and records or other information described in subparagraph (B) and to assess compliance with applicable requirements under this Act or the Public Health Service Act, enter sites and facilities specified in subparagraph (C) in order to inspect such records or other information.

''(B) INFORMATION SUBJECT TO INSPECTION.—An inspection under this paragraph shall extend to all records and other information related to the studies and submissions described in subparagraph (E), including records and information related to the conduct, results, and analyses of, and the protection of human and animal trial participants participating in, such studies.

''(C) SITES AND FACILITIES SUBJECT TO INSPECTION.—

''(i) SITES AND FACILITIES DESCRIBED.—The sites and facilities subject to inspection by the Secretary under this paragraph are those owned or operated by a person described in clause (ii) and which are (or were) utilized by such person in connection with—

''(I) developing an application or other submission to the Secretary under this Act or the Public Health Service Act related to marketing authorization for a product described in paragraph (1);

''(II) preparing, conducting, or analyzing the results of a study described in subparagraph (E); or

''(III) holding any records or other information described in subparagraph (B).

''(ii) PERSONS DESCRIBED.—A person described in this clause is—

''(I) the sponsor of an application or submission specified in subparagraph (E);

''(II) a person engaged in any activity described in clause (i) on behalf of such a sponsor, through a contract, grant, or other business arrangement with such sponsor;

''(III) an institutional review board, or other individual or entity, engaged by contract, grant, or other business arrangement with a nonsponsor in preparing, collecting, or analyzing records or other information described in subparagraph (B); or

''(IV) any person not otherwise described in this clause that conducts, or has conducted, a study described in subparagraph (E) yielding records or other information described in subparagraph (B).

''(D) CONDITIONS OF INSPECTION.—

''(i) ACCESS TO INFORMATION SUBJECT TO INSPECTION.—Subject to clause (ii), an entity that owns or operates any site or facility subject to inspection under this paragraph shall provide the Secretary with access to records and other information described in subparagraph (B) that is held by or under the control of such entity, including—

''(I) permitting the Secretary to record or copy such information for purposes of this paragraph;

''(II) providing the Secretary with access to any electronic information system utilized by such entity to hold, process, analyze, or transfer any records or other information described in subparagraph (B); and

''(III) permitting the Secretary to inspect the facilities, equipment, written procedures, processes, and conditions through which records or other information described in subparagraph (B) is or was generated, held, processed, analyzed, or transferred.

''(ii) NO EFFECT ON APPLICABILITY OF PROVISIONS FOR PROTECTION OF PROPRIETARY INFORMATION OR TRADE SECRETS.—Nothing in clause (i) shall negate, supersede, or otherwise affect the applicability of provisions, under this or any other Act, preventing or limiting the disclosure of confidential commercial information or other information considered proprietary or trade secret.

''(iii) REASONABLENESS OF INSPECTIONS.—An inspection under this paragraph shall be conducted at reasonable times and within reasonable limits and in a reasonable manner.

''(E) STUDIES AND SUBMISSIONS DESCRIBED.—The studies and submissions described in this subparagraph are each of the following:

''(i) Clinical and nonclinical studies submitted to the Secretary in support of, or otherwise related to, applications and other submissions to the Secretary under this Act or the Public Health Service Act for marketing authorization of a product described in paragraph (1).

''(ii) Postmarket safety activities conducted under this Act or the Public Health Service Act.

''(iii) Any other clinical investigation of—

''(I) a drug subject to section 505 or 512 of this Act or section 351 of the Public Health Service Act; or

''(II) a device subject to section 520(g).

''(iv) Any other submissions made under this Act or the Public Health Service Act with respect to which the Secretary determines an inspection under this paragraph is warranted in the interest of public health.

''(F) CLARIFICATION.—This paragraph clarifies the authority of the Secretary to conduct inspections of the type described in this paragraph and shall not be construed as a basis for inferring that, prior to the date of enactment of this paragraph, the Secretary lacked the authority to conduct such inspections, including under this Act or the Public Health Service Act.''.

(2) REVIEW OF PROCESSES AND PRACTICES; GUIDANCE FOR INDUSTRY.—

(A) IN GENERAL.—The Secretary of Health and Human Services shall—

(i) review processes and practices in effect as of the date of enactment of this Act applicable to inspections of foreign and domestic sites and facilities described in subparagraph (C)(i) of section 704(a)(5) of the Federal Food, Drug, and Cosmetic Act, as added by paragraph (1); and

(ii) evaluate whether any updates are needed to facilitate the consistency of such processes and practices.

(B) GUIDANCE.—

(i) IN GENERAL.—The Secretary of Health and Human Services shall issue guidance describing the processes and practices applicable to inspections of sites and facilities described in subparagraph (C)(i) of section 704(a)(5) of the Federal Food, Drug, and Cosmetic Act, as added by paragraph (1), including with respect to the types of records and information required to be provided, best practices for communication between the Food and Drug Administration and industry in advance of or during an inspection or request for records or other information, and other inspections-related conduct, to the extent not specified in existing publicly available Food and Drug Administration guides and manuals for such inspections.

(ii) TIMING.—The Secretary of Health and Human Services shall—

(I) not later than 18 months after the date of enactment of this Act, issue draft guidance under clause (i); and

(II) not later than 1 year after the close of the public comment period for such draft guidance, issue final guidance under clause (i).

SEC. 722. USES OF CERTAIN EVIDENCE.

Section 703 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 373) is amended by adding at the end the following:

''(c) APPLICABILITY.—The limitations on the Secretary's use of evidence obtained under this section, or any evidence which is directly or indirectly derived from such evidence, in a criminal prosecution of the person from whom such evidence was obtained shall not apply to evidence, including records or other information, obtained under authorities other than this section, unless such limitations are specifically incorporated by reference in such other authorities.''.

SEC. 723. IMPROVING FDA INSPECTIONS.

(a) RISK FACTORS FOR ESTABLISHMENTS.—Section 510(h)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(h)(4)) is amended—

(1) by redesignating subparagraph (F) as subparagraph (G); and

(2) by inserting after subparagraph (E) the following:

''(F) The compliance history of establishments in the country or region in which the establishment is located that are subject to regulation under this Act, including the history of violations related to products exported from such country or region that are subject to such regulation.''.

(b) USE OF RECORDS.—Section 704(a)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)(4)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

''(C) The Secretary may rely on any records or other information that the Secretary may inspect under this section to satisfy requirements that may pertain to a preapproval or risk-based surveillance inspection, or to resolve deficiencies identified during such inspections, if applicable and appropriate.''.

(c) RECOGNITION OF FOREIGN GOVERNMENT INSPECTIONS.—Section 809 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384e) is amended—

(1) in subsection (a)(1), by inserting ''preapproval or'' before ''risk-based inspections''; and

(2) by adding at the end the following:

''(c) PERIODIC REVIEW.—

''(1) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of the Food and Drug Amendments of 2022, the Secretary shall periodically assess whether additional arrangements and agreements with a foreign government or an agency of a foreign government, as allowed under this section, are appropriate.

''(2) REPORTS TO CONGRESS.—Beginning not later than 4 years after the date of the enactment of the Food and Drug Amendments of 2022, and every 4 years thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report describing the findings and conclusions of each review conducted under paragraph (1).''.

SEC. 724. GAO REPORT ON INSPECTIONS OF FOREIGN ESTABLISHMENTS MANUFACTURING DRUGS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on inspections conducted by—

(1) the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') of foreign establishments pursuant to subsections (h) and (i) of section 510 and section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360; 374); or

(2) a foreign government or an agency of a foreign government pursuant to section 809 of such Act (21 U.S.C. 384e).

(b) CONTENTS.—The report conducted under subsection (a) shall include—

(1) what alternative tools, including remote inspections or remote evaluations, other countries are utilizing to facilitate inspections of foreign establishments;

(2) how frequently trusted foreign regulators conduct inspections of foreign facilities that could be useful to the Food and Drug Administration to review in lieu of its own inspections;

(3) how frequently and under what circumstances, including for what types of inspections, the Secretary utilizes existing agreements or arrangements under section 809 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384e) and whether the use of such agreements could be appropriately expanded;

(4) whether the Secretary has accepted reports of inspections of facilities in China and India conducted by entities with which they have entered into such an agreement or arrangement;

(5) what additional foreign governments or agencies of foreign governments the Secretary has considered entering into a mutual recognition agreement with and, if applicable, reasons why the Secretary declined to enter into a mutual recognition agreement with such foreign governments or agencies;

(6) what tools, if any, the Secretary used to facilitate inspections of domestic facilities that could also be effectively utilized to appropriately inspect foreign facilities;

(7) what steps the Secretary has taken to identify and evaluate tools and strategies the Secretary may use to continue oversight with respect to inspections when in-person inspections are disrupted;

(8) how the Secretary is considering incorporating alternative tools into the inspection activities conducted pursuant to the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); and

(9) what steps the Secretary has taken to identify and evaluate how the Secretary may use alternative tools to address workforce shortages to carry out such inspection activities.

SEC. 725. UNANNOUNCED FOREIGN FACILITY INSPECTIONS PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall conduct a pilot program under which the Secretary increases the conduct of unannounced surveillance inspections of foreign human drug establishments and evaluates the differences between such inspections of domestic and foreign human drug establishments, including the impact of announcing inspections to persons who own or operate foreign human drug establishments in advance of an inspection. Such pilot program shall evaluate—

(1) differences in the number and type of violations of section 501(a)(2)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(a)(2)(B)) identified as a result of unannounced and announced inspections of foreign human drug establishments and any other significant differences between each type of inspection;

(2) costs and benefits associated with conducting announced and unannounced inspections of foreign human drug establishments;

(3) barriers to conducting unannounced inspections of foreign human drug establishments and any challenges to achieving parity between domestic and foreign human drug establishment inspections; and

(4) approaches for mitigating any negative effects of conducting announced inspections of foreign human drug establishments.

(b) PILOT PROGRAM SCOPE.—The inspections evaluated under the pilot program under this section shall be routine surveillance inspections and shall not include inspections conducted as part of the Secretary's evaluation of a request for approval to market a drug submitted under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Public Health Service Act (42 U.S.C. 201 et seq.).

(c) PILOT PROGRAM INITIATION.—The Secretary shall initiate the pilot program under this section not later than 180 days after the date of enactment of this Act.

(d) REPORT.—The Secretary shall, not later than 180 days following the completion of the pilot program under this section, make available on the website of the Food and Drug Administration a final report on the pilot program under this section, including—

(1) findings and any associated recommendations with respect to the evaluation under subsection (a), including any recommendations to address identified barriers to conducting unannounced inspections of foreign human drug establishments;

(2) findings and any associated recommendations regarding how the Secretary may achieve parity between domestic and foreign human drug inspections; and

(3) the number of unannounced inspections during the pilot program that would not be unannounced under existing practices.

SEC. 726. REAUTHORIZATION OF INSPECTION PROGRAM.

Section 704(g)(11) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(g)(11)) is amended by striking ''2022'' and inserting ''2027''.

SEC. 727. ENHANCING INTRA-AGENCY COORDINATION AND PUBLIC HEALTH ASSESSMENT WITH REGARD TO COMPLIANCE ACTIVITIES.

(a) COORDINATION.—Section 506D of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356d) is amended by adding at the end the following:

''(g) COORDINATION.—The Secretary shall ensure timely and effective internal coordination and alignment among the field investigators of the Food and Drug Administration and the staff of the Center for Drug Evaluation and Research's Office of Compliance and Drug Shortage Program regarding—

''(1) the reviews of reports shared pursuant to section 704(b)(2); and

''(2) any feedback or corrective or preventive actions in response to such reports.''.

(b) REPORTING.—

(1) IN GENERAL.—Section 506C–1(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c–1(a)(2)) is amended to read as follows:

''(2)(A) describes the communication between the field investigators of the Food and Drug Administration and the staff of the Center for Drug Evaluation and Research's Office of Compliance and Drug Shortage Program, including the Food and Drug Administration's procedures for enabling and ensuring such communication;

''(B) provides the number of reports described in section 704(b)(2) that were required to be sent to the appropriate offices of the Food and Drug Administration and the number of such reports that were sent; and

''(C) describes the coordination and alignment activities undertaken pursuant to section 506D(g);''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply with respect to reports submitted on or after March 31, 2023.

SEC. 728. REPORTING OF MUTUAL RECOGNITION AGREEMENTS FOR INSPECTIONS AND REVIEW ACTIVITIES.

(a) IN GENERAL.—Not later than December 31, 2022, and annually thereafter, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall publish a report on the public website of the Food and Drug Administration on the utilization of agreements entered into pursuant to section 809 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384e) or otherwise entered into by the Secretary in the previous fiscal year to recognize inspections between drug regulatory authorities across countries and international regions with analogous review criteria to the Food and Drug Administration, such as the Pharmaceutical Inspection Co-Operation Scheme, the Mutual Recognition Agreement with the European Union, and the Australia-Canada-Singapore-Switzerland-United Kingdom Consortium.

(b) CONTENT.—The report under subsection (a) shall include each of the following:

(1) The total number of establishments that are registered under section 510(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(i)), and the number of such establishments in each region of interest.

(2) The total number of inspections conducted at establishments described in paragraph (1), disaggregated by inspections conducted—

(A) pursuant to an agreement or other recognition described in subsection (a); and

(B) by employees or contractors of the Food and Drug Administration.

(3) Of the inspections described in paragraph (2), the total number of inspections in each region of interest.

(4) Of the inspections in each region of interest reported pursuant to paragraph (3), the number of inspections in each FDA inspection category.

(5) Of the number of inspections reported under each of paragraphs (3) and (4)—

(A) the number of inspections which have been conducted pursuant to an agreement or other recognition described in subsection (a); and

(B) the number of inspections which have been conducted by employees or contractors of the Food and Drug Administration.

(c) DEFINITIONS.—In this section:

(1) FDA INSPECTION CATEGORY.—The term ''FDA inspection category'' means the following inspection categories:

(A) Inspections to support approvals of changes to the manufacturing process of drugs approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262).

(B) Surveillance inspections.

(C) For-cause inspections.

(2) REGION OF INTEREST.—The term ''region of interest'' means China, India, the European Union, and any other geographic region as the Secretary determines appropriate.

SEC. 729. ENHANCING TRANSPARENCY OF DRUG FACILITY INSPECTION TIMELINES.

Section 902 of the FDA Reauthorization Act of 2017 (21 U.S.C. 355 note) is amended to read as follows:

''SEC. 902. ANNUAL REPORT ON INSPECTIONS.

''Not later than 120 days after the end of each fiscal year, the Secretary of Health and Human Services shall post on the public website of the Food and Drug Administration information related to inspections of facilities necessary for approval of a drug under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), approval of a device under section 515 of such Act (21 U.S.C. 360e), or clearance of a device under section 510(k) of

such Act (21 U.S.C. 360(k)) that were conducted during the previous fiscal year. Such information shall include the following:

''(1) The median time following a request from staff of the Food and Drug Administration reviewing an application or report to the beginning of the inspection, including—

''(A) the median time for drugs described in section 505(j)(11)(A)(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(11)(A)(i));

''(B) the median time for drugs described in section 506C(a) of such Act (21 U.S.C. 356c(a)) only; and

''(C) the median time for drugs on the drug shortage list in effect under section 506E of such Act (21 U.S.C. 356e).

''(2) The median time from the issuance of a report pursuant to section 704(b) of such Act (21 U.S.C. 374(b)) to the sending of a warning letter, issuance of an import alert, or holding of a regulatory meeting for inspections for which the Secretary concluded that regulatory or enforcement action was indicated, including the median time for each category of drugs listed in subparagraphs (A) through (C) of paragraph (1).

''(3) The median time from the sending of a warning letter, issuance of an import alert, or holding of a regulatory meeting to resolution of the actions indicated to address the conditions or practices observed during an inspection.

''(4) The number of facilities that failed to implement adequate corrective or preventive actions following a report pursuant to such section 704(b), resulting in a withhold recommendation, including the number of such times for each category of drugs listed in subparagraphs (A) through (C) of paragraph (1).''.

TITLE VIII—TRANSPARENCY, PROGRAM INTEGRITY, AND REGULATORY IMPROVEMENTS

SEC. 801. PROMPT REPORTS OF MARKETING STATUS BY HOLDERS OF APPROVED APPLICATIONS FOR BIOLOGICAL PRODUCTS.

(a) IN GENERAL.—Section 506I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356i) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''The holder of an application approved under subsection (c) or (j) of section 505'' and inserting ''The holder of an application approved under subsection (c) or (j) of section 505 of this Act or subsection (a) or (k) of section 351 of the Public Health Service Act'';

(B) in paragraph (2), by striking ''established name'' and inserting ''established name (for biological products, by proper name)''; and

(C) in paragraph (3), by striking ''or abbreviated application number'' and inserting '', abbreviated application number, or biologics license application number''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The holder of an application approved under subsection (c) or (j)'' and inserting ''The holder of an application approved under subsection (c) or (j) of section 505 of this Act or subsection (a) or (k) of section 351 of the Public Health Service Act'';

(B) in paragraph (1), by striking ''established name'' and inserting ''established name (for biological products, by proper name)''; and

(C) in paragraph (2), by striking ''or abbreviated application number'' and inserting '', abbreviated application number, or biologics license application number''.

(b) ADDITIONAL ONE-TIME REPORT.—Subsection (c) of section 506I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356i) is amended to read as follows:

''(c) ADDITIONAL ONE-TIME REPORT.—Within 180 days of the date of enactment of the Food and Drug Amendments of 2022, all holders of applications approved under subsection (a) or (k) of section 351 of the Public Health Service Act shall review the information in the list published under section 351(k)(9)(A) and shall submit a written notice to the Secretary—

''(1) stating that all of the application holder's biological products in the list published under section 351(k)(9)(A) that are not listed as discontinued are available for sale; or

''(2) including the information required pursuant to subsection (a) or (b), as applicable, for each of the application holder's biological products that are in the list published under section 351(k)(9)(A) and not listed as discontinued, but have been discontinued from sale or never have been available for sale.''.

(c) PURPLE BOOK.—Section 506I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356i) is amended—

(1) by striking subsection (d) and inserting the following:

''(d) FAILURE TO MEET REQUIREMENTS.—If a holder of an approved application fails to submit the information required under subsection (a), (b), or (c), the Secretary may—

''(1) move the application holder's drugs from the active section of the list published under section 505(j)(7)(A) to the discontinued section of the list, except that the Secretary shall remove from the list in accordance with section 505(j)(7)(C) drugs the Secretary determines have been withdrawn from sale for reasons of safety or effectiveness; and

''(2) identify the application holder's biological products as discontinued in the list published under section 351(k)(9)(A) of the Public Health Service Act, except that the Secretary shall remove from the list in accordance with section 351(k)(9)(B) of such Act biological products for which the license has been revoked or suspended for reasons of safety, purity, or potency.''; and

(2) in subsection (e)—

(A) by inserting after the first sentence the following: ''The Secretary shall update the list published under section 351(k)(9)(A) of the Public Health Service Act based on information provided under subsections (a), (b), and (c) by identifying as discontinued biological products that are not available for sale, except that biological products for which the license has been revoked or suspended for safety, purity, or potency reasons shall be removed from the list in accordance with section 351(k)(9)(B) of the Public Health Service Act.'';

(B) by striking ''monthly updates to the list'' and inserting ''monthly updates to the lists referred to in the preceding sentences''; and

(C) by striking ''and shall update the list based on'' and inserting ''and shall update such lists based on''.

(d) TECHNICAL CORRECTIONS.—Section 506I(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356i(e)) is amended—

(1) by striking ''subsection 505(j)(7)(A)'' and inserting ''section 505(j)(7)(A)''; and

(2) by striking ''subsection 505(j)(7)(C)'' and inserting ''section 505(j)(7)(C)''.

SEC. 802. ENCOURAGING BLOOD DONATION.

(a) STREAMLINING PATIENT AND BLOOD DONOR INPUT.—Section 3003 of the 21st Century Cures Act (21 U.S.C. 360bbb–8c note) is amended to read as follows:

''SEC. 3003. STREAMLINING PATIENT AND BLOOD DONOR INPUT.

''Chapter 35 of title 44, United States Code, shall not apply to the collection of information to which a response is voluntary, to solicit—

''(1) the views and perspectives of patients under section 569C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–8c) (as amended by section 3001) or section 3002; or

''(2) information from blood donors or potential blood donors to support the development of recommendations by the Secretary of Health and Human Services acting through the Commissioner of Food and Drugs concerning blood donation.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the 21st Century Cures Act is amended by striking the item relating to section 3003 and inserting the following:

''Sec. 3003. Streamlining patient and blood donor input.''.

SEC. 803. REGULATION OF CERTAIN PRODUCTS AS DRUGS.

Section 503 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353) is amended by adding at the end the following:

''(h)(1) Any contrast agent, radioactive drug, or OTC monograph drug shall be deemed to be a drug under section 201(g) and not a device under section 201(h).

''(2) For purposes of this subsection:

''(A) The term 'contrast agent' means an article that is intended for use in conjunction with a medical imaging device, and—

''(i) is a diagnostic radiopharmaceutical, as defined in sections 315.2 and 601.31 of title 21, Code of Federal Regulations (or any successor regulations); or

''(ii) is a diagnostic agent that improves the visualization of structure or function within the body by increasing the relative difference in signal intensity within the target tissue, structure, or fluid.

''(B) The term 'radioactive drug' has the meaning given such term in section 310.3(n) of title 21, Code of Federal Regulations (or any successor regulations), except that such term does not include—

''(i) an implant or article similar to an implant;

''(ii) an article that applies radiation from outside of the body; or

''(iii) the radiation source of an article described in clause (i) or (ii).

''(C) The term 'OTC monograph drug' has the meaning given such term in section 744L.

''(3) Nothing in this subsection shall be construed as allowing for the classification of a product as a drug (as defined in section 201(g)) if such product—

''(A) is not described in paragraph (1); and

''(B) meets the definition of a device under section 201(h),

unless another provision of this Act otherwise indicates a different classification.''.

SEC. 804. POSTAPPROVAL STUDIES AND PROGRAM INTEGRITY FOR ACCELERATED APPROVAL DRUGS.

(a) IN GENERAL.—Section 506(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(c)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) LIMITATION.—

''(A) IN GENERAL.—Approval of a product under this subsection may be subject to 1 or both of the following requirements:

''(i) That the sponsor conduct an appropriate postapproval study or studies (which may be augmented or supported by real world evidence) to verify and describe the predicted effect on irreversible morbidity or mortality or other clinical benefit.

''(ii) That the sponsor submit copies of all promotional materials related to the product during the preapproval review period and, following approval and for such period thereafter as the Secretary determines to be appropriate, at least 30 days prior to dissemination of the materials.

''(B) STUDIES NOT REQUIRED.—If the Secretary does not require that the sponsor of a product approved under accelerated approval conduct a postapproval study under this paragraph, the Secretary shall publish on the website of the Food and Drug Administration the rationale for why such study is not appropriate or necessary.

''(C) POSTAPPROVAL STUDY CONDITIONS.—Not later than the time of approval of a product under accelerated approval, the Secretary shall specify the conditions for a postapproval study or studies required to be conducted under this paragraph with respect to such product, which may include enrollment targets, the study protocol, and milestones, including the target date of study completion.

''(D) STUDIES BEGUN BEFORE APPROVAL.—The Secretary may require such study or studies to be underway prior to approval.''; and

(2) by striking paragraph (3) and inserting the following:

''(3) EXPEDITED WITHDRAWAL OF APPROVAL.—

''(A) IN GENERAL.—The Secretary may withdraw approval of a product approved under accelerated approval using expedited procedures described in subparagraph (B), if—

''(i) the sponsor fails to conduct any required postapproval study of the product with due diligence, including with respect to conditions specified by the Secretary under paragraph (2)(C);

''(ii) a study required to verify and describe the predicted effect on irreversible morbidity or mortality or other clinical benefit of the product fails to verify and describe such effect or benefit;

''(iii) other evidence demonstrates that the product is not shown to be safe or effective under the conditions of use; or

''(iv) the sponsor disseminates false or misleading promotional materials with respect to the product.

''(B) EXPEDITED PROCEDURES DESCRIBED.—Expedited procedures described in this subparagraph shall consist of, prior to the withdrawal of accelerated approval—

''(i) providing the sponsor with—

''(I) due notice;

''(II) an explanation for the proposed withdrawal;

''(III) an opportunity for a meeting with the Commissioner of Food and Drugs or the Commissioner's designee; and

''(IV) an opportunity for written appeal to—

''(aa) the Commissioner of Food and Drugs; or

''(bb) a designee of the Commissioner who has not participated in the proposed withdrawal of approval (other than a meeting pursuant to subclause (III)) and is not a subordinate of an individual (other than the Commissioner) who participated in such proposed withdrawal;

''(ii) providing an opportunity for public comment on the notice proposing to withdraw approval;

''(iii) the publication of a summary of the public comments received, and the Secretary's response to such comments, on the website of the Food and Drug Administration; and

''(iv) convening and consulting an advisory committee on issues related to the proposed withdrawal, if requested by the sponsor and if no such advisory committee has previously advised the Secretary on such issues with respect to the withdrawal of the product prior to the sponsor's request.

''(4) LABELING.—

''(A) IN GENERAL.—Subject to subparagraph (B), the labeling for a product approved under accelerated approval shall include—

''(i) a statement indicating that the product was approved under accelerated approval;

''(ii) a statement indicating that continued approval of the product is subject to postmarketing studies to verify clinical benefit;

''(iii) identification of the surrogate or intermediate endpoint or endpoints that supported approval and any known limitations of such surrogate or intermediate endpoint or endpoints in determining clinical benefit; and

''(iv) a succinct description of the product and any uncertainty about anticipated clinical benefit and a discussion of available evidence with respect to such clinical benefit.

''(B) APPLICABILITY.—The labeling requirements of subparagraph (A) shall apply only to products approved under accelerated approval for which the predicted effect on irreversible morbidity or mortality or other clinical benefit has not been verified.

''(C) RULE OF CONSTRUCTION.—With respect to any application pending before the Secretary on the date of enactment of the Food and Drug Amendments of 2022, the Secretary shall allow any applicable changes to the product labeling required to comply with subparagraph (A) to be made by supplement after the approval of such application.

''(5) REPORTING.—Not later than September 30, 2025, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report describing circumstances in which the Secretary considered real world evidence submitted to support postapproval studies required under this subsection that were completed after the date of enactment of the Food and Drug Amendments of 2022.''.

(b) REPORTS OF POSTMARKETING STUDIES.—Section 506B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356b(a)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

''(2) ACCELERATED APPROVAL.—Notwithstanding paragraph (1), a sponsor of a drug approved under accelerated approval shall submit to the Secretary a report of the progress of any study required under section 506(c), including progress toward enrollment targets, milestones, and other information as required by the Secretary, not later than 180 days after the approval of such drug and not less frequently than every 180 days thereafter, until the study is completed or terminated.''.

(c) GUIDANCE.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall issue guidance describing—

(A) how sponsor questions related to the identification of novel surrogate or intermediate clinical endpoints may be addressed in early-stage development meetings with the Food and Drug Administration;

(B) the use of novel clinical trial designs that may be used to conduct appropriate postapproval studies as may be required under section 506(c)(2)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(c)(2)(A)), as amended by subsection (a); and

(C) the expedited procedures described in section 506(c)(3)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(c)(3)(B)).

(2) FINAL GUIDANCE.—The Secretary shall issue—

(A) draft guidance under paragraph (1) not later than 18 months after the date of enactment of this Act; and

(B) final guidance not later than 1 year after the close of the public comment period on such draft guidance.

(d) RARE DISEASE ENDPOINT ADVANCEMENT PILOT.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall establish a pilot program under which the Secretary will establish procedures to provide increased interaction with sponsors of rare disease drug development programs for purposes of advancing the development of efficacy endpoints, including surrogate and intermediate endpoints, for drugs intended to treat rare diseases, including through—

(A) determining eligibility of participants for such a program; and

(B) developing and implementing a process for applying to, and participating in, such a program.

(2) PUBLIC WORKSHOPS.—The Secretary shall conduct up to 3 public workshops, which shall be completed not later than September 30, 2026, to discuss topics relevant to the development of endpoints for rare diseases, which may include discussions about—

(A) novel endpoints developed through the pilot program established under this subsection; and

(B) as appropriate, the use of real world evidence and real world data to support the validation of efficacy endpoints, including surrogate and intermediate endpoints, for rare diseases.

(3) REPORT.—Not later than September 30, 2027, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report describing the outcomes of the pilot program established under this subsection.

(4) GUIDANCE.—Not later than September 30, 2027, the Secretary shall issue guidance describing best practices and strategies for development of efficacy endpoints, including surrogate and intermediate endpoints, for rare diseases.

(5) SUNSET.—The Secretary may not accept any new application or request to participate in the program established by this subsection on or after October 1, 2027.

SEC. 805. FACILITATING THE USE OF REAL WORLD EVIDENCE.

(a) GUIDANCE.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue, or revise existing, guidance on considerations for the use of real world data and real world evidence to support regulatory decisionmaking, as follows:

(1) With respect to drugs, such guidance shall address—

(A) the use of such data and evidence to support the approval of a drug application under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or a biological product application under section 351 of the Public Health Service Act (42 U.S.C. 262), or to support an investigational use exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act or section 351(a)(3) of the Public Health Service Act; and

(B) the use of such data and evidence obtained as a result of the use of drugs authorized for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) in such applications, submissions, or requests; and

(C) standards and methodologies which may be used for collection and analysis of real world evidence included in such applications, submissions, or requests, as appropriate.

(2) With respect to devices, such guidance shall address—

(A) the use of such data and evidence to support the approval, clearance, or classification of a device pursuant to an application or submission submitted under section 510(k), 513(f)(2), or 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k), 360c(f)(2), 360e), or to support an investigational use exemption under section 520(g) of such Act (21 U.S.C. 360j(g));

(B) the use of such data and evidence obtained as a result of the use of devices authorized for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3), in such applications, submissions, or requests; and

(C) standards and methodologies which may be used for collection and analysis of real world evidence included in such applications, submissions, or requests, as appropriate.

(b) REPORT TO CONGRESS.—Not later than 2 years after the termination of the public health emergency determination by the Secretary of Health and Human Services under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) on February 4, 2020, with respect to the Coronavirus Disease 2019 (COVID–19), the Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on—

(1) the number of applications, submissions, or requests submitted for clearance or approval under section 505, 510(k), 513(f)(2), or 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355, 360(k), 360c(f)(2), 360e) or section 351 of the Public Health Service Act, for which an authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) was previously granted;

(2) of the number of applications so submitted, the number of such applications—

(A) for which real world evidence was submitted and used to support a regulatory decision; and

(B) for which real world evidence was submitted and determined to be insufficient to support a regulatory decision; and

(3) a summary explanation of why, in the case of applications described in paragraph (2)(B), real world evidence could not be used to support regulatory decisions.

(c) INFORMATION DISCLOSURE.—Nothing in this section shall be construed to authorize the disclosure of information that is prohibited from disclosure under section 1905 of title 18, United States Code, or subject to withholding under subsection (b)(4) of section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act'').

SEC. 806. DUAL SUBMISSION FOR CERTAIN DEVICES.

Section 513 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c) is amended by adding at the end the following:

''(k) For a device authorized for emergency use under section 564 for which, in accordance with section 564(m), the Secretary has deemed a laboratory examination or procedure associated with such device to be in the category of examinations and procedures described in section 353(d)(3) of the Public Health Service Act, the sponsor of such device may, when submitting a request for classification under section 513(f)(2), submit a single submission containing—

''(1) the information needed for such a request; and

''(2) sufficient information to enable the Secretary to determine whether such laboratory examination or procedure satisfies the criteria to be categorized under section 353(d)(3) of the Public Health Service Act.''.

SEC. 807. MEDICAL DEVICES ADVISORY COMMITTEE MEETINGS.

(a) IN GENERAL.—The Secretary shall convene one or more panels of the Medical Devices Advisory Committee not less than once per year for the purpose of providing advice to the Secretary on topics related to medical devices used in pandemic preparedness and response, including topics related to in vitro diagnostics.

(b) REQUIRED PANEL MEMBER.—A panel convened under subsection (a) shall include at least 1 population health-specific representative.

(c) SUNSET.—This section shall cease to be effective on October 1, 2027.

SEC. 808. ENSURING CYBERSECURITY OF MEDICAL DEVICES.

(a) IN GENERAL.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.), as amended by section 501, is further amended by adding at the end the following:

''SEC. 524C. ENSURING CYBERSECURITY OF DEVICES.

''(a) IN GENERAL.—For purposes of ensuring cybersecurity throughout the lifecycle of a cyber device, any person who submits a premarket submission for the cyber device shall include such information as the Secretary may require to ensure that the cyber device meets such cybersecurity requirements as the Secretary determines to be appropriate to demonstrate a reasonable assurance of safety and effectiveness, including at a minimum the cybersecurity requirements under subsection (b).

''(b) CYBERSECURITY REQUIREMENTS.—At a minimum, the manufacturer of a cyber device shall meet the following cybersecurity requirements:

''(1) The manufacturer shall have a plan to appropriately monitor, identify, and address in a reasonable time postmarket cybersecurity vulnerabilities and exploits, including coordinated vulnerability disclosure and procedures.

''(2) The manufacturer shall design, develop, and maintain processes and procedures to ensure the device and related systems are cybersecure, and shall make available updates and patches to the cyber device and related systems throughout the lifecycle of the cyber device to address—

''(A) on a reasonably justified regular cycle, known unacceptable vulnerabilities; and

''(B) as soon as possible out of cycle, critical vulnerabilities that could cause uncontrolled risks.

''(3) The manufacturer shall provide in the labeling of the cyber device a software bill of materials, including commercial, open-source, and off-the-shelf software components.

''(4) The manufacturer shall comply with such other requirements as the Secretary may require to demonstrate reasonable assurance of the safety and effectiveness of the device for purposes of cybersecurity, which the Secretary may require by an order published in the Federal Register.

''(c) SUBSTANTIAL EQUIVALENCE.—In making a determination of substantial equivalence under section 513(i) for a cyber device, the Secretary may—

''(1) find that cybersecurity information for the cyber device described in the relevant premarket submission in the cyber device's use environment is inadequate; and

''(2) issue a nonsubstantial equivalence determination based on this finding.

''(d) DEFINITION.—In this section:

''(1) CYBER DEVICE.—The term 'cyber device' means a device that—

''(A) includes software, including software as or in a device;

''(B) has the ability to connect to the internet; or

''(C) contains any such technological characteristics that could be vulnerable to cybersecurity threats.

''(2) LIFECYCLE OF THE CYBER DEVICE.—The term 'lifecycle of the cyber device' includes the postmarket lifecycle of the cyber device.

''(3) PREMARKET SUBMISSION.—The term 'premarket submission' means any submission under section 510(k), 513, 515(c), 515(f), or 520(m).

''(e) EXEMPTION.—The Secretary may identify devices or types of devices that are exempt from meeting the cybersecurity requirements established by this section and regulations promulgated pursuant to this section. The Secretary shall publish in the Federal Register, and update, as appropriate, a list of the devices and types of devices so identified by the Secretary.''.

(b) PROHIBITED ACT.—Section 301(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(q)) is amended by adding at the end the following:

''(3) The failure to comply with any requirement under section 524C (relating to ensuring device cybersecurity).''.

(c) ADULTERATION.—Section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351) is amended by inserting after paragraph (j) the following:

''(k) If it is a device subject to the requirements set forth in section 524C (relating to ensuring device cybersecurity) and fails to comply with any requirement under that section.''.

(d) MISBRANDING.—Section 502(t) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(t)) is amended—

(1) by striking ''or (3)'' and inserting ''(3)''; and

(2) by inserting before the period at the end the following: '', or (4) to furnish a software bill of materials as required under section 524C (relating to ensuring device cybersecurity)''.

SEC. 809. PUBLIC DOCKET ON PROPOSED CHANGES TO THIRD-PARTY VENDORS.

(a) IN GENERAL.—

(1) OPENING PUBLIC DOCKET.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall open a single public docket to solicit comments on factors that generally should be considered by the Secretary when reviewing requests from sponsors of drugs subject to risk evaluation and mitigation strategies to change third-party vendors engaged by sponsors to aid in implementation and management of the strategies.

(2) FACTORS.—Such factors include the potential effects of changes in third-party vendors on—

(A) patient access; and

(B) prescribing and administration of the drugs by health care providers.

(3) CLOSING PUBLIC DOCKET.—The Secretary of Health and Human Services may close such public docket not earlier than 90 days after such docket is opened.

(4) NO DELAY.—Nothing in this section shall delay agency action on any modification to a risk evaluation and mitigation strategy.

(b) GAO REPORT.—Not later than December 31, 2026, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

(1) the number of changes in third-party vendors (engaged by sponsors to aid implementation and management of risk evaluation and mitigation strategies) for an approved risk evaluation and mitigation strategy the Secretary of Health and Human Services has approved under section 505–1(h)

of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(h));

(2) any issues affecting patient access to the drug that is subject to the strategy or considerations with respect to the administration or prescribing of such drug by health care providers that arose as a result of such modifications; and

(3) how such issues were resolved, as applicable.

SEC. 810. FACILITATING EXCHANGE OF PRODUCT INFORMATION PRIOR TO APPROVAL.

(a) IN GENERAL.—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended—

(1) in paragraph (a)—

(A) by striking ''drugs for coverage'' and inserting ''drugs or devices for coverage''; and

(B) by striking ''drug'' each place it appears and inserting ''drug or device'', respectively;

(2) in paragraphs (a)(1) and (a)(2)(B), by striking ''under section 505 or under section 351 of the Public Health Service Act'' and inserting ''under section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act'';

(3) in paragraph (a)(1)—

(A) by striking ''under section 505 or under section 351(a) of the Public Health Service Act'' and inserting ''under section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act''; and

(B) by striking ''in section 505(a) or in subsections (a) and (k) of section 351 of the Public Health Service Act'' and inserting ''in section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act''; and

(4) by adding at the end the following:

''(gg)(1) Unless its labeling bears adequate directions for use in accordance with paragraph (f), except that (in addition to drugs or devices that conform with exemptions pursuant to such paragraph) no drug or device shall be deemed to be misbranded under such paragraph through the provision of product information to a payor, formulary committee, or other similar entity with knowledge and expertise in the area of health care economic analysis carrying out its responsibilities for the selection of drugs or devices for coverage or reimbursement if the product information relates to an investigational drug or device or investigational use of a drug or device that is approved, cleared, granted marketing authorization, or licensed under section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act (as applicable), provided—

''(A) the product information includes—

''(i) a clear statement that the investigational drug or device or investigational use of a drug or device has not been approved, cleared, granted marketing authorization, or licensed under section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act (as applicable) and that the safety and effectiveness of the drug or device or use has not been established;

''(ii) information related to the stage of development of the drug or device involved, such as—

''(I) the status of any study or studies in which the investigational drug or device or investigational use is being investigated;

''(II) how the study or studies relate to the overall plan for the development of the drug or device; and

''(III) whether an application, premarket notification, or request for classification for the investigational drug or device or investigational use has been submitted to the Secretary and when such a submission is planned;

''(iii) in the case of information that includes factual presentations of results from studies, which shall not be selectively presented, a description of—

''(I) all material aspects of study design, methodology, and results; and

''(II) all material limitations related to the study design, methodology, and results;

''(iv) where applicable, a prominent statement disclosing the indication or indications for which the Secretary has approved, granted marketing authorization, cleared, or licensed the product pursuant to section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act, and a copy of the most current required labeling; and

''(v) updated information, if previously communicated information becomes materially outdated as a result of significant changes or as a result of new information regarding the product or its review status; and

''(B) the product information does not include—

''(i) information that represents that an unapproved product—

''(I) has been approved, cleared, granted marketing authorization, or licensed under section 505, 510(k), 513(f)(2), or 515 of this Act or section 351 of the Public Health Service Act (as applicable); or

''(II) has otherwise been determined to be safe or effective for the purpose or purposes for which the drug or device is being studied; or

''(ii) information that represents that an unapproved use of a drug or device that has been so approved, granted marketing authorization, cleared, or licensed—

''(I) is so approved, granted marketing authorization, cleared, or licensed; or

''(II) that the product is safe or effective for the use or uses for which the drug or device is being studied.

''(2) For purposes of this paragraph, the term 'product information' includes—

''(A) information describing the drug or device (such as drug class, device description, and features);

''(B) information about the indication or indications being investigated;

''(C) the anticipated timeline for a possible approval, clearance, marketing authorization, or licensure pursuant to section 505, 510(k), 513, or 515 of this Act or section 351 of the Public Health Service Act;

''(D) drug or device pricing information;

''(E) patient utilization projections;

''(F) product-related programs or services; and

''(G) factual presentations of results from studies that do not characterize or make conclusions regarding safety or efficacy.''.

(b) GAO STUDY AND REPORT.—Beginning on the date that is 5 years and 6 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the provision and use of information pursuant to section 502(gg) of the Federal Food, Drug, and Cosmetic Act, as added by this subsection (a), between manufacturers of drugs and devices (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) and entities described in such section 502(gg). Such study shall include an analysis of the following:

(1) The types of information communicated between such manufacturers and payors.

(2) The manner of communication between such manufacturers and payors.

(3)(A) Whether such manufacturers file an application for approval, marketing authorization, clearance, or licensing of a new drug or device or the new use of a drug or device that is the subject of communication between such manufacturers and payors under section 502(gg) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a).

(B) How frequently the Food and Drug Administration approves, grants marketing authorization, clears, or licenses the new drug or device or new use.

(C) The timeframe between the initial communications permitted under section 502(gg) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), regarding an investigational drug or device or investigational use, and the initial marketing of such drug or device.

SEC. 811. BANS OF DEVICES FOR ONE OR MORE INTENDED USES.

(a) IN GENERAL.—Section 516(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360f(a)) is amended—

(1) in paragraph (1), by inserting ''for one or more intended use'' before the semicolon at the end; and

(2) in the matter following paragraph (2), by inserting ''for any such intended use or uses. A device that is banned for one or more intended uses is not a legally marketed device under section 1006 when intended for such use or uses'' after ''banned device''.

(b) SPECIFIC DEVICES DEEMED BANNED.—Section 516 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360f) is further amended by adding at the end the following:

''(c) SPECIFIC DEVICE BANNED.—Electrical stimulation devices that apply a noxious electrical stimulus to a person's skin intended to reduce or cease self-injurious behavior or aggressive behavior are deemed to be banned devices, as described in subsection (a).

''(d) REVERSAL BY REGULATION.—Devices banned under this section are banned devices unless or until the Secretary promulgates a regulation to make such devices or use of such devices no longer banned based on a finding that such devices or use of such devices does not present substantial deception or an unreasonable and substantial risk of illness or injury, or that such risk can be corrected or eliminated by labeling.''.

SEC. 812. CLARIFYING APPLICATION OF EXCLUSIVE APPROVAL, CERTIFICATION, OR LICENSURE FOR DRUGS DESIGNATED FOR RARE DISEASES OR CONDITIONS.

(a) APPLICATION OF EXCLUSIVE APPROVAL, CERTIFICATION, OR LICENSURE FOR DRUGS DESIGNATED FOR RARE DISEASES OR CONDITIONS.—Section 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360cc) is amended—

(1) in subsection (a), in the matter following paragraph (2), by striking ''same disease or condition'' and inserting ''same approved indication or use within such rare disease or condition'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''same rare disease or condition'' and inserting ''same indication or use for which the Secretary has approved or licensed such drug''; and

(B) in paragraph (1), by striking ''with the disease or condition for which the drug was designated'' and inserting ''for whom the drug is indicated''; and

(3) in subsection (c), by striking ''same rare disease or condition'' and inserting ''same indication or use''.

(b) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall apply with respect to any drug designated under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb), regardless of the date on which the drug was so designated, and regardless of the date on which the drug was approved under section 505 of such Act (21 U.S.C. 355) or licensed under section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 813. GAO REPORT ON THIRD-PARTY REVIEW.

Not later than September 30, 2026, the Comptroller General of the United States

shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the third-party review program described in section 523 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m). Such report shall include—

(1) a description of the financial and staffing resources used to carry out such program;

(2) a description of actions taken by the Secretary pursuant section 523(b)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m(b)(2)(C)); and

(3) the results of an audit of the performance of select persons accredited under such program.

SEC. 814. REPORTING ON PENDING GENERIC DRUG APPLICATIONS AND PRIORITY REVIEW APPLICATIONS.

Section 807 of the FDA Reauthorization Act of 2017 (Public Law 115–52) is amended, in the matter preceding paragraph (1), by striking ''2022'' and inserting ''2027''.

SEC. 815. FDA WORKFORCE IMPROVEMENTS.

Section 714A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379d–3a) is amended—

(1) in subsection (a), by striking ''medical products'' and inserting ''products regulated by the Food and Drug Administration''; and

(2) by striking subsection (d) and inserting the following:

''(d) AGENCY-WIDE STRATEGIC WORKFORCE PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Food and Drug Amendments of 2022, the Commissioner of Food and Drugs shall develop and begin implementation of an agency-wide strategic workforce plan at the Food and Drug Administration, which shall include—

''(A) agency-wide human capital goals and strategies;

''(B) performance measures, benchmarks, or other elements to facilitate the monitoring and evaluation of the progress made toward such goals and the effectiveness of such strategies; and

''(C) a process for updating such plan based on timely and relevant information on an ongoing basis.

''(2) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of the Food and Drug Amendments of 2022, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report describing the plan under paragraph (1) and the status of its implementation.''.

TITLE IX—MISCELLANEOUS

SEC. 901. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 902. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(3)(A) of the Social Security Act (42 U.S.C. 1396w–1(b)(3)(A)) is amended by striking ''$0'' and inserting ''$450,000,000''.

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7667.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of the Food and Drug Amendments of 2022, a bill that recently passed out of the Energy and Commerce Committee with unanimous support. This bill will provide the FDA the funding it needs to ensure drugs and devices are safe and effective. It also promotes development of new medical products to treat every American, reduces the cost of prescription drugs, and strengthens program integrity at the agency.

Primarily, the user fee reauthorization's main purpose is to give the agency funding to conduct product reviews, facilitate the development of new products to treat rare diseases, inspect facilities to ensure they are compliant, and monitor medical products on the market for continued safety and effectiveness.

It is essential that the House pass this legislation today because funding that comes from these user fees expires in September. At hearings earlier this year, senior FDA officials told us that failure to pass this legislation well before the September deadline could be catastrophic to the agency's operations and, more importantly, could limit our ability to get patients the medical products that they and their doctors rely on.

Mr. Speaker, I am very pleased that in addition to coming together to reauthorize this funding, we have worked across the aisle to come to agreement on a wide-ranging package of programs to improve biomedical research and development, give FDA more tools to conduct quality inspections, improve the medical product supply chain, improve generic drug competition and access, and bring greater transparency and program integrity to FDA's operations.

While I do not have time to discuss all the provisions in the Food and Drug Amendments of 2022, I want to highlight a few.

First, the bill includes reforms to the accelerated approval program, which I first introduced in Congress earlier this year. Under the accelerated approval pathway, drugs may be approved based on a surrogate endpoint, such as an improved lab measurement or visualization on an MRI, even though additional evidence is still needed to show a clear clinical benefit for the patient. If a drug is approved under this pathway, the sponsor must conduct studies after the product is on the market to show that the drug actually provides a benefit to patients. This approval pathway has led to patients having access to groundbreaking treatments for cancer, HIV, and other illnesses faster than they otherwise would have.

However, in recent years, it has become clear that some drug sponsors have failed to conduct their post-approval studies in a timely manner, while others have conducted studies that indicate that the drug is not effective but are able to keep the product on the market for years afterwards.

Patients deserve to know the drugs they are taking are safe and effective. Food and Drug Amendments of 2022 ensures that the products patients are taking are providing a benefit by allowing FDA to require that sponsors begin adequate and well-controlled post-approval studies before the drug goes on the market. The legislation will provide greater transparency in drug labeling, and it streamlines the process for FDA to remove products from the market when the sponsors have failed to act with due diligence to conduct studies or where studies have failed to show a benefit to patients.

The second thing is, this legislation ensures that clinical trials for drugs and medical devices are representative of the people who will use the products. The lack of diversity in clinical trials is an urgent problem. It compromises our ability to understand how drugs and diseases affect populations differently, compounds health disparities, and can hinder innovation and add cost burdens into the health system.

Food and Drug Amendments of 2022 for the first time will require drug and device sponsors to develop a clinical trial diversity action plan early in the development process and submit the plan to FDA. This will help improve our understanding of these products and lead to better outcomes for all Americans.

Food and Drug Amendments of 2022 will also help lower drug costs by making it easier for generic products to come to market. Under current law, generic drug sponsors sometimes need to play a guessing game of the ingredients in brand drugs, and this can add months on to the generic drug development process. Under Food and Drug Amendments of 2022, we are making it easier for FDA to communicate this information to drug sponsors, thereby speeding up development times for generics. The bill will also make it easier for generics to come to market when a brand drug changes its label at the last second in an attempt to limit competition. Together, these provisions will produce millions of dollars in savings for American families and the overall healthcare system.

This legislation also takes concrete action to address the infant formula crisis American families are currently facing, and which we are so concerned about, and will prevent future problems related to food safety and supply, so it's not just about infant formula, but about food safety in general.

Currently, FDA is operating its food safety and other divisions with one

hand tied behind its back when it comes to hiring and retaining highly qualified scientific and regulatory staff. Today, FDA can hire technical staff in its drug and medical device centers under streamlined processes and compete with the private sector in terms of salary, but those same flexibilities do not extend to other centers, including those overseeing food at the FDA. Our bill would extend these to the oversight of food, tobacco, and other products regulated by the agency. While we must do more in this area, I am pleased that we are able to move forward on a bipartisan basis here today. I think it is going to make a difference, Mr. Speaker, not only with infant formula but with so many other food products.

Lastly, Mr. Speaker, I thank my colleagues on the Energy and Commerce Committee for their cooperation and bipartisan work on this package. As I said, it passed unanimously out of the committee last month, thanks to the leadership of Health Subcommittee Chairwoman ESHOO, Ranking Member GUTHRIE, and the full committee Ranking Member RODGERS.

When you bring a bill to the floor on suspension and it is bipartisan, and it was voted out of committee unanimously, it might kind of belie the amount of work that the staff who are here with me today and others put into this. This was a lot of work. It wasn't easy to get it done in a timely fashion, even though it has unanimous support. I hope today everyone will vote for it; I do not want anyone to get the impression that this was not an easy thing to accomplish because it certainly was.

Mr. Speaker, I encourage all Members to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of the Food and Drug Amendments of 2022, introduced by Chair ESHOO and myself. This legislation recently passed the full Energy and Commerce Committee unanimously.

The bill will protect access to lifesaving cures, promote innovation, secure our medical supply chains, and lower costs for patients. It would also reauthorize the Food and Drug Administration's medical product user fee programs through 2027.

User fees allow the FDA to collect fees from industry in exchange for timely review of their drug or device applications. Importantly, these fees not only permit the FDA to carry out drug or device application reviews, but they also represent significant percentages of FDA's total operating budget without costing the taxpayer.

Additionally, according to the Congressional Budget Office, sections of the bill will save close to $600 million by promoting increased access to generic drugs. Some of these savings will be used for deficit reduction and other amounts can be put toward preserving access to critical services in the Medicaid program, such as telehealth.

Not only do these agreements help save taxpayer dollars, but they also yield significant returns on investment since they were originally authorized by Congress decades ago. For example, in 2021 alone, 38 of 50 of the world's novel drugs were first approved in the United States. This was made possible by the Food and Drug Administration Amendments of 2017.

I am proud to say that the legislation includes two of my bills, the Pre-approval Information Exchange Act, which will help reduce the time in which patients wait for a drug or a device to be covered by the insurer after it is approved by the FDA.

The bill before us today also includes legislation that Chair PALLONE and I have been championing for several years to help facilitate the transformation of drug manufacturing processes, so they are more efficient, less costly, and result in improved drug quality. The use of continuous manufacturing technology will not only serve as an incentive for U.S. drug manufacturers to bring their production back to American soil but will also help reduce drug shortages.

Other important components of the Food and Drug Amendments of 2022 require guidance on the collection of real-world evidence for companies with products authorized under emergency use authorization during the COVID–19 public health emergency. This can serve as a strong foundation for the regulatory community in addition to drug or device companies to best understand how products can get approved more quickly and safely in the future.

Finally, the Food and Drug Amendments of 2022 preserves access to lifesaving therapies approved under the accelerated approval pathway. By preserving the pathway, we are giving patients hope to one day find cures to currently incurable diseases, such as Alzheimer's disease or terminal cancers.

As the Chair said, usually when you come to the floor on suspension bills, they are ones that have great unanimous consent with Congress. This has gone through the regular process, and it has gone through a lot of hard work by Members, but I have to say a lot of hard work, significant hard work, by the men and women who work with us here on the committee. We really appreciate the staff's hard work.

Although we are here in a suspension moment on the floor, I emphasize to my colleagues, there has been a lot of work, a lot of committee work, a lot of subcommittee work, a lot of Member work, and a whole lot of staff work to make this move forward. I really appreciate that.

Mr. Speaker, I urge my colleagues to support this legislation today, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers at this time. I continue to reserve the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, I rise today in support of the bipartisan Food and Drug Amendments of 2022.

This is an important reauthorization that is necessary to help drive innovation and make sure patients have continued access to critical treatments and cures.

I am pleased to see the continued focus on innovation this agreement brings, as well as its included policies like the DIVERSE Trials Act, which I helped author, which will help increase diverse participation in clinical trials.

More can be done to protect patients. One example being diagnostic testing, specifically lab-developed tests.

For well over 5 years, I have been working on the bipartisan VALID Act, H.R. 4128, with my colleague DIANA DEGETTE, which establishes a risk-based regulatory framework for diagnostic and laboratory-developed tests.

This legislation allows for leading-edge development and innovation to thrive while assuring doctors and patients have the certainty that their test results are analytically and clinically valid. The draft version of the user fee agreements introduced in the Senate addresses the issue by including a version of the VALID Act.

Mr. Speaker, I again express my strong support for the Food and Drug Amendments Act of 2022, and I urge my colleagues to vote ''yes'' on this legislation.

□ 1830

Mr. PALLONE. Mr. Speaker, I reserve the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I was incorrect. I said Mr. BUCSHON. Dr. BUCSHON; his words on healthcare are certainly very important to all of us.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Mrs. RODGERS), my good friend, the Republican leader of the full Committee on Energy and Commerce.

Mrs. RODGERS of Washington. Mr. Speaker, I rise today in support of H.R. 7667, the Food and Drug Amendments Act.

The Committee on Energy and Commerce plowed the hard ground necessary to legislate in a strong bipartisan way on this bill. We held three hearings in the Subcommittee on Health in February and March. In April, we introduced legislation, and then over the next week, the subcommittee voted.

H.R. 7667 passed out of Committee on Energy and Commerce by a vote of 55–0, and at each step, members' ideas were included to improve the legislation.

Today, we consider a suspension print with further improvements. It adds another provision for more drug manufacturing in America by providing the regulatory clarity needed

and the training necessary to utilize novel manufacturing technologies.

Overall, the FDA Act will reauthorize four user fee programs created to expedite the review of critical medical products that people depend on to live healthier and longer lives.

In addition to delivering drugs and medical devices to people faster, the FDA Act includes policies to lower healthcare costs, spur more lifesaving innovation, secure our supply chains, and provide hope to patients in need of breakthrough drugs and therapies. Those treatments won't make it to patients if FDA doesn't have the right tools to keep up with science, such as accelerated approval pathway.

Chairman PALLONE and I initially had quite different versions for how the accelerated approval process should be updated, but we focused on where we could agree. We streamlined the process to remove drugs that no longer show effectiveness in post-market studies and made sure that real-world evidence can be used. We also made sure rare diseases aren't left out of accelerated approval because of a lack of knowledge and interest in developing the biomarkers necessary.

Lastly, not only is this legislation necessary to preserve patient access to new medical breakthroughs, it is fiscally responsible. It ensures FDA's timely review of medical products at a reduced cost to the taxpayer, and it reduces the deficit.

Many other members have priorities included in this legislation.

Mr. BUCHANAN has a bipartisan bill to make sure that we are moving away from preclinical testing on animal models where alternatives can work just as well.

Messrs. GRIFFITH, CARTER, and HUDSON all have legislation to hold FDA accountable regarding inspections of foreign manufacturing facilities and pilots for FDA to give companies with novel manufacturing technologies more certainty.

Mr. GUTHRIE has a solution included to help insurers plan for breakthrough future treatments. This will help patients avoid sticker shock and protect earlier access to those treatments.

These are just some of more than a dozen examples of member priorities in the FDA Act. I strongly urge support of this legislation, and I encourage all of my colleagues to vote ''yes.''

Mr. Speaker, this is for patients and families in every district and every corner of America who are relying on a generic drug, a medical device, like a pacemaker, or a novel cancer treatment. Those patients are relying on Congress to do its job so their drug approval isn't stalled.

I think about all the advocates, the hundreds of disease and rare disease groups who come to the people's House to share their stories with us. They have an extraordinary amount of hope in the promise of American innovation for new cures and access to treatments.

For them, I am supporting this legislation, and I am committed to work to get this signed into law on time.

Mr. PALLONE. Madam Speaker, I am prepared to close, and I reserve the balance of my time.

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

Madam Speaker, through the years, since this medical device fee has been put into place, has Congress taken action to make sure an agency is efficient; that it does its job to make sure that our drugs and medical devices have efficacy, but also are safe? So we make them more efficient and we have drug companies, device companies, other companies, generic companies, trying to get their devices or their pharmaceuticals approved so they can bring them on the marketplace that are safe and efficient. So this is really an example of Congress working together to move this process forward.

And the innovations that have come out in the last few years, if we look at what has gone on in the diabetes world with the artificial pancreas, all the pumps and insulin devices, to hepatitis C, pharmaceuticals and other ways, and just so much more, what is going to happen in the next 5 years as we continue to move this process forward?

We had a hearing in the Subcommittee on Health on ALS, and we had an ALS patient before us who just wants hope. So all of that is accounted for in this process.

We, as Members of Congress, we, as members of the Committee on Energy and Commerce have worked together to make the process streamlined, to make sure we have efficient, efficacy, and safe products. Our hope and our prayers from this is the science will come into place so those who testified before our committee with rare diseases will have the opportunity and hope to be healed.

I urge my colleagues to support this piece of legislation. A lot of hard work went into it. A lot of lives can be affected by it. I encourage everyone to vote for it.

Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, I couldn't agree more with what Ranking Member GUTHRIE said, and also our full committee ranking member, Mrs. RODGERS. This is a product of a lot of hard work on behalf of members, as well as the staff that are here, and others. It is really great that we are able to do it in a timely fashion because we want the FDA to be able to operate, not to have to put out pink slips because the authorization expires in September.

This is really a reauthorization that does a lot more than just reauthorize the current programs. It really is going to make a difference in terms of our ability to innovate and also affect access to generic drugs.

Madam Speaker, I encourage all Members to support the bill. We are going to work hard to get this passed in the Senate in a timely fashion.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. PINGREE). The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 7667, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HARRIS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 6087; and

S. 3823.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

IMPROVING ACCESS TO WORKERS' COMPENSATION FOR INJURED FEDERAL WORKERS ACT OF 2022

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6087) to amend chapter 81 of title 5, United States Code, to cover, for purposes of workers' compensation under such chapter, services by physician assistants and nurse practitioners provided to injured Federal workers, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 325, nays 83, not voting 19, as follows:

[Roll No. 233]

YEAS—325

Adams	Bass	Boyle, Brendan F.
Aderholt	Beatty	Brooks
Aguilar	Bera	Brown (MD)
Allen	Bergman	Brown (OH)
Allred	Beyer	Brownley
Amodei	Bilirakis	Budd
Armstrong	Bishop (GA)	Bush
Auchincloss	Blumenauer	Bustos
Axne	Blunt Rochester	Butterfield
Bacon	Bonamici	Calvert
Baird	Bost	Carbajal
Banks	Bourdeaux	Cárdenas
Barragán	Bowman	

Carey
Carl
Carson
Carter (GA)
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cawthorn
Chabot
Cherfilus-McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Comer
Connolly
Cooper
Costa
Courtney
Craig
Crawford
Crist
Crow
Curtis
Davids (KS)
Davidson
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donalds
Doyle, Michael F.
Duncan
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Feenstra
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Foster
Foxx
Frankel, Lois
Fulcher
Gallagher
Gallego
Garamendi
Garbarino
Garcia (CA)
García (IL)
Garcia (TX)
Gibbs
Gimenez
Golden
Gomez
Gonzalez (OH)
Gonzalez, Vicente
Gottheimer
Graves (MO)
Green, Al (TX)
Greene (GA)
Grijalva
Grothman
Guthrie
Harshbarger
Hayes
Hern
Himes
Hinson
Horsford
Houlahan
Hoyer
Huffman
Huizenga
Issa
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (SD)
Johnson (TX)
Jones
Joyce (OH)
Kahele
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Khanna
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Lesko
Levin (CA)
Levin (MI)
Lieu
Lofgren
Long
Loudermilk
Lowenthal
Luetkemeyer
Luria
Lynch
Mace
Malinowski
Malliotakis
Maloney, Carolyn B.
Maloney, Sean
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meeks
Meijer
Meng
Meuser
Mfume
Moore (AL)
Moore (UT)
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newhouse
Newman
O'Halleran
Ocasio-Cortez
Omar
Owens
Pallone
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reschenthaler
Rice (NY)
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Salazar
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, Austin
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spartz
Speier
Stansbury
Stanton
Stauber
Steel
Stefanik
Steil
Stevens
Stewart
Strickland
Suozzi
Swalwell
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Timmons
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Upton
Valadao
Vargas
Veasey
Velázquez
Wagner
Walberg
Waltz
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Zeldin

NAYS—83

Babin
Balderson
Barr
Bentz
Bice (OK)
Biggs
Bishop (NC)
Boebert
Buchanan
Buck
Bucshon
Burchett
Carter (TX)
Cline
Cloud
Clyde
Correa
Crenshaw
Cuellar
DesJarlais
Dunn
Ellzey
Fallon
Ferguson
Franklin, C. Scott
Gaetz
Gohmert
Gonzales, Tony
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Green (TN)
Griffith
Harris
Hartzler
Herrell
Herrera Beutler
Higgins (LA)
Hill
Hudson
Jackson
Johnson (OH)
Jordan
Joyce (PA)
Kelly (PA)
Kustoff
LaHood
LaMalfa
Lamborn
Letlow
Lucas
Mann
Massie
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Murphy (NC)
Nehls
Palazzo
Palmer
Pfluger
Posey
Rose
Rosendale
Roy
Sessions
Simpson
Steube
Tenney
Van Drew
Van Duyne
Walorski
Weber (TX)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack

NOT VOTING—19

Arrington
Brady
Burgess
Cammack
Cheney
Davis, Danny K.
Guest
Harder (CA)
Hice (GA)
Higgins (NY)
Hollingsworth
Mullin
Norcross
Norman
Obernolte
Perry
Schweikert
Webster (FL)
Yarmuth

□ 1907

Messrs. CUELLAR, BISHOP of North Carolina, PALMER, PFLUGER, Mses. HERRERA BEUTLER and HERRELL changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PERRY. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted ''nay'' on rollcall No. 233.

Mr. SCHWEIKERT. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted ''nay'' on rollcall No. 233.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Beyer)
Bass (Blunt Rochester)
Brown (MD) (Blunt Rochester)
Brown (OH) (Beatty)
Calvert (Valadao)
Cárdenas (Soto)
Castor (FL) (Soto)
Castro (TX) (Correa)
Cawthorn (Moore (AL))
Crist (Wasserman Schultz)
DeSaulnier (Beyer)
Evans (Beyer)
Frankel, Lois (Wasserman Schultz)
Gomez (Garcia (TX))
Gottheimer (Pallone)
Grijalva (García (IL))
Jacobs (CA) (Correa)
Johnson (SD) (LaHood)
Johnson (TX) (Jeffries)
Jones (Blunt Rochester)
Joyce (PA) (Keller)
Katko (Upton)
Kim (CA) (Miller (WV))
Kind (Beyer)
Kirkpatrick (Pallone)
Lamb (Blunt Rochester)
LaTurner (Mann)
Leger Fernandez (Neguse)
Loudermilk (Fleischmann)
Lynch (Connolly)
Mace (Donalds)
McEachin (Beyer)
Meeks (Jeffries)
Moore (WI) (Beyer)
Moulton (Neguse)
Murphy (FL) (Rice (NY))
Ocasio-Cortez (Takano)
Payne (Pallone)
Price (NC) (Manning)
Rogers (KY) (Reschenthaler)
Ruiz (Correa)
Ryan (Beyer)
Sánchez (Garcia (TX))
Schiff (Takano)
Sewell (Kelly (IL))
Sherman (Beyer)
Sires (Pallone)
Smith (NJ) (Kelly (PA))
Spartz (Banks)
Strickland (Takano)
Suozzi (Beyer)
Swalwell (Veasey)
Taylor (Fallon)
Thompson (MS) (Bishop (GA))
Titus (Connolly)
Tonko (Pallone)
Trahan (Connolly)
Vargas (Takano)
Walorski (Banks)
Waters (Garcia (TX))
Welch (Pallone)
Williams (GA) (Neguse)
Wilson (FL) (Neguse)

MOMENT OF SILENCE TO HONOR THE VICTIMS OF THE UVALDE SHOOTING

(Mr. TONY GONZALES of Texas asked and was given permission to address the House for 1 minute.)

Mr. TONY GONZALES of Texas. Madam Speaker, on May 24, 2022, 19 children and 2 teachers were killed by a gunman at Robb Elementary School in Uvalde, Texas, my district but a reflection of every small town in America.

As I rise today with my fellow Texans to honor the victims, I am reminded of Matthew 5:4, ''Blessed are those who mourn, for they shall be comforted.''

I mourn with the Uvalde community and pray for healing and comfort for the families and the community for the loss of:

Alexandria Rubio;
Alithia Ramirez;
Amerie Garza;
Annabelle Rodriguez;
Eliahana Torres;
Eliahna Garcia;
Jacklyn Cazares;
Jailah Silguero;
Jayce Luevanos;
Jose Flores, Jr.;
Layla Salazar;
Makenna Elrod;
Maite Rodriguez,
Maranda Mathis;
Nevaeh Bravo;
Rojelio Torres;
Tess Mata;
Uziyah Garcia;
Xavier Lopez;
Eva Mireles; and
Irma Garcia.

These were our daughters, sons, sisters, brothers, and mothers who have become innocent victims of senseless violence.

Please join us in a moment of silence to honor the victims.

May they rest in peace, and may they always be remembered.

The SPEAKER. The Chair asks all Members in the Chamber, as well as Members and staff throughout the Capitol, to rise for a moment of silence in remembrance of the victims of the recent shootings at Robb Elementary School in Uvalde, Texas.

BANKRUPTCY THRESHOLD ADJUSTMENT AND TECHNICAL CORRECTIONS ACT

The SPEAKER. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3823) to amend title 11, United States Code, to modify the eligibility requirements for

a debtor under chapter 13, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. PINGREE). The question is on the motion offered by the gentleman from Colorado (Mr. NEGUSE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 392, nays 21, not voting 14, as follows:

[Roll No. 234]

YEAS—392

Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bentz
Bera
Bergman
Beyer
Bice (OK)
Bilirakis
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bourdeaux
Bowman
Boyle, Brendan F.
Brady
Brown (MD)
Brown (OH)
Brownley
Buchanan
Buck
Bucshon
Budd
Bush
Bustos
Butterfield
Calvert
Cammack
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cawthorn
Chabot
Cherfilus-McCormick
Chu
Cicilline
Clark (MA)
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Comer
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Curtis
Davids (KS)
Davidson
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donalds
Doyle, Michael F.
Duncan
Dunn
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Evans
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Foster
Foxx
Frankel, Lois
Franklin, C. Scott
Fulcher
Gallagher
Gallego
Garamendi
Garbarino
Garcia (CA)
Garcia (IL)
Garcia (TX)
Gibbs
Gimenez
Gohmert
Golden
Gomez
Gonzales, Tony
Gonzalez (OH)
Gonzalez, Vicente
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guthrie
Harris
Hartzler
Hayes
Herrell
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Issa
Jackson
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jones
Jordan
Joyce (OH)
Joyce (PA)
Kahele
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Kustoff
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Letlow
Levin (CA)
Levin (MI)
Lieu
Lofgren
Long
Loudermilk
Lowenthal
Lucas
Luetkemeyer
Luria
Lynch
Mace
Malinowski
Malliotakis
Maloney, Carolyn B.
Maloney, Sean
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meeks
Meijer
Meng
Meuser
Mfume
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Nehls
Newhouse
Newman
O'Halleran
Obernolte
Ocasio-Cortez
Omar
Owens
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Peters
Pfluger
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Reschenthaler
Rice (NY)
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Salazar
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spartz
Speier
Stansbury
Stanton
Stauber
Steel
Stefanik
Steil
Steube
Stevens
Stewart
Strickland
Suozzi
Swalwell
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Timmons
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Upton
Valadao
Van Drew
Van Duyne
Vargas
Veasey
Velázquez
Wagner
Walberg
Walorski
Waltz
Wasserman Schultz
Waters
Watson Coleman
Weber (TX)
Welch
Wenstrup
Wexton
Wild
Williams (GA)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Zeldin

NAYS—21

Biggs
Boebert
Brooks
Burchett
Clyde
Estes
Gaetz
Good (VA)
Gooden (TX)
Gosar
Greene (GA)
Harshbarger
Hern
Lesko
Mann
Massie
McClintock
Perry
Rosendale
Roy
Schweikert

NOT VOTING—14

Burgess
Cheney
Clarke (NY)
Guest
Harder (CA)
Hice (GA)
Hollingsworth
Kinzinger
Mullin
Norcross
Norman
Webster (FL)
Westerman
Yarmuth

□ 1924

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Beyer)
Bass (Blunt Rochester)
Brown (MD) (Blunt Rochester)
Brown (OH) (Beatty)
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Frankel, Lois (Wasserman Schultz)
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Johnson (TX) (Jeffries)
Jones (Blunt Rochester)
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LaTurner (Mann)
Leger Fernandez (Neguse)
Loudermilk (Fleischmann)
Lynch (Connolly)
Mace (Donalds)
McEachin (Beyer)
Meeks (Jeffries)
Moore (WI) (Beyer)
Moulton (Neguse)
Murphy (FL) (Rice (NY))
Ocasio-Cortez (Takano)
Payne (Pallone)
Price (NC) (Manning)
Rogers (KY) (Reschenthaler)
Ruiz (Correa)
Ryan (Beyer)
Sánchez (Garcia (TX))
Schiff (Takano)
Sewell (Kelly (IL))
Sherman (Beyer)
Sires (Pallone)
Smith (NJ) (Kelly (PA))
Spartz (Banks)
Strickland (Takano)
Suozzi (Beyer)
Swalwell (Veasey)
Taylor (Fallon)
Thompson (MS) (Bishop (GA))
Titus (Connolly)
Tonko (Pallone)
Trahan (Connolly)
Vargas (Takano)
Walorski (Banks)
Waters (Garcia (TX))
Welch (Pallone)
Williams (GA) (Neguse)
Wilson (FL) (Neguse)

□ 1930

HONORING THE LIFE OF CONGRESSMAN JOHN COOKSEY

(Ms. LETLOW asked and was given permission to address the House for 1 minute.)

Ms. LETLOW. Madam Speaker, on Saturday, we lost Congressman John Cooksey, a former Member of this body and an outstanding American who dedicated his life to serving his country and improving the lives of others.

John Cooksey was born in Alexandria, Louisiana in 1941, and grew up near his father's sawmill in rural La-Salle Parish. He attended LSU and LSU Medical School and became an ophthalmologist. His love for practicing medicine ran so deep that he continued to treat patients for nearly 50 years.

Madam Speaker, just yesterday, I heard the story of a World War II veteran whose vision had become distorted because of his combat injuries. Dr. Cooksey treated him, restored the man's vision, and performed the entire surgery free of charge.

Dr. Cooksey also served as a medical missionary to Africa, volunteering his time and skills to treat those desperately in need of medical care. He was so moved by his experiences there that he returned home and personally led the fundraising drive to build a modern eye clinic in Kenya.

Dr. Cooksey had a dedication to serving others and a deep commitment to serving our country. He was a pilot in the Air Force and flew missions during the Vietnam War.

In 1996, Dr. Cooksey was elected to serve the people of Louisiana's Fifth Congressional District here in the House of Representatives. Throughout his three terms, he was known for delivering results that were transformational for our region and always going above and beyond to help his constituents.

On a personal level, I will always be grateful to John Cooksey for giving my late husband, Luke, his start in politics, instilling a love for the work of this Congress in an eager young boy from Start, Louisiana. For me, he was more than a predecessor, he was a trusted mentor, a confidant, and a friend.

Madam Speaker, we have lost a dedicated public servant who was an outstanding Member of this body. In his memory, I ask all Members in the Chamber to join me in observing a moment of silence as we honor the incredible life and remarkable accomplishments of Congressman John Cooksey.

HONORING THE SERVICE OF MRS. DEANNA DELUNA

(Mrs. CHERFILUS-MCCORMICK asked and was given permission to address the House for 1 minute.)

Mrs. CHERFILUS-MCCORMICK. Madam Speaker, I rise today to extend our eternal gratitude to Mrs. DeAnna Deluna for her dedication to our Nation's children as a 16-year educator for our South Florida community.

She is known to go above and beyond to support struggling children and to provide everyone, from every background, with a quality education.

Education is the one field that makes all others possible. Every one of us has been shaped by someone who inspired our curiosity and helped us find our confidence.

We are inspired by Mrs. Deluna and are thankful for her service to our children and her dedication to the Broward County School District.

CONGRATULATING PAT PECORA

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to congratulate Pat Pecora, Pitt-Johnstown's wrestling coach, on his fourth NCAA Division II National Wrestling Coach of the Year Award.

This award is presented to the coach who has demonstrated outstanding effort throughout the season in developing and elevating their program on campus and in the community. Pat has previously received this award in 1995, 1999, and 2019 for his efforts at Pitt-Johnstown.

This season, Pat led the Mountain Cats to a 13–1 dual-meet record and the program's 24th NCAA regional title. This year's team won a share of the PSAC dual-meet title for their sixth straight conference championship.

This recognition is well-deserved for Pat; and he is the all-time winningest coach in college wrestling at all divisions of the NCAA. In his 46 years at Pitt-Johnstown, he has recorded 631 victories.

Madam Speaker, Pat is an incredible coach and a great role model for the Pitt-Johnstown community.

Congratulations again on this well-deserved recognition and award.

Go Mountain Cats.

HONORING THE LIFE OF PAULINO VILLARREAL, SR.

(Mr. GARCÍA of Illinois asked and was given permission to address the House for 1 minute.)

Mr. GARCÍA of Illinois. Madam Speaker, I rise today to honor the life of Paulino Villarreal, Sr.

Paulino was a longtime city worker, community volunteer, loving father, and a longtime Pilsen resident. He saw the children of his neighborhood as an extension of his own, holding toy and school supply drives to help them.

Paulino represented what the southwest side of Chicago is all about; hard work, humility, and service to family and community.

Paulino left us with an important lesson: The people we help, the helping hand we extend, is the legacy we leave behind.

Family and friends will remember him for his cheerful outlook on life, his love for the Cowboys, and Tejano music. Above all, Paulino will be remembered for his generosity and his love of service.

I express my deepest condolences to the Villarreal family.

Rest in peace, my friend.

PRESIDENT BIDEN SIMPLY MUST DO BETTER

(Mr. ROSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSE. Madam Speaker, the average price of gasoline has more than doubled since President Biden was sworn into office. That is not a coincidence. After all, before he took office, he told us he would ''end fossil fuel.''

Now, Americans are finding out the hard way what happens when we elect a President that wants to end fossil fuels. The cost of living rises faster than we can keep up with because almost everything we wear, eat, and use is transported using fossil fuels.

Meanwhile, yesterday, the President announced he would be invoking the Defense Production Act to make more solar panels. Give me a break.

The President needs to concede his war against American energy and allow companies to drill and explore for new oil. It is that easy. Yet, he refuses.

President Biden simply must do better.

SOLAR TARIFF SUSPENSION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I rise today to call out China for its long history of predatory dumping and tariff avoidance.

We have seen China cheat on this game before on everything from steel to autos to solar. It hurts American workers and American companies that I represent in Ohio.

China is a nation that does not abide by global trading rules. Fair trading nations must apply strict scrutiny and appropriate penalties in response.

I welcome the administration's focus on boosting manufacturing of critical solar components here in America. But we cannot encourage a tilting of the playing field that favors a country whose sinister trade practices have crushed the American middle class.

Ohio's workers make and build the products that make and build America. Our Nation must respect them, as well as the innovative companies that are working to deliver America's energy independence in perpetuity.

Let's champion free trade among free people.

AMERICANS ARE LOSING THEIR COOL

(Mr. MEUSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEUSER. Madam Speaker, as Americans struggle to afford the record-high price of gas and the cost to keep their homes comfortable this summer, they are losing their cool with President Biden's attempts to develop a plan to tame skyrocketing inflation while playing the blame game.

Harry Truman said and was known for ''the buck stops here.'' The Biden mantra seems to be ''pass the buck.''

While the President puts the blame on the Federal Reserve for inflation and taps the Strategic Petroleum Reserve to provide a few pennies a gallon off the price of gas, Americans continue to pay historic prices at the pump, face sticker shock at the supermarket, and wonder which utility company will raise their rates next.

We have gone from an energy independent Nation to one that is at the mercy of OPEC and Russia with consequences that are rattling the world economy. Yet, the President tells us this is the most robust recovery in modern history.

It is time to embrace the truth and do what works: Responsible domestic energy production; lower taxes to rev up our economy; stop the reckless spending; and reduce the economic burden on Americans.

We need the courage to change course.

VITAMIN D DEFICIENCY AND COVID

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Well, Madam Speaker, one more time I will make my weekly statement with regard to Vitamin D.

The COVID epidemic is on the downslide but, in the most recent week, we still had 1,600 Americans die.

I call America's attention, and the subcommittee dealing with COVID, to the fantastic benefits of Vitamin D.

Israeli studies show people who have inadequate Vitamin D levels, under 20 nanograms per milliliter, are 11 times more likely to die of the COVID. And we have known about this for 2 years now.

I beg the public health establishment to spend a little bit of time talking about Vitamin D. I beg the public health establishment to check for Vitamin D levels when people come in. I have found people with levels as low as 16 or 4. By taking Vitamin D supplements, it may save their life.

I point out to the medical establishment that when I talk to the American people back home and they wonder why this isn't being talked about, they believe it is because there is no money to be made in giving a supplement that can cost 12 or 13 bucks at Walgreens. And it is a sad state of affairs when the American public believes that is the reason they haven't been educated on this lifesaving supplement.

COMMEMORATING THE 30TH ANNIVERSARY OF THE 340B DISCOUNT DRUG PROGRAM

The SPEAKER pro tempore (Mrs. CHERFILUS-MCCORMICK). Under the Speaker's announced policy of January 4, 2021, the gentlewoman from Virginia (Ms. SPANBERGER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. SPANBERGER. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Ms. SPANBERGER. Madam Speaker, I rise today to speak about the 340B program. I rise today to commemorate the 30th anniversary of the 340B drug discount program, which has supported health providers in their mission to care for the most vulnerable and low-income patients in our communities, all at no additional cost to the taxpayer.

Tonight, the House will hear stories from both Democrats and Republicans about how 340B supports the healthcare safety net in districts across the country, including in Virginia's Seventh District.

In 1992, Congress started the 340B program with a simple goal. The 340B program has helped hospitals, community health centers, and Federal grantees stretch their scarce resources as far as possible, helping them reach more eligible patients and provide more comprehensive services.

The way it works is simple: 340B requires pharmaceutical companies to make drugs more affordable for healthcare providers serving vulnerable communities and low-income patients. By discounting the drugs, these providers can stretch their resources further and reach even more patients.

The 340B program is especially important for providers in rural America. In these areas, lower incomes lead to higher rates of uncompensated care and a disproportionate number of patients with Medicare and Medicaid. Hospitals struggle to maintain costly services such as maternity wards and trauma centers, and patients at federally qualified health centers lack the resources to access high-cost drugs for HIV/AIDS, hemophilia, or diabetes.

Unfortunately, since the summer of 2020, at least 16 pharmaceutical companies have announced or implemented restrictions on 340B pricing. Both the current Biden administration and the previous Trump administration have found these restrictions to be unlawful, yet HHS has taken no serious enforcement action to prevent or penalize these illegal actions.

Let me be very clear: Every time a pharmaceutical company withholds a 340B discount from an eligible pharmacy, that company is unlawfully overcharging the healthcare safety net and withholding resources from the most vulnerable patients in our communities. And, in response, we need to defend 340B.

I commend HHS for its commitment to protecting the integrity of the 340B program, but I urge the agency to penalize the companies that refuse to comply with Federal law. It is the right thing to do for the people we serve.

Madam Speaker, I yield to my colleague from Tennessee (Mr. ROSE).

□ 1945

Mr. ROSE. Madam Speaker, I thank the gentlewoman from Virginia for yielding me time to speak on this very important and lifesaving program as we commemorate the 30th anniversary of the creation of the 340B program.

I applaud the gentlewoman from Virginia for her leadership on this issue and for organizing this opportunity for Members on both sides to speak about how important this issue is to each of our districts.

I also thank the other Members here tonight and those who routinely support the 340B program. More than 220 Members of the House recently joined a letter to Health and Human Services, urging the Department to crack down on drug companies denying 340B discounts. By having such a large group of Members in support of that letter, to which I proudly lent my name, we demonstrated the broad bipartisan support the 340B program enjoys across the entire country.

Madam Speaker, I include the text of that letter in the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 26, 2021.

Acting Secretary COCHRAN,
Department of Health and Human Services, Washington, DC.

DEAR ACTING SECRETARY COCHRAN: We write today as leading congressional proponents of the 340B drug discount program to ask you to take immediate action to ensure that manufacturers are prohibited from imposing unilateral changes to the program in direct conflict with congressional intent and decades of written guidance.

We were pleased to see 28 attorneys general urge former HHS Secretary Azar to protect the 340B programs. We believe that letter and the Department's Office of General Counsel's advisory opinion, released on December 30 and described below, represent some of the most compelling legal arguments for the actions we ask you to take.

As you know, Congress enacted the 340B Drug Pricing Program in 1992 following the creation of the Medicaid Drug Rebate Program. In order for their drugs to be covered by Medicaid, manufacturers are required to offer discounts to certain public and nonprofit health care organizations known as covered entities, including Federally Qualified Health Centers, Ryan White HIV/AIDS Clinics, Medicare/Medicaid Disproportionate Share hospitals, rural hospitals, and children's hospitals. According to the legislative history, Congress's intent in creating the discount program was to ''stretch scarce federal resources to reach more eligible patients and provide more comprehensive services.''

The 340B statute requires drug manufacturers to ''offer each covered entity covered outpatient drugs for purchase at or below the applicable ceiling price.'' There are no provisions in the statute that allow manufacturers to set conditions or otherwise impede a provider's ability to access 340B discounts. The Health Resources and Services Administration (HRSA), which oversees the program, has indicated on multiple occasions, dating back to the early years of the program, that the 340B statute requires manufacturers to provide 340B discounts to covered entities when covered entities purchase drugs to be dispensed through contract pharmacies on a covered entity's behalf.

Beginning in the summer of 2020, several drug manufacturers began to announce a range of actions to avoid honoring 340B discounts for certain drugs, many with the highest prices, delivered to covered entities' contract pharmacies. Some manufacturers have announced they will no longer ship discounted drugs to contract pharmacies; others will ship to only one contract pharmacy per covered entity.

HHS has reviewed manufacturers' refusals to provide 340B discounts to covered entities' contract pharmacies and found them to be unlawful. In a December 30th 2020 advisory opinion, then-general counsel Robert Charrow wrote, ''[T]he core requirement of the 340B statute . . . is that manufacturers must ''offer'' covered outpatient drugs at or below the ceiling price for ''purchase by'' covered entities. This fundamental requirement is not qualified, restricted, or dependent on how the covered entity chooses to distribute the covered outpatient drugs.''

Unfortunately, publishing the advisory opinion has not deterred manufacturers from continuing with unlawful price hikes. Many covered entities are struggling with severe financial losses as a result of the COVID–19 pandemic. They cannot afford to be unfairly targeted by large pharmaceutical corporations or be forced to pay higher up-front costs for the drugs their patients need.

Furthermore, an information technology company has allied with manufacturers to change the 340B program from one of upfront discounts to post-sale rebates, a change that would greatly increase costs for covered entities and give manufacturers tremendous leverage over covered entities. Such action is inconsistent with HRSA's long-standing guidance that the 340B program is an up-front discount program.''

The December 14th letter from the attorneys general called on HHS to ''address drug manufacturers' unlawful refusal to provide critical drug discounts to covered entities.'' Consistent with that letter, we urge you to:

1. Begin assessing civil monetary penalties on manufacturers that deny 340B pricing to

covered entities in violation of their obligations under the 340B statute;

2. Require manufacturers to refund covered entities the discounts they have unlawfully withheld since 2020;

3. Halt, through guidance or other means, any attempt to unilaterally change 340B upfront discounts to post sale rebates; and

4. Immediately seat the Administrative Dispute Resolution Panel to begin processing disputes within the program.

As the attorneys general stated in their December 14th letter, ''Each day that drug manufacturers violate their statutory obligations, vulnerable patients and their health care centers are deprived of the essential healthcare resources Congress intended to provide.'' Thank you very much for your prompt consideration of these important matters.

Mr. ROSE. Madam Speaker, even though the 340B program has received such overwhelming support from Members of Congress, multiple administrations, hospitals, doctors, pharmacists, and patients, it still finds itself struggling to survive from relentless efforts to undermine its existence by some pharmaceutical companies refusing to abide by the law. HHS must take immediate enforcement action against all of these noncompliant drug companies.

As many of us here tonight understand, the 340B program is an important avenue for offering lower drug prices for our most vulnerable citizens. It is often a lifeline of financial support for the small, rural hospitals in middle Tennessee and across the country. These very same hospitals are often the only source of care for communities in expansive geographic areas.

I have no other word to describe it other than ''unconscionable'' that companies founded to help sick patients by providing lifesaving medication deliberately undermine a law to increase affordable access to their lifesaving medications. It is truly disgraceful.

Tonight, we are going to hear more about this malpractice. I hope by highlighting this issue here on the floor of the U.S. House of Representatives, we will encourage other Members of the House and the Senate to take immediate and decisive action to protect the 340B program.

Ms. SPANBERGER. Madam Speaker, I thank the gentleman from Tennessee for his comments. Certainly, his comments focus so much on the importance of the 340B program. We know that rural hospitals are the lifeblood of their communities. They often serve as the largest employer in a town and a way to keep and attract young people to that community.

Rural hospitals are already in crisis, and since 2005, more than 180 rural hospitals have closed their doors. One reason why that number is not higher is the 340B program.

Savings from 340B discounts and community pharmacies are half of all the savings for rural hospitals. If these losses are allowed to stand and grow bigger, we will face a real crisis across rural America.

Recent actions by the pharmaceutical companies threaten the ability of rural hospitals to stay open, costing them, on average, $229,000.

Madam Speaker, I yield to the gentleman from Arizona (Mr. O'HALLERAN).

Mr. O'HALLERAN. Madam Speaker, I thank Congresswoman SPANBERGER, along with the gentleman from Pennsylvania, for organizing this Special Order hour on the importance of rural health outcomes and the programs that support them.

Together, our bipartisan group rises today to speak in support of the 340B drug discount pricing program. The 340B program enables community health centers to purchase outpatient drugs at reduced prices, allowing them to ensure that low-income patients have access to affordable prescription drugs, along with rural hospitals.

The dollars this program saves must also be reinvested directly into the health centers themselves, creating an influx of much-needed funding that our rural-serving institutions so often lack—way too often lack.

There are eight different 340B hospitals in Arizona's First Congressional District, more than any other district in our State. In 2018, studies found that 340B program hospitals accounted for 84 percent of all hospital care provided to Medicaid patients in Arizona.

From Casa Grande all the way up to Page, these hospitals need our help now. That is because, currently, several drug manufacturers are unlawfully withholding or limiting discounts from 340B-covered entities—I personally do not understand this at all—including safety-net hospitals and community health centers.

Anybody that lives in rural Arizona knows the critical need for hospitals and community healthcare centers and that they are suffering.

Today, I am standing with my colleagues on both sides of the aisle to support this program and in support of the PROTECT 340B Act. Our legislation would prohibit pharmaceutical entities from discriminatory practices against 340B healthcare centers and hospitals.

Last year, we sent a letter demanding HHS take immediate action against manufacturers that refuse to comply with their obligation—I repeat, ''their obligation''—to provide CHCs and rural hospital providers with discounted drugs and require manufacturers to refund the providers for months of unlawful overcharges. Today, we are speaking in support of these asks yet again.

In my district, the families that receive care at Banner Casa Grande Medical Center, Cobre Valley Medical Center, Flagstaff Medical Center, Little Colorado Medical Center, Mt. Graham Regional Medical Center, Page Hospital, Summit Healthcare Regional Medical Hospital, and White Mountain Regional Hospital are counting on us to get this done.

CMS should understand that this is required to get done. I am confident we can if we work together.

Ms. SPANBERGER. Madam Speaker, I thank my colleague from Arizona for speaking about this important program and the value that it has across his district.

I am now grateful for the opportunity to yield to my colleague from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Madam Speaker, first of all, I thank my colleague from Virginia for hosting and coordinating this time tonight on an incredibly important issue for rural America.

Madam Speaker, this year marks the 30th anniversary of the 340B Federal drug pricing program. I am very familiar with this program, having worked for 28 years in rural hospitals where this 340B program was incredibly important for consumers, for patients, to be able to get access to the medications that they require but also equally important as a lifeline for our rural hospitals.

Rural hospitals today, in my experience, having worked within these facilities for almost three decades, most hospitals are lucky to break even, especially rural hospitals. It is very challenging financially, but we know how important they are.

We know that these tend to be the economic engines within our rural communities. These are the source of great jobs. This is access to quality healthcare. When these rural hospitals close, the economic impacts, the healthcare impacts, the health impacts are significant and negative for those communities.

I can't tell you how many times, Madam Speaker, I have seen the 340B program be the difference between a red, losing year, where you bleed money, you lose money—and you can do that for only so long until a hospital has to shutter its doors and lay people off—and perhaps breaking even or even just a slight margin.

In rural healthcare, a rural hospital, a 1 to 2 percent margin is a banner year. It is a great year. That is hardly enough to invest in modern, lifesaving technology or to invest in your staff to recruit and retain those qualified providers that are the key part of all healthcare. It really comes down to the providers, having those folks and retaining them.

The 340B program, I can tell you in all the decades of my healthcare experience where I have seen it, has made the difference of having a margin to be able to keep the lights on; to be able to invest in lifesaving advances, technology, equipment; and, quite frankly, retain and recruit the best and the brightest.

This was enacted in 1992, originally. The 340B drug pricing program requires pharmaceutical companies to provide certain healthcare organizations, like federally qualified health centers and rural hospitals, discounts on their drugs in exchange for having their drugs covered by Medicaid.

The program was created with a purpose to ''stretch scarce Federal resources to reach more eligible patients and provide more comprehensive services''—a worthy cause, a worthy mission.

As the Member representing Pennsylvania's 15th Congressional District—it includes 14 counties, nearly 25 percent of the land mass of the Commonwealth—I am a strong advocate for the 340B program as it is a lifeline to many of my constituents. As I said before, I have worked within those systems. I have seen it firsthand.

Sadly, the 340B program is under attack. Some drug manufacturers have stopped honoring the 340B discounts. In other words, if a health center receives 340B savings, it is usually unable to keep them because third parties have found creative ways to pick the 340B savings out of the center's pockets. This is simply unacceptable and hurts those who truly need these medications.

For these reasons, I am proud to be a cosponsor of H.R. 4390, the PROTECT 340B Act, which prohibits these types of practices and ensures 340B savings remain where Congress meant them to go: with the safety-net providers and the medically underserved patients that they care for.

Madam Speaker, I am going to continue to support policies that strengthen the 340B program. I am going to work to ensure any developments that threaten the ability of safety-net providers to provide critical health services, including the many in my congressional district, are stopped in their tracks.

I really very much appreciate the gentlewoman from Virginia for her leadership on this and all of my colleagues who have come together tonight to defend a program that is about access for healthcare consumers and access to healthcare in rural America.

Ms. SPANBERGER. Madam Speaker, I thank my colleague from Pennsylvania for his comments. They are so important because he was talking about the impact that we see when pharmaceutical companies do not abide by the 340B program.

We know that hospitals that serve more urban areas report that, on average, they have lost nearly a quarter of the 340B resources they receive through partnerships with community pharmacies. That is a median loss of $1 million.

For critical access hospitals that are the only source of hospital care for their remote, rural communities, this loss is nearly 40 percent, and the median loss is $220,000.

These losses of millions of dollars are harmful to hospitals with razor-thin operating margins, especially the more than half that operate in the red even with 340B support, echoing and illustrating the point made by my colleague from Pennsylvania.

To be clear, these losses are going to drug companies that continue to report excellent results to their shareholders, many of whom report double-digit profit margins. We know that that impacts hospitals across our communities and their ability to serve patients and provide care.

I am now pleased to yield time to the gentleman from New Hampshire (Mr. PAPPAS).

Mr. PAPPAS. Madam Speaker, I thank the Representative for her leadership in organizing this bipartisan Special Order hour.

It is important for us to be together here to commemorate the 30th anniversary of the 340B program. We know that it has helped to ensure that rural communities and low-income individuals in districts like mine and across the country have access to the lifesaving healthcare and prescription drugs that they need.

I am also here in strong opposition to what these drug companies are doing. They are undermining the 340B discounts. I believe it is a violation of the law, and it is hurting families in my district.

There are at least 13 pharmaceutical companies right now that are unlawfully withholding or limiting discounts under the 340B program, and it impacts providers and patients in New Hampshire, including our hospitals, our community health centers, and other providers who serve our most vulnerable neighbors.

I have heard about this from my constituents who have talked about the importance of this program, and I think their words tell a pretty powerful story.

In Rockingham County in my district, one of my constituents requires daily medication. Without 340B, not only would she not be able to afford her medication, but she would also be forced to choose between affording her home or affording her own health.

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In Strafford County, in my district, there is another New Hampshire resident who uses the 340B program for insulin for their diabetes. They pay just $45 a month for three vials of insulin instead of $400 a month for just one vial. According to them, ''Everything would get turned upside down for me if the program ended.''

And because of the 340B program, staff at a community health center in my district have been able to reduce the cost of treatments significantly. Specifically, for one patient who has lived with a condition since they were 12 years old, costs were reduced from $400 to just about $100. They shared this with me: ''I can't imagine what I would do if it weren't for the 340B program helping with the price of my medication. Please do everything you can to protect this.''

Last year, I signed a letter with over 220 House Members to protect the 340B program and oppose the actions of these drug companies. We called on HHS to take action to stop these companies from denying these 340B discounts.

In February, I was very proud to join so many of my colleagues in cosponsoring the PROTECT 340B Act. This would stop health insurers and pharmacy benefit managers from discriminating against 340B providers, and it would protect the health and well-being of my constituents and so many others across this country that depend on this program.

At a time when pharmaceutical companies are reaping record profits, when the cost of prescription drugs continues to skyrocket, it is just unconscionable that there are corporate actors who continue to ignore the law and stick it to our consumers, our constituents, the patients across this country and hand them an astronomical bill.

We have all got to join together and commit ourselves to fighting to lower the cost of prescription drugs. This is one area where I think Republicans and Democrats can come together and pass something meaningful. I hope our colleagues will heed the stories they have heard here tonight. I thank Representative SPANBERGER for her leadership.

Ms. SPANBERGER. Madam Speaker, I thank Mr. PAPPAS for sharing the stories that he is hearing directly from his district.

When I asked pharmacists about how this program works in practice, we were overwhelmed with responses related to how patients have been able to access care through the 340B program. I will just give one example as follow-up to Mr. PAPPAS' comments.

We had a pharmacist say, ''I have countless numbers of patients who are now able to get their insulin and control their diabetes because of the 340B program.'' When their local pharmacy prices put their insulin costs into the range of hundreds of dollars each month, this pharmacist, because of the 340B program, is able to meet the needs of these community members with diabetes who otherwise would not be able to afford their lifesaving medication.

We have story after story from pharmacists who recognize the value of this program and depend on it in order to serve patients throughout Virginia, New Hampshire, and throughout the country.

Madam Speaker, I yield to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I commend and thank my colleague from Virginia for organizing this Special Order.

I am pleased to join with all of my colleagues who have spoken strongly in favor of revitalizing, reenergizing, making sure that the 340B program is implemented in a very serious way.

I welcomed a young intern to my office this afternoon, and he was coming from Tufts University. I shared with him the fact that it was Tufts University in Mound Bayou, Mississippi, that started the first of the federally qualified health centers and that he was in

a good place. I worked with 2 of them personally, and there were only 10 in the country at the time. Now, of course, we have more than 2,000, and they are practically in every State, every community, wherever you are.

I represent a large, urban, low-income community with 23 hospitals, many of which are safety net. I think I may have more hospitals than any single area. A discount for the individuals who use these institutions will be more than helpful to them, so I urge that we continue the program, but I really urge that we enforce and make sure that they do what they were designed to do.

Ms. SPANBERGER. Madam Speaker, I thank Mr. DAVIS for his comments and certainly for bringing up the important role that federally qualified health centers raise in providing care. We know that they stretch their scarce resources. In fact, one of the federally qualified health centers in my district in Louisa County has shared with us some stories about the impact of this program.

Louisa County is one of the most rural counties in my district, and the Louisa County Health and Wellness Center is a federally qualified health center, and it is an invaluable resource for Louisa County and our local community.

Discounts through the 340B program allows the Central Virginia Health Services and the Louisa County Health and Wellness Center to offset the costs of providing nonprofitable services, such as dental and behavioral health. The savings from 340B allows Central Virginia Health Services to have a strong clinical pharmacy team that provides extensive support with Medicare annual wellness visits, medication compliance with complex patients, managing its hepatitis C program, and overseeing diabetic initiatives. Most importantly, the 340B savings allows Central Virginia Health Services and other federally qualified health centers to offer substantial sliding fee discounts to patients regardless of whether or not they have insurance.

The Federal grant only covers about 40 percent of the cost of treating a patient, and the rest comes from 340B savings. So let me be clear on that: It is the savings that federally qualified health centers receive because they are able to participate in this program. Because the drugs that they are prescribing and giving to their patients cost less, those savings they are able to invest elsewhere. In the case of Louisa County, they are putting those dollars into dental and behavioral health.

The intent of the 340B program for the past 30 years has been to help stretch Federal resources for the benefit of the taxpayer, and this is a great example of exactly how that is happening back home in Virginia's Seventh District.

Madam Speaker, I yield to the gentleman from Illinois (Mr. GARCÍA) to speak on this important program.

Mr. GARCÍA of Illinois. Madam Speaker, I thank Representative SPANBERGER for organizing this Special Order.

I, like the previous speakers, rise in support of the 340B drug pricing program. This little-known program represents only about 3 percent of the total drug sales in our country, but it is one of the most far-reaching health programs, especially for folks in my district.

Let me share a story of an elderly patient at Erie Family Health Centers, which is based in my district. She had no insurance and struggled to afford her diabetes medication. Sadly, this is far too common in my district. The price jumped to $200, and she could not access her pharmacy during the COVID–19 crisis. But thanks to the 340B program, this patient now pays $9 for her medication, and it is delivered for free, straight to her home.

This patient is not alone. Many Erie patients would not be able to obtain their insulin without the 340B discount. Unfortunately, this program is currently under assault on several fronts. We have to stand up. And we must protect it.

Community health centers are under tremendous pressure to keep their doors open while caring for the most impacted. The timing could not be worse for pharmaceutical manufacturers to undermine such a critical program. The 340B program provides lifesaving medication for nearly 1.5 million patients of Illinois community health centers as well as housing, transportation, care management, and more.

We must defend this crucial program. It is literally a lifeline for communities like mine.

Ms. SPANBERGER. Madam Speaker, I thank my colleague from Illinois for providing such an important story, illustrating the value of the 340B program in Illinois, and those stories exist across the country.

I now yield to the gentleman from Tennessee (Mr. ROSE), as we continue our discussion about the value of this program.

Mr. ROSE. Madam Speaker, I want to talk a little more about the importance of H.R. 4390, the PROTECT 340B Act of 2021, which was introduced by the gentleman from West Virginia (Mr. MCKINLEY), my friend, and is co-led by the gentlewoman from Virginia (Ms. SPANBERGER), the lead organizer of this Special Order.

Passage of the PROTECT 340B Act of 2021 is essential in order to push back against recent attacks on the 340B program.

This bill would prohibit pharmacy benefit managers, otherwise known as PBMs, from discriminating against 340B providers or their contract pharmacies.

The PROTECT 340B Act is supported by America's Essential Hospitals, 340B Health, National Association of Community Health Centers, and Ryan White Clinics for 340B Access. To ensure PBMs are held accountable, it allows the HHS Secretary to impose civil monetary penalties.

This is the definition of a good bill. It has broad, bipartisan support in the House as well as among outside groups, and it even has an enforcement mechanism that hits the bad actors where it hurts them most—their pocketbooks.

Ms. SPANBERGER. Madam Speaker, I thank my colleague from Tennessee. I appreciate his talking about the PROTECT 340B program. I was so proud to lead this effort. And certainly, as we have heard today, Congress' intention for the 340B program is to support safety net providers and their ability to stretch their scarce resources and provide more comprehensive services to vulnerable patients.

Congress certainly did not intend for the 340B program and those discounts to subsidize the profits of Fortune 100 pharmacy benefit managers, and I thank Mr. ROSE for recognizing that.

I was proud to work with my colleagues across the aisle to introduce PROTECT 340B to stop PBMs from, frankly, pickpocketing 340B discounts so that we can ensure the benefits of 340B reach the community health centers, the HIV/AIDS clinics, and the rural hospitals that Congress intended to support.

I thank the gentleman from West Virginia (Mr. MCKINLEY), who has been an absolute champion of this issue. I have been so grateful to work with him and his team every step along the way. His commitment to West Virginia, the safety net hospitals, the rural hospitals, and the communities that rely on 340B is apparent through his dedication to this.

Our bill is in response to the stories that we have heard from pharmacists across our districts. PBMs have established two tiers of payment for pharmacy-dispersed drugs, one for chain and retail pharmacies unassociated with 340B providers, and another significantly lower rate for 340B pharmacies.

Years of market consolidation have given the three leading PBMs incredible market power, and they can effectively dictate terms to smaller 340B pharmacies. What that means is PBMs are essentially pickpocketing 340B savings from safety net providers. Instead of helping the healthcare safety net reach more patients, the 340B savings are subsidizing the profits of some of the largest, most profitable companies in America, and that means that those safety net hospitals, those rural hospitals, those federally qualified health centers are not able to put those savings toward care to patients.

Our PROTECT 340B Act would hold PBMs accountable and prevent them from applying these predatory business practices to the local health centers, the rural hospitals, and other Federal grantees. It would also create a national clearinghouse to track 340B discounts and make sure 340B drugs are not included in States' Medicaid rebate requests. Together, these changes

would restore the integrity of the program and protect the healthcare safety net so many of our constituents rely on.

I am proud that for over the past 2 years many States, including Virginia, have passed laws to protect the healthcare safety net from these predatory business practices, but it is not enough. A Federal standard is necessary to ensure consistent and broad protections for healthcare providers and, importantly, to actually ensure that we are enforcing the law, and we are seeing momentum toward that moment. Currently, our bill has more than 90 cosponsors, and I welcome the rest of our colleagues to join our effort. Certainly, from tonight, people should be able to see this is an issue that many people from across the country and across the aisle certainly can get behind, and I urge my colleagues to consider joining us in this legislation.

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Madam Speaker, I am happy to yield time back to the gentleman from Tennessee (Mr. ROSE) to continue this conversation and education about the value of the 340B program.

Mr. ROSE. Madam Speaker, again, I thank the gentlewoman from Virginia for yielding, and I join her in calling on our colleagues to join us in this effort to preserve and protect the 340B program.

I will share a success story that highlights how Members worked in a bipartisan way to solve a major issue within the 340B program.

Because of the COVID–19 pandemic, some hospitals lost their 340B eligibility due to the influx of COVID–19 patients that overwhelmed some hospitals and diminished their ability to meet the requirements of the 340B program. Two of those hospitals were in my district in rural Tennessee. However, the gentlewoman from California, Representative MATSUI, introduced H.R. 3203, which was designed to restore eligibility to hospitals that lost their 340B status due to the pandemic. I was proud to lend my name as a cosponsor to this bipartisan bill.

I am happy to report that because of this bipartisan support and the leadership of Members like Representative MATSUI, this issue was fixed in section 121 of the Consolidated Appropriations Act of 2022. Because of this bipartisan effort, I am pleased to report back that both hospitals in my district in Tennessee have since regained that 340B eligibility.

Madam Speaker, I hope this story shows that Members are capable of protecting and strengthening the 340B program in a bipartisan way.

Ms. SPANBERGER. Madam Speaker, I thank and appreciate the gentleman.

Madam Speaker, we have been joining together to recognize the importance of this program, ensuring that it is there to serve our communities. And I will give an example.

Virginia Commonwealth University, or VCU, is the largest safety net hospital in Virginia, and it serves the greatest number of uninsured and Medicaid patients in our Commonwealth.

Nearly three-quarters of VCU's payor mix is public or uninsured. I am proud that VCU has been a good steward of the discounts it receives through the 340B program, consistent with Congressional intent that the 340B program be used to ensure these discounts can stretch Federal resources.

The 340B program supports VCU's health systems' commitment to serving all members of the community, regardless of their ability to pay. And in 2020 alone, the program's savings helped VCU Health provide nearly 2,100 patients with $27,300 discounted or free medications and over $64 million in uncompensated care in fiscal year 2021.

I am going to repeat that. The program savings, the savings that VCU was able to get through the 340B program, allowed them to provide $64 million in uncompensated care.

VCU has used its 340B discounts to stretch its resources and expand patients' access to care. For example, in just one year, one patient visited VCU's Emergency Department nearly 50 times. He was homeless, and he had multiple chronic conditions; so the emergency department referred him to VCU's Health Complex Care Clinic. There, thanks to 340B discounts, the patient received significantly discounted medications from the hospital pharmacy. Meanwhile, the clinic staff helped the patient find transitional housing and apply for Medicaid coverage.

Over the next 3 years, the patient only had four emergency department visits. In 1 year, this man visited the emergency room 50 times because it was how he was able to get the healthcare that he needed. But thanks to the 340B program and how well it is utilized by hospitals like VCU and hospitals across the country, this man was able to get the medicine he needed through this program at a discounted rate. And the hospital was able to invest its resources in providing care and ensuring that this gentleman could get the medication he needed for his chronic illness and also find his way into transitional housing, apply for Medicaid coverage, and over 3 years, he had four emergency department visits.

That is investing in the community, in better health outcomes, and this is exactly why this program was created. The discounts available through 340B helped providers like VCU meet the needs of their patients and certainly uphold the intent of 340B and the program as it was created 30 years ago.

Madam Speaker, I yield to the gentleman from Tennessee (Mr. ROSE), my colleague.

Mr. ROSE. Madam Speaker, again, I thank the gentlewoman from Virginia (Ms. SPANBERGER). She has done a commendable job putting tonight's Special Order together, gathering support from both sides of the aisle to come speak here tonight about the 340B program, and being one of the Members leading the fight to protect the lifesaving 340B program.

Madam Speaker, by their presence on the House floor tonight and the persuasive and powerful words they have spoken, these Members have sent the unmistakable signal that we are all resolutely prepared to fight on behalf of our constituents who benefit from the 340B program, even if it ruffles some powerful feathers.

If Big Pharma would just play by the rules and abide by the law, I am sure we wouldn't be in the position we are today. However, the big pharmaceutical companies aren't playing by the rules, and they are showing no signs that they have an interest in doing so.

All we are asking is that they, too, are held accountable to the law. That is it. Nothing more, nothing less. In the meantime, we will continue to push back on their brazen attempts to undermine the law because I know we are on the right side of this fight.

I encourage all Members to reach out to the Federally qualified health centers, the Ryan White Clinics, Medicare/Medicaid Disproportionate Share hospitals, rural hospitals, and children's hospitals in your districts that are 340B participants. You will find that the 340B program has an enormous impact on communities all across this country.

Lastly, I reiterate my support for H.R. 4390, the Protect 340B Act, and I sincerely beseech House leadership to bring the bill to the floor for a vote.

Ms. SPANBERGER. Madam Speaker, I thank Mr. ROSE and his commitment to this issue, and I thank him for joining me in this Special Order hour. It has really been a wonderful experience to hear from our colleagues from across the country and across the aisle talk about the value of this program.

Certainly, we heard Mr. THOMPSON of Pennsylvania talk about the impact that the 340B program has on hospitals; their ability to operate, their ability to provide their service, and their ability to be there for their patients, the importance that this program has to the operation of our healthcare system here in the United States.

We heard from Mr. PAPPAS of New Hampshire, stories of particular people's experience, that thanks to the 340B program, patients with a need in communities wanting to serve their constituents have been able to ensure that people who need medication can get it through the 340B program.

Mr. O'HALLERAN of Arizona highlighted the value of this program in rural communities across the United States. And Mr. DAVIS of Illinois talked about the creation of Federally qualified health centers and how vital the 340B program is to their ability to serve their patients, their communities, and our communities.

Mr. GARCÍA of Illinois told a really specific story about the impact of 340B on a patient with diabetes and what he

is hearing directly from constituents. And certainly, Mr. ROSE, in our comments back and forth, my colleague and I have talked about the value of this program, the intent of this program, and our efforts to ensure that pharmaceutical companies and pharmacy benefit managers are not breaking the law and are not raiding the coffers of the 340B discount program.

Madam Speaker, I close out tonight by just thanking all of the Members who came to the floor, all of the Members who support legislation to support this vital program, and all of the Members who recognize the value of the 340B program within their district. Again, I give a very special thanks to my friend from Tennessee that helped manage the floor during this Special Order hour.

Since it came into being nearly 30 years ago, 340B has enabled a strong healthcare safety net that has served thousands of communities and millions of patients. It has been a lifeline for hospitals, health centers, and clinics that serve patients with low incomes, especially those who are uninsured or on Medicaid and those in rural areas. It has done so with strong bipartisan support and without costing any taxpayer dollars. Again, these savings allow our communities' hospitals to stretch those Federal dollars, to save those Federal dollars. This program does not cost a single taxpayer dollar.

The 340B Drug Pricing Program is a success story for patient access to care. We should celebrate it. We should protect it. We should defend 340B.

Madam Speaker, I yield back the remainder of my time.

ENROLLED BILLS SIGNED

Kevin F. McCumber, Deputy Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. BROWN of Maryland, on Friday, June 3, 2022:

H.R. 1298. An act to designate the facility of the United States Postal Service located at 1233 North Cedar Street in Owasso, Oklahoma, as the ''Technical Sergeant Marshal Roberts Post Office Bulding''.

H.R. 3579. An act to designate the facility of the United States Postal Service located at 200 East Main Street in Maroa, Illinois, as the ''Jeremy L. Ridlen Post Office''.

H.R. 3613. An act to designate the facility of the United States Postal Service located at 202 Trumbull Street in Saint Clair, Michigan, as the ''Corporal Jeffrey Robert Standfest Post Office Building''.

H.R. 4168. An act to designate the facility of the United States Postal Service located at 6223 Maple Street, in Omaha, Nebraska, as the ''Petty Officer 1st Class Charles Jackson French Post Office''.

Cheryl L. Johnson, Clerk of the House, further reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker on Tuesday, June 7, 2022.

H.R. 3525. An act to establish the Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate and noon for legislative business.

Thereupon (at 8 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 8, 2022, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 6087, the Improving Access to Workers' Compensation for Injured Federal Workers Act of 2022, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YALMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 7667, the Food and Drug Amendments of 2022, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 7667

	By fiscal year, in millions of dollars—												
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2022–2027	2022–2032
Statutory Pay-As-You-Go Impact	0	−13	−39	402	−56	−59	−65	−60	−65	−67	−70	235	−92

Components may not sum to totals because of rounding

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC–4295. A letter from the General Counsel, Farm Credit Administration, transmitting the Administration's final rule — Implementation of the Current Expected Credit Losses Methodology for Allowances, Related Adjustments to the Tier 1/Tier 2 Capital Rule, and Conforming Amendments (RIN: 3052-AD36) received May 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC–4296. A letter from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting the Bureau's interpretive rule — Authority of States to Enforce the Consumer Financial Protection Act of 2010 received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC–4297. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyridate; Pesticide Tolerances [EPA-HQ-OPP-2021-0339; FRL-9298-02-OCSPP] received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4298. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; ID; Incorporation by Reference Updates [EPA-R10-OAR-2021-0950; FRL-9395-02-R10] received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4299. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the States of Arizona and California [EPA-R09-OAR-2021-0962; FRL-9400-03-R9] received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4300. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Missouri; Control of Volatile Organic Compound Emissions From Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry [EPA-R07-OAR-2022-0236; FRL-9605-02-R7] received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4301. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Missouri; Restriction of Emissions Credit for Reduced Pollutant Concentrations from the Use of Dispersion Techniques [EPA-R07-OAR-2022-0285; FRL-9645-02-R7] received May

24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4302. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Repeal of Delegation Authority [EPA-R04-OAR-2021-0472; FRL-9646-02-R4] received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4303. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Rhode Island; Infrastructure State Implementation Plan Requirements for the 2012 PM2.5 NAAQS [EPA-R01-OAR-2017-0443; FRL-9876-01-R1] received May 24, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC–4304. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the Bank's 2021 management report and financial statements, pursuant to 31 U.S.C. 9106(a)(1); Public Law 97-258 (as amended by Public Law 101-576, Sec. 306(a)); (104 Stat. 2854); to the Committee on Oversight and Reform.

EC–4305. A letter from the Chief, Branch of Domestic Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Species Status for Streaked Horned Lark With Section 4(d) Rule [Docket No.: FWS-R1-ES-2020-0153; FF09E21000 FXES1111090FEDR 223] (RIN: 1018-BE76) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–4306. A letter from the Chief, Branch of Domestic Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Big Sandy Crayfish and Guyandotte River Crayfish [Docket No.: FWS-R5-ES-2019-0098; FF09E21000 FXES1111090FEDR 223] (RIN: 1018-BE19) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–4307. A letter from the Chief, Branch of Domestic Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Adding Rice's Whale to and Updating Three Humpback Whale Entries on the List of Endangered and Threatened Wildlife [Docket No.: FWS-HQ-ES-2021-0138; FF09E21000 FXES1111090FEDR 223] (RIN: 1018-BG58) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–4308. A letter from the Chief, Branch of Domestic Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Peppered Chub and Designation of Critical Habitat [Docket No.: FWS-R2-ES-2019-0019; FF09E21000 FXES1111090FEDR 223] (RIN: 1018-BD29) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–4309. A letter from the Chief, Branch of Domestic Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revision of the Critical Habitat Designation for the Jaguar in Compliance With a Court Order [Docket No.: FWS-R2-ES-2012-0042; FF09E21000 FXES11110900000 212] (RIN: 1018-AX13) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–4310. A letter from the Chief, Branch of Domestic Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for Panama City Crayfish and Designation of Critical Habitat [Docket No.: FWS-R4-ES-2017-0061 and FWS-R4-ES-2020-0137; FF09E2100 FXES1111090FEDR 223] (RIN: 1018-BC14; 1018-BD50) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC–4311. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the West Sonoma Coast Viticultural Area [Docket No.: TTB-2018-0008; T.D. TTB-179; Ref: Notice No. 177] (RIN: 1513-AC40) received June 3, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Submitted June 6, 2022]

Mr. NADLER: Committee on the Judiciary. H.R. 7910. A bill to amend title 18, United States Code, to provide for an increased age limit on the purchase of certain firearms, prevent gun trafficking, modernize the prohibition on untraceable firearms, encourage the safe storage of firearms, and for other purposes; with an amendment (Rept. 117–346, Pt. 1). (Referred to the—Committee of the Whole House on the state of the Union.

[Submitted June 7, 2022]

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 7776. A bill to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; with an amendment (Rept. 117–347). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALLONE: Committee on Energy and Commerce. H.R. 7667. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; with an amendment (Rept. 117–348). Referred to the Committee of the Whole House on the State of the Union.

Ms. WATERS: Committee on Financial Services. H.R. 166. A bill to establish an Office of Fair Lending Testing to test for compliance with the Equal Credit Opportunity Act, to strengthen the Equal Credit Opportunity Act and to provide for criminal penalties for violating such Act, and for other purposes; with amendments (Rept. 117–349). Referred to the Committee of the Whole House on the state of the Union.

Ms. WATERS: Committee on Financial Services. H.R. 2123. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require regulated entities to provide information necessary for the Offices of Women and Minority Inclusion to carry out their duties, and for other purposes; with an amendment (Rept. 117–350). Referred to the Committee of the Whole House on the state of the Union.

Ms. WATERS: Committee on Financial Services. H.R. 7003. A bill to amend the Federal Credit Union Act to permit credit unions to serve certain underserved areas, and for other purposes; with an amendment (Rept: 117–351). Referred to the Committee of the Whole House on the state of the Union.

Ms. WATERS: Committee on Financial Services. H.R. 7733. A bill to amend the Community Development Banking and Financial Institutions Act of 1994 to reauthorize and improve the community development financial institutions bond guarantee program, and for other purposes; with an amendment (Rept. 117–352). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 3648. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; with an amendment (Rept. 117–353). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 4330. A bill to maintain the free flow of information to the public by establishing appropriate limits on the federally compelled disclosure of information obtained as part of engaging in journalism, and for other purposes; with an amendment (Rept. 117–354). Referred to the Committee of the Whole House on the state of the Union.

Ms. WATERS: Committee on Financial Services. H.R. 2516. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require Federal banking regulators to include a diversity and inclusion component in the Uniform Financial Institutions Rating System, and for other purposes; with an amendment (Rept. 117–355). Referred to the Committee of the Whole House on the state of the Union.

Mr. McGOVERN: Committee on Rules. House Resolution 1153. Resolution providing for consideration of the bill (H.R. 2377) to authorize the issuance of extreme risk protection orders; providing for consideration of the bill (H.R. 7910) to amend title 18, United States Code, to provide for an increased age limit on the purchase of certain firearms, prevent gun trafficking, modernize the prohibition on untraceable firearms, encourage the safe storage of firearms, and for other purposes; and for other purposes (Rept. 117–356). Referred to the House Calendar.

Mr. DAVID SCOTT of Georgia: Committee on Agriculture. H.R. 7606. A bill to establish the Office of the Special Investigator for Competition Matters within the Department of Agriculture; with an amendment (Rept. 117–357). Referred to the Committee of the Whole House on the state of the Union.

Mr. NADLER: Committee on the Judiciary. H.R. 301. A bill to amend title 36, United States Code, to establish the composition known as ''Lift Every Voice and Sing'' as the national hymn of the United States; with an amendment (Rept. 117–358). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[Submitted June 6, 2022]

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 7910 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. CONNOLLY (for himself and Mr. SARBANES):

H.R. 7951. A bill to amend title 5, United States Code, to improve Federal agency teleworking programs, and for other purposes; to the Committee on Oversight and Reform.

By Ms. DEAN (for herself, Ms. HOULAHAN, and Mr. FITZPATRICK):

H.R. 7952. A bill to authorize the Secretary of the Interior to issue a right-of-way permit with respect to a natural gas distribution pipeline within Valley Forge National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mrs. BEATTY:

H.R. 7953. A bill to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to establish a Financial Agent Mentor-Protégé Program within the Department of the Treasury, and for other purposes; to the Committee on Financial Services.

By Mr. BUDD:

H.R. 7954. A bill to amend the Internal Revenue Code of 1986 to provide for a credit against tax for qualified special law enforcement officers; to the Committee on Ways and Means.

By Ms. JACKSON LEE (for herself, Ms. CLARKE of New York, Mr. CARSON, Mr. CICILLINE, Mr. MFUME, Mr. CARTER of Louisiana, Mrs. CHERFILUS-MCCORMICK, Mr. CLEAVER, and Mr. BUTTERFIELD):

H.R. 7955. A bill to prevent and prosecute white supremacy inspired hate crime and conspiracy to commit white supremacy inspired hate crime; to the Committee on the Judiciary.

By Mr. CARTER of Georgia:

H.R. 7956. A bill to require the President to submit a report to Congress on the actions Executive agencies are taking to make school security improvements at public elementary and secondary schools, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself, Mr. GARCÍA of Illinois, Mr. DANNY K. DAVIS of Illinois, and Ms. LEE of California):

H.R. 7957. A bill to amend title 18, United States Code, to expand the scope of hate crimes; to the Committee on the Judiciary.

By Mr. RODNEY DAVIS of Illinois:

H.R. 7958. A bill to amend the Help America Vote Act of 2002 to prohibit the use of Federal funds for the administration of an election for Federal office in States which permit ballot harvesting, and for other purposes; to the Committee on House Administration.

By Mr. RODNEY DAVIS of Illinois:

H.R. 7959. A bill to amend the National Voter Registration Act of 1993 to clarify the authority of States to remove noncitizens from voting rolls and to require States to maintain separate voter registration lists for noncitizens, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois:

H.R. 7960. A bill to amend the Real ID Act of 2005 to include citizenship status as part of the minimum requirements with respect to a driver's license and identification card issued to a person by a State, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEAN (for herself and Mr. BUCSHON):

H.R. 7961. A bill to protect hospital personnel from violence, and for other purposes; to the Committee on the Judiciary.

By Mrs. DINGELL (for herself, Ms. BLUNT ROCHESTER, Ms. MOORE of Wisconsin, Mr. COOPER, Mr. ROSE, Mr. TONKO, Mr. WELCH, Mr. WALBERG, Ms. ESCOBAR, Mr. MULLIN, Mr. KIND, and Mrs. HARSHBARGER):

H.R. 7962. A bill to amend the Energy Policy and Conservation Act to modify the definition of water heater under energy conservation standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ESTES:

H.R. 7963. A bill to replenish the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FEENSTRA:

H.R. 7964. A bill to require disclosure of the total amount of interest that would be paid over the life of a loan for certain Federal student loans; to the Committee on Education and Labor.

By Mr. GALLAGHER (for himself, Mr. MEIJER, Ms. TITUS, and Mr. GOTTHEIMER):

H.R. 7965. A bill to prevent the misuse of drones, and for other purposes; to the Committee on the Judiciary.

By Mr. HUDSON (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. MURPHY of North Carolina, Mr. WOMACK, Mr. BACON, Mr. BERGMAN, Mr. WESTERMAN, Mr. WENSTRUP, Mr. JOHNSON of Louisiana, Ms. STEFANIK, Mr. MULLIN, Mr. JOYCE of Ohio, Mr. JOYCE of Pennsylvania, Mr. RODNEY DAVIS of Illinois, Mr. CURTIS, Mrs. HINSON, Mr. CARL, Mr. WALTZ, Mr. ROUZER, Mr. GRAVES of Missouri, Mr. ARMSTRONG, Mr. HERN, Mr. BOST, Mr. MOORE of Alabama, and Mr. ISSA):

H.R. 7966. A bill to provide for increased authorization of funding to secure schools, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MALLIOTAKIS (for herself and Mr. TIFFANY):

H.R. 7967. A bill to amend the Omnibus Crime Control and Safe Streets Act to direct district attorney and prosecutors offices to report to the Attorney General, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 7968. A bill to authorize the Secretary of Veterans Affairs to provide support to university law school programs that are designed to provide legal assistance to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAYNE (for himself, Mrs. WATSON COLEMAN, Mr. TAKANO, Mrs. CAROLYN B. MALONEY of New York, Mr. TORRES of New York, Mr. CARTER of Louisiana, Mr. LAWSON of Florida, and Mr. VARGAS):

H.R. 7969. A bill to direct the Comptroller General of the United States to conduct a study on disaster spending and strategies for reducing the need for such spending, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for certain activities relating to disasters and hazard mitigation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. PINGREE (for herself, Ms. SALAZAR, and Ms. BARRAGÁN):

H.R. 7970. A bill to establish Ocean Innovation Clusters to strengthen the coastal communities and ocean economy of the United States through technological research and development, job training, and cross-sector partnerships, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Science, Space, and Technology, Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SÁNCHEZ (for herself, Mr. LOWENTHAL, Ms. PORTER, Mrs. NAPOLITANO, Ms. BASS, Ms. CHU, Ms. ROYBAL-ALLARD, Mr. LIEU, Mr. VARGAS, Ms. NORTON, Mrs. CHERFILUS-MCCORMICK, Ms. BROWN of Ohio, and Mrs. TORRES of California):

H.R. 7971. A bill to amend the Small Business Act to require certain lenders and development companies to refer certain borrowers to a resource partner, and for other purposes; to the Committee on Small Business.

By Mr. SCHIFF (for himself, Mr. COURTNEY, and Mr. ARMSTRONG):

H.R. 7972. A bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the USS Frank E. Evans killed on June 3, 1969; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mr. HUDSON, and Mrs. MILLER of West Virginia):

H.R. 7973. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for the purchase of gun safes, gun safety devices, and gun safety courses; to the Committee on Ways and Means.

By Ms. UNDERWOOD (for herself, Ms. WILLIAMS of Georgia, Ms. ADAMS, Miss GONZÁLEZ-COLÓN, Mr. LAWSON of Florida, Mrs. HAYES, Mr. ESPAILLAT, Mr. POCAN, Mr. LIEU, and Mr. DAVID SCOTT of Georgia):

H.R. 7974. A bill to advance research, promote awareness, and provide patient support with respect to endometriosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WALBERG (for himself, Mrs. DINGELL, Mr. HUIZENGA, Mr. BERGMAN, Mr. MEIJER, Mr. MOOLENAAR, Mr. UPTON, Ms. SLOTKIN, Ms. TLAIB, Mr. LEVIN of Michigan, Mr. RYAN, Mr. JOYCE of Ohio, Ms. BROWN of Ohio, Mr. GONZALEZ of Ohio, Ms. KAPTUR, Ms. STEFANIK, Ms. TENNEY, Ms. CRAIG, Mr. PHILLIPS, Mr. KRISHNAMOORTHI, Ms. STEVENS, Mrs. MCCLAIN, and Mr. LATTA):

H.R. 7975. A bill to provide for the issuance of a Great Lakes Restoration Semipostal Stamp; to the Committee on Oversight and Reform, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH:

H. Res. 1151. A resolution providing for budget allocations, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOWMAN (for himself, Mrs. BEATTY, Mr. RUIZ, Ms. CHU, Ms. JAYAPAL, Mr. HIGGINS of New York, Mr. TAKANO, Mr. RASKIN, Mr. CICILLINE, Mrs. CHERFILUS-MCCORMICK, Ms. WILSON of Florida, Mr. PAYNE, Ms. LEE of California, Mr. CARSON, Mrs. BUSTOS, Ms. TLAIB, Mr. POCAN, Ms. DELBENE, Mrs. WATSON COLEMAN, Mr. LAWSON of Florida, Mr. SWALWELL, Ms. NORTON, Mr. HORSFORD, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. VARGAS, Ms. JACOBS of California, Mr. JEFFRIES, Ms. WILLIAMS of Georgia, Ms. VELÁZQUEZ, Ms. OMAR, Mr. COHEN, Ms. DEAN, Mr. SUOZZI, Ms. BARRAGÁN, Mr. RUSH, Mrs. CAROLYN B. MALONEY of New York, Mr. BROWN of Maryland, Mr. GALLEGO, Ms. TITUS, Mr. LEVIN of Michigan, Ms. PRESSLEY, Mr. MORELLE, Mr. SHERMAN, Mr. ALLRED, Mr. TORRES of New York, Mr. CROW, Mr. KHANNA, Mrs. LEE of Nevada, Mr. EVANS, Ms. ROYBAL-ALLARD, Mr. GREEN of Texas, Mr. COSTA, Mr. TONKO, Mr. KRISHNAMOORTHI, Mr. PAPPAS, Mr. SAN NICOLAS, Mr. CARBAJAL, Mr. SIRES, Mrs. TRAHAN, Mr. LIEU, Ms. MENG, Mrs. NAPOLITANO, Mr. PHILLIPS, Mr. DESAULNIER, Ms. SÁNCHEZ, Mr. JOHNSON of Georgia, Mr. JONES, Ms. JOHNSON of Texas, Mr. THOMPSON of Mississippi, Mr. YARMUTH, Mr. GRIJALVA, Ms. LEGER FERNANDEZ, Mr. CÁRDENAS, Mr. LOWENTHAL, Mr. SOTO, Ms. CLARK of Massachusetts, Mr. MCGOVERN, Ms. SCANLON, Ms. BUSH, Mr. CORREA, Ms. ESHOO, Ms. ADAMS, Ms. BLUNT ROCHESTER, Ms. OCASIO-CORTEZ, Ms. CLARKE of New York, Mr. ESPAILLAT, Ms. GARCIA of Texas, Mrs. TORRES of California, Mr. LYNCH, Mr. MCNERNEY, Mr. TRONE, Mr. CASTEN, Mrs. LAWRENCE, Ms. SEWELL, Ms. STEVENS, Ms. PORTER, Mr. MEEKS, Mrs. DINGELL, Mr. CLEAVER, Mr. BUTTERFIELD, Mr. LANGEVIN, Ms. ESCOBAR, Ms. UNDERWOOD, Mr. QUIGLEY, Ms. MATSUI, Mr. CARTER of Louisiana, Mr. CONNOLLY, Mr. DANNY K. DAVIS of Illinois, Ms. NEWMAN, Mr. COOPER, Ms. CASTOR of Florida, Ms. BASS, Ms. PLASKETT, Mr. SEAN PATRICK MALONEY of New York, Mr. HIMES, Mr. SARBANES, Mr. MOULTON, Ms. KAPTUR, Ms. BROWNLEY, Mr. KILMER, Mr. MALINOWSKI, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JACKSON LEE, Mr. AUCHINCLOSS, Ms. CRAIG, Mr. LEVIN of California, Mr. THOMPSON of California, Mr. PALLONE, Ms. MCCOLLUM, Mr. PASCRELL, Mr. MFUME, Mrs. FLETCHER, Mr. SCOTT of Virginia, Ms. DELAURO, Mr. SMITH of Washington, Mr. NADLER, Ms. WILD, Mr. LARSON of Connecticut, Ms. BONAMICI, Mr. GARCÍA of Illinois, Ms. SHERRILL, Ms. SPEIER, and Ms. BOURDEAUX):

H. Res. 1152. A resolution condemning the atrocity that occurred in Buffalo, New York, on May 14, 2022, in which 10 Americans were killed and 3 were injured, and in which 11 of the 13 victims were Black Americans, condemning the Great Replacement Theory as a White supremacist conspiracy theory, and reaffirming the House of Representatives commitment to combating White supremacy, hatred, and racial injustice; to the Committee on the Judiciary.

By Mr. GARBARINO (for himself and Ms. CLARKE of New York):

H. Res. 1154. A resolution expressing support for the designation of June 2022 as ''National Cybersecurity Education Month''; to the Committee on Education and Labor.

By Ms. MANNING (for herself, Mr. NADLER, Ms. DEGETTE, Ms. STEVENS, Ms. ESCOBAR, Ms. LOIS FRANKEL of Florida, Ms. LEE of California, Ms. TITUS, Mr. GRIJALVA, Ms. SCHAKOWSKY, Ms. SPEIER, Ms. CASTOR of Florida, Mr. CONNOLLY, Ms. STANSBURY, Ms. NORTON, Mr. SMITH of Washington, Mr. LEVIN of Michigan, Mr. EVANS, Mrs. NAPOLITANO, Ms. WASSERMAN SCHULTZ, Mr. BROWN of Maryland, Ms. CHU, Mr. KHANNA, Mrs. LEE of Nevada, Mr. CÁRDENAS, Ms. BARRAGÁN, Mr. MCGOVERN, Mr. MALINOWSKI, Mr. BLUMENAUER, Ms. ADAMS, Mr. DANNY K. DAVIS of Illinois, Mr. TAKANO, Ms. JACOBS of California, Ms. WILLIAMS of Georgia, Mr. SOTO, and Ms. KUSTER):

H. Res. 1155. A resolution expressing support for contraceptive rights and access in the United States and expressing the sense of the House of Representatives regarding comprehensive reproductive health care; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCGOVERN (for himself and Mr. MANN):

H. Res. 1156. A resolution expressing the commitment of the House of Representatives to building on the twenty years of success of the George McGovern-Robert Dole Food for Education and Child Nutrition Program; to the Committee on Agriculture, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PORTER (for herself, Ms. SCHAKOWSKY, Ms. NORTON, Mrs. MCBATH, Mr. YARMUTH, Ms. BONAMICI, Mrs. HINSON, Mr. SAN NICOLAS, Mr. BACON, Mr. BLUMENAUER, Mr. FITZPATRICK, Mr. DAVID SCOTT of Georgia, Mr. TONY GONZALES of Texas, Mr. GRIJALVA, Mr. DESAULNIER, Mrs. WATSON COLEMAN, and Mr. VARGAS):

H. Res. 1157. A resolution supporting the designation of June 6, 2022, as ''CASA/GAL Volunteers' Day''; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XII,

ML-177. The SPEAKER presented a memorial of the House of Representatives of the State of Missouri, relative to House Resolution 3279, urging the United States Congress to grant trade promotion authority to the executive branch; which was referred to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CONNOLLY:

H.R. 7951.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Ms. DEAN:

H.R. 7952.

Congress has the power to enact this legislation pursuant to the following:

Section I, Article 8

By Mrs. BEATTY:

H.R. 7953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. BUDD:

H.R. 7954.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution vests power within Congress to lay and collect Taxes.

By Ms. JACKSON LEE:

H.R. 7955.

Congress has the power to enact this legislation pursuant to the following:

13th Amendment to the Constitution
14th Amendment to the Constitution
15th Amendment to the Constitution

By Mr. CARTER of Georgia:

H.R. 7956.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Ms. JACKSON LEE:

H.R. 7957.

Congress has the power to enact this legislation pursuant to the following:

13th Amendment to the Constitution
14th Amendment to the Constitution
15th Amendment to the Constitution

By Mr. RODNEY DAVIS of Illinois:

H.R. 7958.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 7959.

Congress has the power to enact this legislation pursuant to the following:

The Fifteenth Amendment, the Nineteenth Amendment, the Twenty-Fourth Amendment, and the Twenty-Sixth Amendment of the U.S. Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 7960.

Congress has the power to enact this legislation pursuant to the following:

The Fifteenth Amendment, the Nineteenth Amendment, the Twenty-Fourth Amendment, and the Twenty-Sixth Amendment of the U.S. Constitution.

By Ms. DEAN:

H.R. 7961.

Congress has the power to enact this legislation pursuant to the following:

Section I, Article 8

By Mrs. DINGELL:

H.R. 7962.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mr. ESTES:

H.R. 7963.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. FEENSTRA:

H.R. 7964.

Congress has the power to enact this legislation pursuant to the following:

Artile 1 Section 8 of the Constituition

By Mr. GALLAGHER:

H.R. 7965.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HUDSON:

H.R. 7966.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. MALLIOTAKIS:

H.R. 7967.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. NORTON:

H.R. 7968.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. PAYNE:

H.R. 7969.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8

By Ms. PINGREE:

H.R. 7970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SÁNCHEZ:

H.R. 7971.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Mr. SCHIFF:

H.R. 7972.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. STEFANIK:

H.R. 7973.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Ms. UNDERWOOD:

H.R. 7974.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. WALBERG:

H.R. 7975.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 67: Mr. NEGUSE and Mr. KELLY of Mississippi.

H.R. 68: Ms. CASTOR of Florida.

H.R. 72: Mr. JOYCE of Pennsylvania.

H.R. 82: Mrs. MCBATH.

H.R. 95: Mr. ARMSTRONG.

H.R. 109: Mr. NEGUSE.

H.R. 194: Ms. MALLIOTAKIS and Mr. HUDSON.

H.R. 279: Mr. LEVIN of Michigan and Mrs. LAWRENCE.

H.R. 369: Mr. POCAN.

H.R. 419: Mr. VAN DREW and Mr. ARMSTRONG.

H.R. 426: Ms. MACE, Mr. JOYCE of Ohio, and Mr. LUCAS.

H.R. 556: Mr. CARTER of Louisiana.

H.R. 571: Mr. ALLRED.

H.R. 750: Mr. STEIL, Mr. GIMENEZ, and Mrs. HARTZLER.

H.R. 851: Mr. CLEAVER.

H.R. 1007: Ms. KELLY of Illinois, Mr. AUCHINCLOSS, Ms. NEWMAN, Ms. BARRAGÁN, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Ms. BROWN of Ohio, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESCOBAR, Ms. GARCIA of Texas, Mr. GOMEZ, Mr. GRIJALVA, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LIEU, Mr. LYNCH, Ms. MANNING, Mr. MCNERNEY, Ms. MENG, Mr. PAYNE, Ms. SCANLON, Mr. SCHNEIDER, Ms. SEWELL, and Mr. SMITH of Washington.

H.R. 1011: Mr. WILSON of South Carolina, Mr. GRAVES of Louisiana, Ms. VAN DUYNE, and Mr. THOMPSON of Pennsylvania.

H.R. 1014: Mr. NEGUSE.

H.R. 1026: Mr. O'HALLERAN.

H.R. 1066: Ms. LEGER FERNANDEZ.

H.R. 1128: Mr. MEUSER.

H.R. 1179: Mr. STANTON and Mr. MRVAN.

H.R. 1219: Mr. RESCHENTHALER, Mr. LOWENTHAL, and Mr. DESAULNIER.

H.R. 1282: Mr. NADLER, Mr. TONKO, and Mrs. TORRES of California.

H.R. 1297: Mr. MICHAEL F. DOYLE of Pennsylvania and Mrs. TRAHAN.

H.R. 1348: Mr. GOTTHEIMER.

H.R. 1518: Mr. STEIL.

H.R. 1560: Ms. DELBENE.

H.R. 1567: Mr. HUDSON, Mr. BUDD, Mrs. BICE of Oklahoma, Mr. BACON, and Mr. BOST.

H.R. 1575: Mr. RYAN.

H.R. 1596: Ms. STANSBURY.

H.R. 1607: Ms. BROWN of Ohio and Ms. ESCOBAR.

H.R. 1623: Mr. DAVID SCOTT of Georgia.

H.R. 1624: Mr. DAVID SCOTT of Georgia.

H.R. 1633: Mr. O'HALLERAN.

H.R. 1642: Mr. HUDSON.

H.R. 1676: Mr. JONES.

H.R. 1695: Ms. WILLIAMS of Georgia.

H.R. 1731: Ms. BOURDEAUX.

H.R. 1755: Ms. KAPTUR.

H.R. 1800: Ms. ROYBAL-ALLARD, Mr. BACON, and Mr. SUOZZI.

H.R. 1946: Mr. VEASEY, Ms. TITUS, Mr. CARSON, Mr. PERLMUTTER, Ms. CLARK of Massachusetts, and Mr. JOHNSON of Georgia.

H.R. 2037: Mr. MRVAN.

H.R. 2100: Mr. HERN.

H.R. 2126: Mr. LEVIN of Michigan, Ms. WILD, Ms. ROSS, and Ms. CASTOR of Florida.

H.R. 2168: Mr. PHILLIPS and Mr. OWENS.

H.R. 2187: Mr. CHABOT.

H.R. 2219: Mrs. CAMMACK.

H.R. 2244: Mr. NEGUSE and Ms. DELBENE.

H.R. 2252: Mr. BLUMENAUER.

H.R. 2256: Mrs. LAWRENCE.

H.R. 2280: Ms. OMAR, Mrs. CAROLYN B. MALONEY of New York, and Ms. SHERRILL.

H.R. 2282: Ms. BONAMICI and Mrs. WATSON COLEMAN.

H.R. 2326: Mr. NEGUSE.

H.R. 2354: Mr. KIM of New Jersey.

H.R. 2419: Ms. WILLIAMS of Georgia, Ms. MANNING, and Mr. NEGUSE.

H.R. 2460: Mr. NEGUSE and Mr. LIEU.

H.R. 2466: Mr. MRVAN.

H.R. 2486: Mr. BUDD.

H.R. 2489: Ms. LEE of California and Ms. MOORE of Wisconsin.

H.R. 2549: Ms. NEWMAN, Mr. LIEU, Ms. DELAURO, and Mrs. TRAHAN.

H.R. 2565: Ms. LEE of California.

H.R. 2586: Mr. CASE.

H.R. 2616: Mrs. FLETCHER.

H.R. 2629: Mr. KRISHNAMOORTHI, Mr. NEGUSE, Mr. KHANNA, Ms. TLAIB, Ms. MENG, and Ms. CLARK of Massachusetts.

H.R. 2646: Ms. MANNING.

H.R. 2717: Mrs. HARTZLER and Ms. WASSERMAN SCHULTZ.

H.R. 2718: Mr. BROOKS.

H.R. 2773: Mr. VICENTE GONZALEZ of Texas, Mr. CARTER of Louisiana, Mr. KIM of New Jersey, Mr. CONNOLLY, and Mr. PHILLIPS.

H.R. 2857: Mr. RODNEY DAVIS of Illinois.

H.R. 2940: Ms. BOURDEAUX and Ms. OMAR.

H.R. 2971: Mr. SOTO.

H.R. 3015: Mr. PETERS, Ms. OMAR, and Mr. DESAULNIER.

H.R. 3127: Ms. STANSBURY.

H.R. 3244: Mrs. TRAHAN, Mr. BROWN of Maryland, Mr. ALLRED, Mr. DEFAZIO, Mr. NEGUSE, Mr. RUPPERSBERGER, Mr. SWALWELL, Ms. SCHAKOWSKY, Mr. PANETTA, Ms. CRAIG, Ms. KELLY of Illinois, Mr. GOTTHEIMER, Mr. LIEU, and Mr. SIRES.

H.R. 3259: Mr. DAVID SCOTT of Georgia.

H.R. 3268: Mr. ELLZEY.

H.R. 3287: Ms. SHERRILL and Ms. CASTOR of Florida.

H.R. 3312: Ms. NEWMAN, Ms. CASTOR of Florida, and Mr. QUIGLEY.

H.R. 3354: Ms. ROYBAL-ALLARD.

H.R. 3488: Mr. MALINOWSKI.

H.R. 3489: Mr. TRONE.

H.R. 3517: Mr. RUTHERFORD.

H.R. 3572: Mr. WELCH.

H.R. 3662: Mr. JOYCE of Pennsylvania.

H.R. 3773: Mr. GALLAGHER.

H.R. 3824: Mr. RASKIN and Ms. STANSBURY.

H.R. 3836: Ms. LEE of California, Mr. POCAN, and Ms. ROSS.

H.R. 3853: Ms. DEGETTE and Mrs. TRAHAN.

H.R. 3855: Mrs. BEATTY.

H.R. 3860: Mr. COMER.

H.R. 3861: Mr. SAN NICOLAS.

H.R. 3881: Mr. LIEU.

H.R. 3884: Mr. SABLAN and Mr. LEVIN of Michigan.

H.R. 3962: Mr. KILDEE, Ms. SCANLON, and Ms. CRAIG.

H.R. 4066: Mr. CRAWFORD.

H.R. 4077: Ms. MATSUI and Mr. TRONE.

H.R. 4114: Ms. SEWELL.

H.R. 4151: Mr. WELCH and Mr. HUFFMAN.

H.R. 4176: Ms. STANSBURY.

H.R. 4277: Mr. LOWENTHAL, Ms. JACKSON LEE, Ms. PRESSLEY, Ms. SPEIER, and Ms. KUSTER.

H.R. 4310: Mr. CARBAJAL and Mr. SHERMAN.

H.R. 4331: Mr. GARCÍA of Illinois.

H.R. 4377: Mr. KILDEE.

H.R. 4390: Ms. PRESSLEY.

H.R. 4402: Ms. MATSUI.

H.R. 4436: Mr. O'HALLERAN, Mrs. MURPHY of Florida, Mr. CÁRDENAS, Ms. TITUS, Mr. CUELLAR, Ms. JACKSON LEE, Mr. SABLAN, and Ms. SPANBERGER.

H.R. 4495: Mr. LEVIN of California and Mr. RUIZ.

H.R. 4575: Ms. MANNING.

H.R. 4625: Mr. NEGUSE.

H.R. 4642: Mr. LARSON of Connecticut and Mr. EVANS.

H.R. 4694: Ms. BARRAGÁN and Ms. CHU.

H.R. 4766: Mr. DOGGETT, Mr. TRONE, Mr. MALINOWSKI, Mr. SUOZZI, Ms. PRESSLEY, and Ms. STEVENS.

H.R. 4824: Mr. KILMER.

H.R. 4826: Mr. MCEACHIN and Mrs. CHERFILUS-MCCORMICK.

H.R. 4870: Ms. GARCIA of Texas, Mr. LAWSON of Florida, Mr. MCKINLEY, Mr. PRICE of North Carolina, Mrs. KIRKPATRICK, Mrs. RADEWAGEN, Mr. PANETTA, Mrs. CAROLYN B. MALONEY of New York, and Mr. ARMSTRONG.

H.R. 4934: Ms. ROYBAL-ALLARD, Mr. DESAULNIER, and Mr. KAHELE.

H.R. 4942: Mr. JONES.
H.R. 4949: Ms. DEGETTE and Ms. WILLIAMS of Georgia.
H.R. 4995: Mr. LEVIN of Michigan.
H.R. 5008: Mr. POCAN.
H.R. 5170: Mr. SHERMAN and Mr. KIM of New Jersey.
H.R. 5232: Ms. CASTOR of Florida, Mrs. RODGERS of Washington, and Mr. STANTON.
H.R. 5338: Mr. SMITH of Washington.
H.R. 5377: Mr. SAN NICOLAS.
H.R. 5413: Ms. KUSTER.
H.R. 5427: Ms. SHERRILL and Ms. OMAR.
H.R. 5429: Mr. NADLER.
H.R. 5532: Mr. DOGGETT.
H.R. 5654: Ms. PORTER.
H.R. 5735: Mr. CAREY.
H.R. 5750: Mr. CARBAJAL, Ms. TITUS, and Mr. SIRES.
H.R. 5762: Mrs. FLETCHER.
H.R. 5776: Mr. SHERMAN.
H.R. 5783: Mr. NEGUSE.
H.R. 5799: Mr. EVANS.
H.R. 5800: Mr. EVANS.
H.R. 5999: Ms. DEGETTE.
H.R. 6087: Mr. SAN NICOLAS.
H.R. 6117: Mr. GOMEZ.
H.R. 6132: Mr. BAIRD.
H.R. 6181: Mrs. NAPOLITANO.
H.R. 6190: Mrs. KIRKPATRICK, Ms. STANSBURY, and Ms. MATSUI.
H.R. 6207: Mr. JEFFRIES.
H.R. 6219: Mr. LARSON of Connecticut.
H.R. 6336: Mr. PANETTA and Ms. CHU.
H.R. 6338: Ms. KUSTER.
H.R. 6370: Ms. SPANBERGER.
H.R. 6407: Ms. BOURDEAUX.
H.R. 6411: Mr. ELLZEY, Mr. WELCH, Mr. SOTO, Mr. RYAN, and Mrs. WATSON COLEMAN.
H.R. 6448: Mrs. DINGELL and Mr. PALLONE.
H.R. 6613: Mr. LEVIN of Michigan, Ms. OCASIO-CORTEZ, and Ms. UNDERWOOD.
H.R. 6661: Mr. LIEU and Mr. GARCIA of California.
H.R. 6662: Mr. DESAULNIER.
H.R. 6663: Mr. KILMER.
H.R. 6668: Mr. CLOUD.
H.R. 6670: Ms. CHU and Mr. RYAN.
H.R. 6672: Mr. NEGUSE.
H.R. 6681: Mr. COSTA, Mr. TRONE, Ms. WILLIAMS of Georgia, and Mr. BUDD.
H.R. 6685: Mr. KIM of New Jersey.
H.R. 6706: Mr. BUCK.
H.R. 6712: Mr. BUCSHON, Mr. GARBARINO, and Mr. KELLY of Pennsylvania.
H.R. 6768: Ms. CRAIG and Mr. BACON.
H.R. 6783: Ms. BOURDEAUX, Mr. BUTTERFIELD, and Mrs. LURIA.
H.R. 6785: Mrs. TRAHAN and Mr. SUOZZI.
H.R. 6823: Ms. STRICKLAND, Mrs. NAPOLITANO, and Ms. MALLIOTAKIS.
H.R. 6852: Mrs. DINGELL.
H.R. 6860: Mrs. AXNE, Ms. CASTOR of Florida, Ms. CRAIG, Mr. VICENTE GONZALEZ of Texas, and Mr. MCNERNEY.
H.R. 6872: Ms. WILLIAMS of Georgia.
H.R. 6878: Ms. SCHAKOWSKY, Ms. LEE of California, Ms. OMAR, Mr. PAYNE, Mrs. WATSON COLEMAN, Ms. BROWN of Ohio, Mr. TRONE, and Mr. CARTER of Louisiana.
H.R. 6898: Mr. LIEU and Ms. CHU.
H.R. 6921: Ms. DAVIDS of Kansas.
H.R. 6929: Mr. BROOKS and Mr. LEVIN of Michigan.
H.R. 7011: Mr. COOPER.
H.R. 7018: Mrs. NAPOLITANO.
H.R. 7040: Mr. CASTEN.
H.R. 7041: Mr. MRVAN.
H.R. 7075: Mr. RYAN.
H.R. 7088: Mr. TRONE.
H.R. 7105: Mr. PANETTA, Mr. KILMER, and Ms. CRAIG.
H.R. 7122: Mr. GOMEZ and Mr. JONES.
H.R. 7144: Mr. LEVIN of California.
H.R. 7181: Mrs. NAPOLITANO, Mr. TIFFANY, and Mr. FITZPATRICK.
H.R. 7223: Mrs. LESKO, Mr. GREEN of Tennessee, and Mr. GOTTHEIMER.
H.R. 7267: Ms. DEGETTE and Mr. WELCH.
H.R. 7272: Ms. STANSBURY.
H.R. 7290: Ms. KAPTUR and Mr. RUPPERSBERGER.
H.R. 7294: Mr. GIMENEZ and Mr. DUNCAN.
H.R. 7337: Ms. MACE.
H.R. 7358: Ms. KUSTER.
H.R. 7374: Mr. STANTON.
H.R. 7382: Mr. MEUSER, Mr. KRISHNAMOORTHI, Ms. HERRELL, Mr. COLE, and Mrs. HARTZLER.
H.R. 7419: Mr. MRVAN, Ms. KUSTER, Ms. NORTON, and Mr. WELCH.
H.R. 7430: Mr. SCHWEIKERT.
H.R. 7433: Mr. WELCH.
H.R. 7465: Ms. ROYBAL-ALLARD, Mr. KILMER, and Ms. SCANLON.
H.R. 7482: Mr. JONES and Mr. QUIGLEY.
H.R. 7492: Mr. BROOKS.
H.R. 7506: Mr. BISHOP of Georgia.
H.R. 7509: Mr. HUFFMAN.
H.R. 7510: Mr. HILL.
H.R. 7535: Mr. EMMER.
H.R. 7559: Mr. RESCHENTHALER.
H.R. 7647: Ms. ROYBAL-ALLARD, Mr. TRONE, Ms. WILLIAMS of Georgia, Ms. BROWNLEY, and Mr. HUFFMAN.
H.R. 7660: Mr. JONES.
H.R. 7696: Ms. KUSTER, Mr. WELCH, Ms. NORTON, and Mrs. LAWRENCE.
H.R. 7731: Mr. FITZPATRICK.
H.R. 7739: Ms. GARCIA of Texas.
H.R. 7743: Mr. BROOKS.
H.R. 7744: Mr. O'HALLERAN and Mrs. WALORSKI.
H.R. 7768: Ms. KUSTER.
H.R. 7770: Mr. LARSON of Connecticut, Ms. OMAR, Mr. JONES, and Mr. Gottheimer.
H.R. 7779: Mrs. MILLER-MEEKS, Ms. TENNEY, and Mr. BROOKS.
H.R. 7820: Ms. CASTOR of Florida and Mr. PALAZZO.
H.R. 7824: Mr. BILIRAKIS, Mrs. WAGNER, and Mr. ROY.
H.R. 7830: Mrs. MILLER of Illinois.
H.R. 7832: Ms. BROWNLEY.
H.R. 7834: Mr. GOOD of Virginia.
H.R. 7837: Mr. KAHELE, Mr. PALAZZO, Mr. KIM of New Jersey, Mr. KATKO, Mr. CASE, Mr. SAN NICOLAS, and Mr. PAPPAS.
H.R. 7851: Ms. TENNEY and Mr. BROOKS.
H.R. 7853: Ms. BROWNLEY, Mr. SUOZZI, and Ms. SCHAKOWSKY.
H.R. 7872: Mr. CASE and Mr. SUOZZI.
H.R. 7886: Mr. SMITH of New Jersey.
H.R. 7887: Mrs. RODGERS of Washington and Mr. SMITH of New Jersey.
H.R. 7890: Mr. ROY, Mrs. MCCLAIN, and Mr. RODNEY DAVIS of Illinois.
H.R. 7892: Mr. GIBBS and Mr. ARMSTRONG.
H.R. 7914: Mr. PERRY.
H.R. 7925: Mr. MCNERNEY, Ms. SPEIER, Mr. LOWENTHAL, Mr. VARGAS, Mr. COSTA, and Mr. HUFFMAN.
H.R. 7931: Mr. LAMBORN and Ms. TENNEY.
H.R. 7932: Mr. MULLIN.
H.R. 7933: Mr. DEFAZIO, Mr. LARSEN of Washington, and Mr. STANTON.
H.R. 7940: Ms. NORTON.
H.R. 7942: Mr. STEWART, Mr. CAWTHORN, Mr. MULLIN, Mr. TIFFANY, Mr. CARL, Mr. MEIJER, and Mr. BOST.
H.R. 7945: Mr. CARTWRIGHT, Mr. POCAN, and Mr. QUIGLEY.
H.R. 7946: Mr. SABLAN.
H.J. Res. 81: Mr. DESJARLAIS, Mrs. MILLER of Illinois, Mr. GAETZ, and Mr. GOOD of Virginia.
H.J. Res. 86: Mr. SMITH of Missouri.
H. Res. 304: Ms. STANSBURY.
H. Res. 662: Mr. ESPAILLAT.
H. Res. 892: Ms. ROYBAL-ALLARD, Mr. VICENTE GONZALEZ of Texas, and Mr. VEASEY.
H. Res. 1093: Mr. ALLRED.
H. Res. 1101: Mr. THOMPSON of Pennsylvania.
H. Res. 1105: Mr. GIMENEZ.
H. Res. 1111: Mr. EMMER and Mrs. BOEBERT.
H. Res. 1132: Mr. LARSON of Connecticut, Ms. NORTON, Mr. CICILLINE, Ms. OMAR, Mr. LEVIN of California, Mr. KINZINGER, Mr. FITZPATRICK, Mr. LYNCH, Ms. WILLIAMS of Georgia, Mr. MFUME, Mr. EVANS, Mr. BOWMAN, and Mr. VEASEY.
H. Res. 1136: Mr. GOODEN of Texas, Mr. GOSAR, Mr. ELLZEY, and Mr. STEUBE.
H. Res. 1138: Mrs. WATSON COLEMAN.
H. Res. 1145: Mr. KHANNA.
H. Res. 1146: Mr. GALLEGO.