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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.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168 WASHINGTON, TUESDAY, JUNE 7, 2022 *No. 97*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You are our source of hope and salvation. So why should we be afraid? You have been our fortress when evil has seemed to be winning. So why should we tremble? Lord, keep us fearless even when surrounded by predatory evil. Even when there is violence within our Nation, give us confidence that Your purposes will prevail. Today, use our lawmakers as instruments of Your peace.

Hear this prayer, mighty God, for Your faithfulness continues to sustain us.

We pray in our Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 7, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Alex Wagner, of the District of Columbia, to be an Assistant Secretary of the Air Force.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

GUN VIOLENCE

Mr. SCHUMER. Mr. President, as the Senate's June work period begins, the American people have one question front of mind: After years and decades of gridlock, will the Senate do something about our Nation's gun violence epidemic?

Democrats are ready to take action, and soon every single Member of this Chamber is going to have to answer that question.

Today is June 7, 2022. It is the 158th day of the year. Already—already—this year, we have had over 250 mass shootings—over 250. That is more than one a day.

Two weeks ago, we saw the worst school shooting in America since the tragedy at Sandy Hook. An 18-year-old boy bought two assault rifles for his birthday and gunned down 19 children in Uvalde, TX—9-year-olds, 10-year-olds, 11-year-olds. You see the pictures of kids with their sweatshirts, with their awards, with their trophies. Every parent has seen pictures of children that age, and to know that they are no longer—that they were wiped out, that they were brutally murdered—breaks your heart. It just sends shivers down your spine. A few hours later, after it happened, the parents realized and were told they would never see their children again.

Ten days before that, eleven more people were gunned down while grocery shopping in Buffalo, simply because of the color of their skin. I still can't get out of my mind the 3-year-old I met, when I visited Buffalo, who lost his dad because his dad made a quick stop to the Tops Supermarket to get his son a birthday cake. It was his son's birthday. He will never see his dad again and will live with that his whole life—knowing that his dad was killed in order to get him a birthday cake.

And for every tragedy that traumatizes the Nation's collective psyche, there are countless others that take place outside the national spotlight. They happen every single day in homes and communities in every part of this country. Across every neighborhood, every school, every small town, every large city, Americans of all persuasions are wondering the same thing: When is it going to be enough? When will Congress find the will to act? One party has that will and soon will determine whether the other side on the aisle will join. That is the challenge that faces this Chamber as we begin this work period.

Before Memorial Day, I made clear that the Senate will vote on gun safety

legislation in the near future. To that end, a handful of my Democratic colleagues, led by Senator MURPHY, including the great work of Senators BLUMENTHAL, SINEMA, MANCHIN, COONS, HEINRICH, and others, have been holding extended and substantive talks with Republicans to see what we can pass in this Chamber that will meaningfully address our Nation's gunfire epidemic.

I am encouraging my Democratic colleagues to keep talking to see if Republicans will work with us to come up with something that will make a meaningful change in the lives of the American people and help stop gun violence. There is virtual unanimity among Senate Democrats that getting something passed through this Chamber is worth pursuing if it will make a tangible difference in preventing gun violence.

We know we are not going to get everything we want. We know the push for even more meaningful gun safety will continue after this debate, but making real progress is very important. Senator MURPHY has asked for some space to have these bipartisan talks continue, and I have given him that space. I look forward to discussing the status of those talks with my colleagues today.

We owe it to American parents. We owe it to American kids. We owe it to every single neighborhood, every single community, every single household that has been ripped apart by gun violence. This is a tough fight. Nevertheless, we have a moral obligation to do everything conceivable to break the cycle of violence.

In the wake of the tragedies in Uvalde and Buffalo, we have a chance to tell the American people that, this time, their anguish will not fall on deaf ears. We have a chance to tell them we hear them; that we, too, are angry and we will do everything we can to make real progress in the Senate, difficult as that is. But it is only going to happen if both sides keep working. Only with that will hope for a compromise translate into real, concrete legislation. We know it is a difficult hurdle to overcome; but, nevertheless, we must do everything we can to try and succeed.

HONORING OUR PACT ACT OF 2021

Mr. President, now onto the PACT Act. Later this morning, the Senate will take the first vote to advance one of the most important veteran healthcare bills that this Chamber has considered in decades.

Memorial Day was a little over a week ago, the day our Nation honors our war dead and rededicates itself for caring for those who sacrificed everything to protect our country. Our veterans deserve endless thanks, not just through words, but through action.

Today, toxic chemical exposure is one of the most devastating health problems impacting our Nation's veterans. Since 2001, as many as 3½ million servicemembers—3½ million—have been exposed to toxic smoke, including toxic burn pits and Agent Orange. Sadly, many of them are unable to get the care they need because of outdated rules within the Veterans Administration that determine eligibility for benefits.

This is long overdue for a change. It is something I have been advocating for years. And, today, I am thrilled that the Senate will vote to begin consideration of the Honoring our PACT Act, which my colleagues Senator TESTER and Senator MORAN have done a great job putting together. Every single one of us in this Chamber has heard from a military servicemember who has struggled to afford quality healthcare, and this is one of the best steps the Senate can take to improve the lives of those who have given their all for our country.

The Honoring our PACT Act will be one of the largest expansions in healthcare benefits in VA history, and it would make sure no military servicemember exposed to toxic chemicals has to endure the indignity of carrying the burden of sickness and treatment alone.

I expect today's vote will yield strong bipartisan support, and once we are on this bill—because today is just a motion to proceed, not passage of the bill yet—there is no reason we can't pass it quickly and without needless distraction.

Once again, I want to thank Senators TESTER and MORAN for their leadership on this issue. This issue has been important to me. I have encouraged them, and they have worked so well together adroitly so that this bill can pass.

I want to thank every single VSO that has advocated for change. And I want to thank prominent voices like Jon Stewart and John Feal—who I just met in my office—who have fiercely advocated for our veterans.

We are moving forward today on this bill, and it is my hope we can reach final passage very quickly.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

BIDEN ADMINISTRATION

Mr. MCCONNELL. Back in 2019, while running for the White House, President Biden made a public promise. Here is what he said:

> I guarantee you, we are going to end fossil fuels.
>
> I guarantee you, we are going to end fossil fuels.

Once in office, he wasted no time starting down that path, and now working families are paying the price.

During the previous administration, under Republican policies, our Nation became a net exporter of oil for the first time literally in decades. We were producing all that we needed and then some. The headlines under this all-Democratic-controlled government are quite different.

Here are two from January 2021, right out of the gate: ''Biden halts oil and gas leases [and] permits on US land and water.'' Here is another: ''Biden Order Blocks Keystone XL Pipeline.'' January 2021.

Here are the headlines more recently. From a few weeks ago: ''Biden pulls 3 offshore oil lease sales, curbing new drilling this year.'' From just this past week: ''Biden EPA to make it easier for states to block fossil fuel projects.''

So even if oil and gas producers could get past the Biden regulatory gauntlet to actually explore and produce in this country, they likely could not get a pipeline approved to move it to market.

President Biden is delivering the holy war on domestic American energy that he promised on the campaign trail. Meanwhile, energy costs and gas prices for American families have absolutely skyrocketed. Gas prices have literally doubled since his administration took office. The average price at the pump has doubled.

The President's staff try to play this off as ''Putin's price hike.'' How many times have we heard that? But the reality is that prices were already climbing steadily long before—long before—the escalation in Ukraine; up more than $1 per gallon before—before—Putin's escalation. Prices for natural gas and other home heating sources were likewise elevated all last winter.

Don't count on the warmer months bringing much relief. Here is what the New York Times wrote about a month ago. ''Get Ready,'' the Times said, ''for Another Energy Price Spike: High Electric Bills.''

> Already frustrated and angry about high gasoline prices, many Americans are being hit by rapidly rising electricity bills . . . the biggest annual increase in more than a decade.

According to another report, ''the Federal Energy Regulatory Commission predicts electricity prices could rise by as much as 233 percent over last summer's power prices.

And electricity costs aren't the only problem; there is also the question of reliability. According to the North American Electric Reliability Corporation, Americans—particularly in the West and Midwest—should brace for potentially dangerous electricity blackouts this summer.

Once again, you can credit Democrats' war on fossil fuels. It retired too many fossil fuel-powered electricity generators too quickly, while replacing them with big subsidies for less reliable sources of power.

Just a few days ago, President Biden said that soaring gas prices were just part of ''an incredible transition that will leave us less reliant on fossil fuels.'' Did you hear that, American

workers? Democrats say your financial pain is the necessary cost to make America more to the liking of the radical environmental left.

The Secretary of Energy has naively suggested that green energy will leave us in a better strategic position than fossil fuels. Well, maybe she is not aware that more than 80 percent of the world's polysilicon is made in China, and about 80 percent of America's rare earth mineral needs are met by Chinese imports as well.

This is why it is such a joke for the administration to misuse the Defense Production Act to prop up solar panel manufacturers. They will just end up subsidizing Chinese suppliers upstream.

Our stockpiles of actual military requirements, like Javelin missiles and essential munitions, are being depleted. Production of critical inputs, like energetics and solid rocket motors, is backed up months and even years. But instead of using the Defense Production Act for our Nation's defense, the President is using it to indirectly line China's pocket.

Washington Democrats are hostile to the kinds of domestic mining and drilling that we will need to produce any kind of energy here at home, even green energy.

Last year, House Democrats proposed a literal dirt tax—dirt tax—that would crush domestic minerals and rare earth mining. They are so opposed to domestic mining, including for critical and rare earth minerals, Democrats literally tried to tax—listen to this—they wanted to tax dirt. Tax dirt.

So, look, this doesn't have to be this way. The American people know exactly what we need: an all-American domestic energy strategy, crude oil responsibly drilled in America, natural gas responsibly fracked in America, and more minerals and high-tech components responsibly mined in America. Democrats have a different plan: less production and higher prices. And Americans are paying for it literally every day.

UKRAINE

Mr. President, now on a related matter, last month, by an overwhelming bipartisan margin, the Senate approved a package of urgent assistance for Ukraine. Then, over the Memorial Day State work period, our friends on the frontlines marked their 100th day of resisting the latest stab of Russian aggression.

As colleagues and I can attest from our visit with President Zelenskyy and his team in Kyiv, the people of Ukraine continue to display incredible resilience and incredible bravery. Every day, brave Ukrainian soldiers pay the ultimate sacrifice to defend the sovereignty of their democratic country. Every day, innocent Ukrainians are suffering under Russia's brutal and indiscriminate assault.

Over a hundred days of war, Ukraine's resolve has remained quite firm. Can the same be said of the West?

As Russia pumps more combat power to the front, Ukraine's soldiers need more weapons. They need more powerful weapons, and they need longer range weapons to counter Russia's offensive forces from safety. We should not delay the provision of these life-saving capabilities.

Our objective is not to humiliate Putin but to help Ukraine defend itself. That is what should guide our decisions, not Vladimir Putin's ego. We should not be self-deterred by fears that Putin will escalate. Those most affected by the risk of escalation are the Ukrainians, and they are certainly not deterred. They are fighting for their lives, and Putin is already indiscriminately leveling their cities.

Those concerned with escalation consider what Putin will do to their cities if he is not stopped by Ukraine. But some of Ukraine's supporters here in the West have yet to learn the lesson. Some of our wealthiest NATO members have dragged their feet in greenlighting the sort of military assistance our eastern flank allies have delivered willingly and at a tremendous cost. Some eastern flank partners have also welcomed millions of Ukrainian refugees into their countries. And there is more that wealthy European countries can do to help provide military, economic, and humanitarian relief in this time of crisis.

Here at home, the Biden administration's hemming and hawing and self-deterrence has slowly, incrementally given way to a more competent policy, but it has come attached to utterly incoherent public messaging.

The Biden administration should clarify that it will continue to provide Ukraine with long-range rockets so it can defend itself—defend itself—from massive military barrages that are being fired from Ukrainian territory.

The administration should clarify whether it will provide anti-ship missiles so Ukraine can target Russian threats to Ukraine's Black Sea ports and the critical export of Ukraine's grain harvest. Putin is weaponizing global food shortages, and we can and should help the Ukrainians do something about it. Doing so will send a signal to hesitant partners that they, too, should be providing Ukraine with these critical—critical—capabilities.

But reluctance to get Ukraine what it needs is particularly baffling when you consider what a Russian victory would mean for our own national security interest. Letting a vibrant, Western-facing democracy fall into Russian control would send the price of our own security operations on the continent literally through the roof. It would put America's closest allies and trading partners one border closer to an autocratic bully. And half a world away, it would tell other bullies, like the Chinese Communist Party, that lawless conquest of their neighbors isn't just possible; it is actually permitted.

If America and our allies aren't willing to do everything we can to help Ukraine win before it is too late, we will face costly, outsized consequences quite soon.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INFLATION

Mr. THUNE. Mr. President, the White House has apparently decided to spend June focusing on the economy.

President Biden kicked things off with an op-ed in the Wall Street Journal entitled ''My Plan for Fighting Inflation.''

Before he gets to the actual ''plan,'' though, the President spends the first half of the op-ed touting his supposed economic successes. As usual, he takes credit for the economy's recovery from COVID-related woes, even though the recovery was well underway before he became President and was a natural result of the economy reopening after COVID shutdowns.

He touts job creation figures without mentioning the fact that businesses are struggling to find workers to fill jobs. He touts the number of new small business applications in 2021 without mentioning that small business optimism is at its lowest level since April 2020 at the height of the pandemic shutdowns. And he mentions ''millions of Americans getting jobs with better pay,'' while leaving out the fact that inflation continues to outstrip wage growth, meaning that, on average, Americans are experiencing a de facto pay cut.

In all, he spends multiple paragraphs attempting to convince Americans that the economy is thriving, which I have to think feels pretty meaningless to the millions of Americans struggling with massive increases in the cost of gas, groceries, and other everyday goods.

In fact, a poll released yesterday found that just 27 percent of Americans believe they have a good chance of improving their standard of living, and it is no wonder. The President can talk about his supposed economic achievements all he wants, but that means little to Americans who have seen their disposable income eaten up by price hikes or whose raise failed to keep even pace with the increase in the cost of living.

And, of course, the President completely omits the fact that it was his economic plans that helped create our current inflation crisis in the first place. When President Biden took office, inflation was at 1.4 percent, well within the Federal Reserve's target inflation rate of 2 percent. Today, it is at 8.3 percent, near a 40-year high.

And how did we get from there to here? In substantial part, via the President's so-called American Rescue Plan. Democrats' massive partisan spending spree flooded the economy with unnecessary government money, and the

economy overheated as a result. But that is not something the President mentions when he talks about fighting inflation.

So what is the President's so-called plan to fight inflation?

Well, after spending half the op-ed touting his supposed economic successes, the President finally gets to the plan part, and the first part of his three-part plan involves having someone else address inflation. Controlling inflation, the President says, is primarily the job of the Federal Reserve, and he is going to leave them alone to do that job.

The next part of the President's plan involves things like fixing broken supply chains and boosting the productive capacity of our economy over time.

Now, I am a big supporter of improving our supply chains, which is why I have introduced the Ocean Shipping Reform Act, which, hopefully, will pass the House of Representatives and head to the President's desk soon. But given that the President has so far demonstrated little progress in addressing supply chain challenges, I am not holding my breath waiting for the White House to take action.

I am also a big fan of boosting the productive capacity of our economy. My concern is that the President fails to give any examples of how he might actually do that. He mentions high gas prices, but instead of talking about ways to address high energy prices by unleashing American energy production, he pivots to touting his release from the Strategic Petroleum Reserve, a highly temporary band aid that did next to nothing to address the cause of high gas prices, except for briefly causing their rise to what are record highs.

He also claims Congress can help by passing his clean-energy tax credits and investments—which he says would result in a $500 decrease in utility bills for American families. First, nothing about the President's clean-energy tax credits is likely to drive down energy prices, especially in the near term, and Americans can't afford to wait.

In fact, for Americans to take advantage of some of these credits, they would need to spend more money—on an electric car, for example—which is how the administration suggests Americans deal with these historic gas prices.

And the President's claim that his energy tax credits and investments would decrease utility bills for American families by $500 is 100 percent false.

And you don't have to take my word for it. The Washington Post Fact Checker column gave the President's claim four—four Pinocchios—a rating that the Post reserves for, and I quote, ''whoppers.''

And if the President has the idea that his tax credits can somehow magically move the United States to a place that we can abandon gas and oil overnight, well, he has another thing coming. No matter how much Democrats might wish it were otherwise, the fact of the matter is that clean energy technology has simply not advanced to the point where we can replace all traditional energy resources with renewables. And pretending—pretending that we don't need gas and oil—or discouraging American oil and gas production will only result in higher energy prices for American consumers.

If the President really wanted to reduce gas prices and ''boost the productive capacity of our economy over time,'' as he said in his op-ed, he would embrace American energy production, including conventional energy production.

Instead, he is doing the opposite. He continues to discourage domestic production of conventional energy sources that Americans rely on. And the result is likely to be continued high energy prices well into the future.

Finally, the President turns to the third part of his plan to fight inflation, and that is reducing the deficit. Unfortunately, it is a little hard to take the President seriously on this issue. The President touts a Congressional Budget Office prediction that the deficit will fall by $1.7 trillion this year.

What the President doesn't mention is that the reason this year's projected deficit drop looks so substantial is because Democrats inflated the deficit last year with their American Rescue Plan spending spree. Of course, the deficit will look lower this year without a massive $1.9 trillion piece of legislation financed entirely with deficit spending.

And I am not getting my hopes up about future deficit drops, since many Democrats still want to use reconciliation rules to force through another big, party-line Democrat spending bill. This one is $5 trillion. If they come up with a proposal that is anything like their original Build Back Better proposal, we will undoubtedly be looking at more deficit spending.

One news outlet had this to say about President Biden's op-ed and his plan to reduce the deficit:

> Is it really a 'plan' when the President points fingers? While the president's op-ed purports to lay out a plan for addressing inflation, a close read shows that he actually seems to be pushing the burden off on others . . .

That is a fair assessment. Unfortunately, it is pretty par for the course for President Biden. He is happy to take credit for positive economic numbers even when he had nothing to do with them, but when it comes to taking responsibility for a situation, he is frequently nowhere to be found.

He won't acknowledge that his own economic proposal, the American Rescue Plan, helped create our inflation crisis in the first place. Indeed, he largely ignored the inflation crisis until it started to become absolutely necessary for him to address it, if he wanted to survive politically.

And he has displayed a similar lack of ownership of crises on his watch. The actions he has taken to weaken border security and immigration enforcement have helped create an unprecedented immigration crisis on the southern border.

But from the President's attitude you barely even know that there is a problem, much less one that he has a particular responsibility to address.

His hostile attitude toward American energy production helped drive up gas prices and left families struggling—struggling—to fill their cars. Yet the President is ready to push off responsibility for conventional energy production to other nations, leaving our Nation less secure and even more vulnerable to price spikes.

The President closes his op-ed by noting:

> The economic policy choices we make today will determine whether a sustained recovery that benefits all Americans is possible.

Well, the President is right about that. Unfortunately, it is pretty clear that the economic policy choices that he is making are wrong.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ROSEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PACT ACT OF 2021

Mr. TESTER. Madam President, today is an important day. This is the day that we are going to take up toxic exposure in the U.S. Senate. It is a day that, quite frankly, should have been two decades ago, three decades ago, five decades ago, but we are where we are.

The bill we are going to be considering is the SFC Heath Robinson Honoring Our PACT Act. This bill is the most comprehensive toxic exposure package for veterans Congress has ever considered and hopefully I can say has ever delivered. It has literally been years in the making.

I am especially proud of this bill because it addresses decades of inaction and failure by our government to do the right thing by the men and women who have served this country in uniform and stood in harm's way.

I want to thank my friend and ranking member of the Senate Veterans' Affairs Committee, JERRY MORAN, for being able to work together across the aisle to deliver what is truly a bipartisan bill that will give veterans of all eras the benefits that they have earned but maybe even more importantly, the benefits that they deserve.

As chairman of the Senate Veterans' Affairs Committee, there have been few issues as important as this one is to me. It has been a top priority of mine since I first came to Congress and started hearing from veterans, their families, their advocates, and veterans service organizations about exposures

to chemical, physical, and environmental hazards as they serve this country in the line of duty. So let's talk about military toxic exposures and why we are here today.

In World War I, there was a thing called mustard gas. In World War II, we had radiation. In Vietnam, we had Agent Orange. Now we have burn pits—massive areas used to dispose of plastics, rubber, jet fuel, and other chemicals in Iraq and Afghanistan and other locations around the globe.

Generation after generation, war after war, servicemembers have returned home, only to face yet another battle here at home when seeking the care and the benefits that they have earned and that they desperately need because Washington—we, Congress—has been unwilling, simply unwilling to give the Department of Veterans Affairs the tools they need to take care of our veterans. Our men in uniform answered the call of duty. They held up their end of the bargain, so we need to hold up ours.

I will never forget what I heard from a Vietnam veteran in Montana my very first year on the VA Committee. I was holding a townhall meeting. This gentleman stood up in the back of the room at the townhall, and he said: You are not going to treat this generation of veterans the way you treated us, the Vietnam veterans.

I remember it because it hit home with me. I remember those Vietnam soldiers coming home. I remember the stories of toxic exposure to Agent Orange. I remember how we knew what we needed to do, but, man, it took us a long time to get stuff done. In fact, we still are dealing with Agent Orange, and it is dealt in this bill with hypertension.

But here we are today treating this generation of veterans just like we treated the Vietnam veterans and other generations of veterans who have served this country. As a result of turning a blind eye on the needs of our veterans, they have died, they have died, and they have died due to toxic exposure.

Here are the facts. More than 3½ million post-9/11 veterans may have been exposed to toxic substances overseas during their time in uniform. Seventy-five percent of those men and women report being exposed to burn pits. As a result of these exposures, many veterans suffered from rare, deadly cancers, respiratory conditions, and other illnesses—let me say it again: rare but deadly cancers and respiratory conditions and other illness—sometimes developing years after they served in the military.

Now, it is easy for me to stand up here and talk about cancer—I don't have it; at least I don't think I have it—and talk about respiratory conditions. I don't have to gasp for air. But the truth is, because of these men and women's service to this country in the Middle East and their exposures to toxins, they have developed these illnesses or if what happens with all the past ones, they will develop them in the future. Because of that, today, hundreds of thousands are going without the care and the benefits they need to treat these conditions.

By the way, we are still not addressing Agent Orange for veterans suffering from conditions like hypertension, where the science is clear, and in the worst cases, folks are paying with their lives.

Veterans and heroes like SFC Heath Robinson, for whom this bill is named—Heath deployed to Kosovo and Iraq with the Ohio National Guard, was exposed to burn pits, and he died. He died in 2020 from toxic exposure. SFC Heath Robinson—he was a son; he was a husband; he was a father. In fact, we heard from his daughter this morning at a press conference that Senator MORAN was at—a beautiful little girl who, in her words, said: I love my dad. But yet we didn't step up. The country failed to deliver for him, and we also failed to deliver for his family. The situation has happened with far, far, far too much regularity, and that is why we are here dealing with this bill.

The SFC Heath Robinson Honoring Our PACT Act will right the wrong for our past, for our present, and for our future veterans. Here is how it is done:

This bill will expand eligibility for VA healthcare to more than 3½ million combat veterans exposed to burn pits since 9/11.

By the way, when I was in Afghanistan and we were flying around with my good friend Jim Webb when he was in this body, we flew to the bases based on the smoke coming out of these burn pits.

The toxic exposure was real, it happened, and it happened to 3.5 million combat veterans exposed to since 9/11.

It will support our post-9/11 and Vietnam-era veterans by removing the burden of proof for 23 presumptive conditions caused by toxic exposure, from cancers to lung disease. It will also establish a framework for the establishment of future presumptions of service connection related to toxic exposures. What does this mean? It means that we have had toxic exposures for over 100 years and maybe even before that, and it has taken an act of Congress to get these folks the benefits they need. Now we are giving the VA the mechanism to deal with toxic exposure.

It will give the VA the tools it needs to bolster its workforce, to establish more healthcare facilities, to improve claims processing, and to better meet the immediate and future needs of every veteran our VA serves.

The bottom line is, this bill is far too important for this country and for those who fought to protect it.

When it comes to our fighting men and women, when it comes to sending our folks off to war, we never talk about money; we just do it because we think it is the right thing to do. They are coming back. This bill is going to cost $287.6 billion over 10 years, so it is a big-ticket item. But the fact is, we sent them off to war. We told them we were going to take care of them when they came back home. There shouldn't be a debate about the money.

I would agree that we should try to figure out ways to pay for as much stuff in this body as we can, but the truth is, freedom is not free. There is a price to pay when we send our men and women in uniform to fight wars on our behalf, and you don't have to be a veteran or be exposed to Agent Orange or burn pits to understand that price.

We have been waging war for far too long, and now, right now, veterans across this country are the ones paying for that cost of war, and we can't wait any longer. No more empty promises. We have a unique opportunity to make history with the passage of this comprehensive toxic exposure package that will recognize our veterans' service and their sacrifice. We are too close to fail. It is time for this body to act. It is time we address the true cost of war. Our Nation's veterans and their families are counting on it.

I want to close with one thing. This is a big bill. I have been in this body long enough to know that if there is a big bill, you can always find a reason to vote against it, and you can always find a reason to vote for it. This is more important. If we are going to take into account the future of our fighting men and women, the future of this All-Volunteer military we have, the future of the people who have been hit by toxic exposure, the future of our Vietnam veterans with Agent Orange exposure, this is too important to find a reason to vote against it. This is doing right by our fighting men and women in this country. This is doing right by our military. This is doing right for freedom and democracy.

Our Nation's veterans deserve this, and maybe just as important, our Nation's veterans' families deserve passage of this bill.

With that, I will yield the floor to the ranking member, Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent to speak up to whatever additional minutes necessary for me to complete my remarks before the 11:30 vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Madam President, I certainly rise this morning, going into this afternoon, in advance of a vote on a motion to proceed, a cloture vote, on the SFC Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, and I would call upon my colleagues to do the same thing.

I appreciate what I just heard from the chairman of the Senate Committee on Veterans' Affairs and how he made the case for why this is important legislation and why we have little excuse not to see its success here in the next few days.

I mentioned last night when I spoke on the Senate floor that I am not a veteran. I mentioned that my experience in high school in seeing those who are just a year or two older than me returning from their service in Vietnam caused me to reach a conclusion that I would do everything I could in my life to compensate for the ill treatment those men and women returning from service in Southeast Asia received from their fellow Americans. I was going to pay respect. I was going to honor them. I was going to say thank you. That is what a 16-year-old kid thought he should do to make certain that we compensate for those who served our country and deserved something better than what they received.

I never envisioned being a Member of the U.S. Senate, never thought that was something that would happen to me in my life, but because I now serve in this capacity, I have an obligation to do much more than saying thank you. There is nothing wrong—it is a good thing to tell those who served ''Thank you. I appreciate your service. I respect you,'' but that is just the beginning.

Certainly, as a member of the Senate Veterans' Affairs Committee and a Member of the U.S. Senate, I and all my colleagues owe those who served in Vietnam and every other battle of our Nation more than just saying thank you.

My guess is that nearly all of us, the 100 of us, probably said these words at services across our States on Memorial Day weekend. We have said it hundreds of times: ''Thank you for your service.'' I will continue to say ''thank you for your service'' hundreds and hundreds of times myself.

But this week we have the opportunity to do something significantly more and that is to actually provide the benefits that men and women who served in Vietnam and who served in Iraq and Afghanistan and around the globe—the benefits they are entitled to and the benefits which they desperately need.

We were with a group of veterans—certainly a group of veteran organizations—this morning on the Capitol lawn, and, to my knowledge, every veterans service organization, every organization that represents veterans is asking us to pass this legislation. But I also was surrounded by family members and veterans themselves who have experienced horrendous circumstances in their lives and their families' lives as a result of exposure to Agent Orange in Vietnam and toxic burn pits in Iraq and Afghanistan.

And you can see the challenge that people face in their lives because of their service. And we no longer have the capability, if we ever did, to say: No, we can't help you yet; we will wait for—we will wait for more science, more medicine; we will wait until the Department of Veterans Affairs completes another study.

We can't wait because they can't wait.

During my time at home over that Memorial Day weekend, a Navy veteran said he and his father were both exposed to toxic exposures in their service to their country and, to their knowledge, they have no consequences, no physical ailments that resulted from that. But they said: Every day we worry about it because we don't think—we don't know that if we do develop those symptoms, that the Department of Veterans Affairs and, really, the American people are going to be there to take care of us. So every day of our lives, knowing that we have been exposed to toxic substances during our military service—every day we wonder, if something does develop, what is going to happen to our spouse? what is going to happen to our kids? what is going to happen to me, the person who served, if we don't know that the VA, the Department of Veterans Affairs, is going to be there with the benefits that we need to care for ourselves, our health, and our family members?

The bill that we take up today is a culmination of years of work, and people across the country have come to their Congress over those years, knocked on our doors, made phone calls, and asked us: Please do something to take care of someone we love who has been exposed to these terrible substances and causing death and ill health in their lives.

So, across the Senate, many of us have introduced legislation over those years, legislation in recent years, and with the leadership of our Senate Veterans' Affairs Committee, we had begun the process of sorting out bills that our colleagues were asking us to pass to deal with toxic exposure, and now we have combined the best of those pieces of legislation from many Members of our Senate, members of our committee, into the Heath Robinson Act.

We have incorporated important fixes to the House version of this bill. We have worked to make sure the mitigation—this has been one of my concerns from the beginning is how do we take care of a lot more veterans who desperately need to be cared for and not disadvantage other veterans who are already waiting in line for services at the Department? And we have worked to mitigate, to reduce, to eliminate those disruptions in VA operations.

We have streamlined the disability claims process for toxic-exposed veterans. We have prescribed a lasting framework for the future VA decisions that is transparent and driven by scientific evidence, all with the effort and hopefully the consequence of not negatively impacting veterans already in our system. This lasting framework is a win for veterans, requiring the VA to be proactive in evaluating diseases for service connections.

We have had the opportunity, over a long period of time, to say: Well, the VA has the authority to take care of you. That really wasn't a very good explanation because it never seemed to happen fast enough, and in the process of us waiting on the Department of Veterans Affairs to act, more and more service men and women became ill and too many died waiting for a result.

With this bill before us today, we are called to act for veterans, and we should answer that call. The Heath Robinson Act is a solution for a problem that has plagued veterans for too long and left way too many families either uncertain about whether they would be cared for or actually left them without the care they desperately need. This is a responsible approach to fix a broken system that has been cobbled together through decades of patchwork fixes. As we all tried to do something, we never got enough accomplished. But we tried, and we have put this patchwork system together that has failed those who need our help. This legislation is our chance to make certain that future generations of toxic-exposed veterans can get the healthcare and disability compensation that they deserve without delay.

Every member of the Senate Committee on Veterans' Affairs has voted for the original bill in front of our committee, now nearly a year ago. The bill was passed out of committee with the understanding that Senator TESTER and I would work to find some fixes to problems that people recognized. In my view, both Republicans and Democrats had concerns about certain aspects of this legislation, and we have now spent the last year and particularly the last several months trying to fine-tune this bill in a way that certainly reduces some damage and fixes the process, increases the assets in personnel and resources that the Department of Veterans Affairs has for determining disability claims and for providing healthcare for those who serve. This is a better bill as a result of our efforts, and I thank Chairman TESTER and my committee colleagues for their partnership and work to get us where we are today.

There was a lady on the Capitol lawn this morning in the group that Senator TESTER and I spoke to, and she was telling me that her husband was exposed to toxic substances in the Middle East, that he is experiencing growing symptoms of challenges as a result of that exposure. He is waiting to see whether this bill passes, and he is hoping that even if he is the last veteran alive to see the legislation passed that he will have accomplished something that is important for him because he will pass knowing that the problems he is creating for his family due to his service are being addressed.

There is sadness in that, that one who is challenged by these conditions wants to know that we have done our job so that he can know he has done his job as a father and a husband. Today begins the day in which we can demonstrate that we are capable of doing our job, and I ask all of my Republican and Democratic colleagues to join me

in supporting this historic bill for our veterans today and for the generations of veterans to come.

I yield the floor.

VOTE ON WAGNER NOMINATION

The PRESIDING OFFICER (Mr. LUJÁN). Under the previous order, the question is, Will the Senate advise and consent to the Wagner nomination?

Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Connecticut (Mr. MURPHY) are necessarily absent.

The result was announced—yeas 76, nays 21, as follows:

[Rollcall Vote No. 214 Ex.]

YEAS—76

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Rounds
Blumenthal	Hirono	Sanders
Blunt	Hoeven	Sasse
Booker	Hyde-Smith	Schatz
Boozman	Inhofe	Schumer
Brown	Kaine	Scott (SC)
Burr	Kelly	Shaheen
Cantwell	Kennedy	Shelby
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Luján	Tester
Cassidy	Manchin	Thune
Collins	Markey	Tillis
Coons	McConnell	Tuberville
Cornyn	Menendez	Van Hollen
Cortez Masto	Moran	Warner
Cramer	Murkowski	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Fischer	Padilla	Wicker
Gillibrand	Peters	Wyden
Graham	Portman	Young
Grassley	Reed	
Hassan	Romney	

NAYS—21

Barrasso	Ernst	Marshall
Blackburn	Hagerty	Paul
Braun	Hawley	Risch
Cotton	Johnson	Rubio
Crapo	Lankford	Scott (FL)
Cruz	Lee	Sullivan
Daines	Lummis	Toomey

NOT VOTING—3

Feinstein	Merkley	Murphy

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 388, H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

Charles E. Schumer, Jon Tester, Benjamin L. Cardin, John W. Hickenlooper, Richard Blumenthal, Jack Reed, Bernard Sanders, Brian Schatz, Tim Kaine, Richard J. Durbin, Kirsten E. Gillibrand, Martin Heinrich, Margaret Wood Hassan, Tammy Duckworth, Kyrsten Sinema, Patrick J. Leahy, Robert P. Casey, Jr., Christopher A. Coons.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

The yeas and nays resulted—yeas 86, nays 12, as follows:

[Rollcall Vote No. 215 Ex.]

YEAS—86

Baldwin	Graham	Peters
Barrasso	Grassley	Portman
Bennet	Hagerty	Reed
Blackburn	Hassan	Risch
Blumenthal	Hawley	Rosen
Blunt	Heinrich	Rounds
Booker	Hickenlooper	Rubio
Boozman	Hirono	Sanders
Braun	Hoeven	Sasse
Brown	Hyde-Smith	Schatz
Cantwell	Inhofe	Schumer
Capito	Johnson	Scott (FL)
Cardin	Kaine	Scott (SC)
Carper	Kelly	Shaheen
Casey	King	Shelby
Collins	Klobuchar	Sinema
Coons	Leahy	Smith
Cornyn	Luján	Stabenow
Cortez Masto	Manchin	Tester
Cotton	Markey	Thune
Cramer	Marshall	Tuberville
Crapo	McConnell	Van Hollen
Cruz	Menendez	Warner
Daines	Moran	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Ernst	Murray	Wicker
Fischer	Ossoff	Wyden
Gillibrand	Padilla	

NAYS—12

Burr	Lee	Sullivan
Cassidy	Lummis	Tillis
Kennedy	Paul	Toomey
Lankford	Romney	Young

NOT VOTING—2

Feinstein	Merkley

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 86, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LEGISLATIVE SESSION

HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2021—MOTION TO PROCEED

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session, and the clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:17 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2021—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Arizona.

H.R. 3967

Mr. KELLY. Madam President, it is past due for us to address veterans not getting the care they need after suffering an illness caused by toxic exposure. We can do that as soon as this week by passing the PACT Act.

As a retired naval aviator, I know firsthand the sacrifice and hard work it takes to succeed in our military. I knew I wanted to join the military from a young age, and after attending the U.S. Merchant Marine Academy, making that choice was easy for me. That is the case for some but not for everyone. Many more will say that this was the hardest decision that they had to make, putting families, school, careers, or all three through major changes in order to serve.

This is a sacrifice for so many, and regardless of how someone comes to serving, what follows isn't easy. We spend years training to go to war. For me, that was training to fly off of and land on an aircraft carrier and put bombs on enemy targets. That is what I did during Operation Desert Storm, flying combat missions off the USS *Midway* in the gulf, to deliver weapons on dozens of targets in Iraq and Kuwait.

War is by its very nature dangerous, and flying airplanes in combat or conducting ground combat operations is very complex. You need to focus on completing the mission while also focusing on your safety and that of your team or your crew. There are many opportunities to be killed or injured. We all get that. The public understands

that. But there are also silent killers that affected soldiers, sailors, marines, and airmen who served abroad.

No American soldier goes overseas and expects to be put in grave danger by their own military, but they were. We saw it in Vietnam with Agent Orange. We saw it in the first gulf war with toxic exposures that we are still grappling to fully understand. It happened again starting about 20 years ago when American soldiers in Iraq and Afghanistan were breathing in toxic smoke from American-made burn pits. Clouds of smoke containing plastics, rubber, medical waste, and chemicals billowed, and although the ''stink'' might have been a nuisance, the true physiological damage would turn out to be much worse.

We sent young, healthy, and highly capable American troops—all of whom volunteered—overseas. When they came home, they got sick, and then they got sicker, just like in the case of SFC Heath Robinson, whose namesake and story are behind the PACT Act.

Our servicemembers had put everything on the line, only to return with severe illnesses due to bad decisions. When those same servicemembers battling rare diseases filed claims with the VA, they were met with a closed door. They were told that it wasn't a service-connected illness, so it wasn't covered. This is shameful, and it is unacceptable. That is why this legislation is so important. Our military made mistakes, and thousands of Americans and more than 6,500 Arizonans have paid or are continuing to pay the price.

We must—we must—live up to our solemn obligation to look after our veterans, and that is what the PACT Act will do. This bill will lower the threshold for veterans to receive benefits, expand access to VA healthcare, strengthen the VA's ability to process claims, create pathways for future presumptions based on developing medical research, and much more.

So, together, let's get this bill across the finish line for our veterans and their families. They deserve better from Washington.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I want to reiterate and underscore and expand on some of the comments made by Senator KELLY from Arizona in support of this legislation.

We know that, as he said, our servicemembers put their lives and health on the line to keep us safe. Even those who come home can face long-term health risks from their service. Too often, we have not provided veterans the care and the benefits they have earned and deserve, particularly those exposed to toxic substances while serving in uniform. We have the opportunity this week, finally, to change that.

This week in the Senate, we are on the verge of passing the most comprehensive expansion of benefits for veterans who faced toxic exposure, in our Nation's history. Providing healthcare and benefits for veterans who suffer from toxic exposure is a cost of going to war. We are willing to spend a lot of money going to war, as we need to, but we have never, never really stepped up taking care of our veterans—those who return home—because it is also costly, but it is what we need to do.

If you were exposed—fundamentally this—if you were exposed to toxins while serving our country, you deserve the benefits you earned, period, no exceptions. The Senate is finally on the verge of recognizing that.

My office holds roundtables with veterans all over Ohio, and I have heard veterans raise this issue again and again and again. As many as 3½ million servicemembers in this country were potentially exposed to toxic smoke. Time is running out for these veterans.

For years, we have worked to highlight this long-ignored issue and the hurdles veterans faced after burn pits and, before that, exposure to Agent Orange. With Agent Orange, we expanded VA benefits. We had to do it condition by condition and location of service by location of service, and it took way, way, way too long. Far too many Vietnam veterans suffering from toxic exposure to Agent Orange died while Congress continued to slow-walk the kinds of benefits we should have done much more quickly. Too many veterans were left behind. Our veterans deserve better.

This bipartisan bill would guarantee that veterans who suffer because of toxic exposure will get the VA benefits they earned for the first time in our country's history. It would finally extend VA healthcare eligibility to all post-9/11 combat veterans. It would expand presumptions for veterans exposed to Agent Orange. It would add 23 burn pit- and toxic exposure-related conditions to VA's list.

The comprehensive legislation is named in honor of Ohio veteran SFC Heath Robinson, who deployed to Kosovo and Iraq with the Ohio National Guard. He passed away in 2020 from cancer as a result of toxic exposure during that military service.

His widow, Danielle Robinson, has been a determined advocate for this cause. She was the First Lady's guest at the State of the Union this year, to underscore the President's commitment to getting this done.

Her mother, Susan Zeier, and Heath's daughter, Brielle, Susan's granddaughter, are here this week, along with so many advocates from Ohio, like Andrea Neutzling, an Army veteran and advocate from Meigs County. Earlier today, Susan and her granddaughter, Brielle, the daughter of Heath Robinson, and Andrea and Tim and others from Ohio were in the Gallery. They are counting on the Senate to finally do the right thing.

This has been a long time coming. It will mean that more than 3 million toxic-exposed veterans will finally have the expanded access to healthcare which they deserve and which they earned. It is a good first step. It is late for veterans who have suffered for years.

I ask my colleagues to join me in finally keeping our promise to our veterans. We should never forget the debt we owe our veterans, and we are humbled by their commitment to service. It is time that we ensure that our veterans, after sacrificing so much for our country, receive the full benefits and care that they deserve and that they earned.

The PRESIDING OFFICER. The Senator from Alaska.

BRUCE'S LAW

Ms. MURKOWSKI. Madam President, I have come to the floor this afternoon to speak about a measure that I will be introducing this week with my colleague from California, Senator FEINSTEIN. We have entitled this bill Bruce's Law in memory of a young Alaskan, Robert ''Bruce'' Snodgrass, who passed away in Anchorage last October.

Bruce is the son of Sandy Snodgrass. Sandy is with us here today in the Senate Gallery.

Bruce and Sandy lived in California when Bruce was younger before moving back to Alaska. Sandy likes to describe Alaska as Bruce's true home.

Bruce was a good kid. He was a good kid, but, like many good kids, he struggled with alcoholism, he struggled with drug addiction, and he and his family were far too familiar with this, as his grandfather and his father died of the same addictions. And despite all of this, Bruce started using drugs as a teenager, and it really sent his life into a downward spiral. But Sandy was always there. Mom was always there providing a safe and a comfortable home, and yet he was arrested repeatedly and ultimately wound up homeless.

But then, last summer—last summer, things turned around. Bruce made the choice to get clean. He wanted to get his life on track, and Sandy was right there, ready to help, as any good mom would be. She got Bruce to a detox facility and then into a local inpatient program for treatment. He graduated from it, and he moved back home. He was able to spend his time at outpatient meetings. He was in counseling. He liked to ride his mountain bike. He received this after he had completed the treatment program.

But then, one day last October, Bruce went out for a bike ride, and Sandy remembers telling him before he went, she said, ''Be careful out there.'' But Bruce never came back. He never came home.

On October 20, Bruce's body was found in a grocery store parking lot, and just like that—just like that—suddenly, heart-wrenchingly, and after trying so hard to overcome his demons, he was gone—just gone forever.

And so we grieve with Sandy, who lost her only son that day. No parent—

no parent—should have to bear what she is going through.

But the details of Bruce's death are especially tragic because Bruce died from an accidental overdose of fentanyl. Fentanyl is a synthetic opioid that is 50 times more powerful than heroin, 100 times stronger than morphine, and it is relatively cheap, easy to make. It makes it attractive for drug dealers, but it is also just incredibly, incredibly dangerous for those who come into contact with it.

Just 2 milligrams, which would fit on the end of a pencil, can cause a fatal overdose. This is how the Justice Department describes it:

Fentanyl powder has the power to kill with the ingestion, inhalation, or skin absorption of just two milligrams. By comparison, a sweetener packet found on a restaurant tabletop generally contains 1,000 milligrams per packet.

So just to give you an idea of how small a deadly amount can be, a single pill, with just trace amounts of fentanyl, can be fatal to the average person, which has prompted the Drug Enforcement Administration to start a campaign that they call a ''One Pill Can Kill.'' This campaign is designed to raise public awareness here.

Now, there is a form of fentanyl that is carefully and precisely manufactured. It is prescribed for medical patients who may be in extreme pain, like those who are suffering from late-stage cancer. And doctors know—they know that they have to be exceedingly judicious with their prescription of this pharmaceutical fentanyl. But it is this other form—the illegal fentanyl—that is being made in underground labs and sold on the streets.

Illegal fentanyl is often laced into counterfeit pills that are made to look like Oxycodone or other frequently used and abused opioids. The fake pills are difficult to distinguish from the real thing without specialized tests because they are deliberately made to look like them.

According to law enforcement authorities, about 40 percent of those pills—of these counterfeit pills—contain a potentially lethal amount of fentanyl.

So you buy a pill, you think it is a frequently abused opioid that you have taken before, but over 40 percent—about 40 percent of these counterfeit pills can contain a potentially lethal amount of fentanyl.

Some drug traffickers are also adding fentanyl into heroin, into meth, into cocaine; and it makes these drugs even more deadly, since fentanyl is indistinguishable in its powder form. If you look at a picture of heroin and fentanyl, you cannot tell the difference. But fentanyl's presence might be the difference between life and death.

It was an official from New Hampshire who said, a couple years ago: You don't know what you are taking. You are injecting yourself with a loaded gun.

Now, most people would avoid fentanyl if they knew what it was capable of doing to them, but oftentimes they don't even know. They don't know. They have never heard of it or they don't know enough about it or, again, they think that they are buying a name-brand prescription pill, not some deadly knock off.

It is now fueling a nationwide crisis with terrible, terrible impacts in every State in the country.

A few weeks ago, the Wall Street Journal reported that drug overdose deaths likely reached more than 107,000 in America last year, an all-time high and an increase of 15 percent from just 2020. Roughly two-thirds of those deaths were attributable to synthetic opioids, led by fentanyl, with an increase of 23 percent year over year. So we are just seeing this skyrocket.

An official with the CDC is quoted in that Wall Street Journal story as saying, ''We've never seen anything like this.'' ''We've never seen anything like this.'' And he is right; we haven't. Nor are we ready to fight it. Fentanyl is flowing into America largely from China and Mexico, and it is coming in at an unprecedented rate—so much so that it recently became the leading cause of death for Americans aged 18 to 45, and this was in the midst of the pandemic, when we were seeing deaths in other areas, but it became the leading cause of death for young Americans.

And no one—no one—has been spared by this growing epidemic. I wish that I could say in Alaska, we are far enough away, we are remote; but, no. I have shared Bruce's story with you, but he is not the only one. Opioid-related deaths in Alaska, mostly from fentanyl, rose by 71 percent between 2020 and 2021. In my State of Alaska, it rose by 71 percent. It now accounts for about 60 percent of the drug overdose deaths in Alaska.

Our law enforcement authorities routinely are intercepting packages with fentanyl. They are finding it in Anchorage, they are finding it in Ketchikan, in other places in the State.

In April, the Alaska High Intensity Drug Trafficking Area Initiative—this is what we call the HIDTA initiative—had its largest-ever seizure, worth an estimated $356,000. Our Governor's office has estimated that the 1,244 grams of fentanyl seized in January, February, March of this year, 2022, could kill 622,000 Alaskans—622,000 Alaskans. That is about 84 percent of our State's population. Think about that. In 3 months—in 3 months—the amount of fentanyl seized could kill 622,000 Alaskans or about 84 percent of our State's population. This is awful. This is a tragedy at every level.

This is also an epidemic of the young, and I am looking to the young people on this floor because I want you to hear how frightening, how deadly, fentanyl is. According to the Alaska Department of Health and Human Services, drug overdose deaths rose by 25 percent among Alaskans aged 15 to 24 last year—so, basically, your age category—and by a staggering 200 percent in young Alaskans between the ages of 25 and 34. It is devastating because behind those numbers are real people, like Sandy's son, like Bruce Snodgrass, who should have celebrated his 23rd birthday just last week. We had beautiful, beautiful weather in Anchorage. I saw Sandy. She reminded me of Bruce's birthday. And you look around and you think about that young man lost, gone—gone.

At least six individuals in the Mat-Su Valley who were killed by fentanyl-laced heroin in March made news in the paper—all just in one story. So, so many others killed, gone—gone.

In the wake of Bruce's death, Sandy has said that she was in shock for several months, which is entirely understandable. But since then—since then—she has decided to tell her story, share her heartache, in hopes that other moms won't lose their sons, and so she is an advocate. She is an advocate with every ounce of her being, and it is thanks to her that we are introducing Bruce's law.

Bruce's Law starts with education and awareness, requiring the Federal Government to create a nationwide campaign against fentanyl for school-aged children, young adults, parents, first responders, and care providers. The campaign will help illustrate the extreme dangers of pills and street drugs that could be laced with fentanyl; help prevent drug abuse, including through the safe disposal of prescription medications; and help identify the early-warning signs of addiction.

Bruce's Law also authorizes the Secretary of Health and Human Services to form an interagency working group on fentanyl contamination of illegal drugs. This group would consist of Federal Agencies, State-level HIDTA directors, parents who have lost loved ones to fentanyl overdose deaths, and those with lived experience and recovery. It would consult with experts at all levels to identify strategies, resources, and supports to address the incidence of drug overdoses with fentanyl-contaminated drugs. It will review current Federal strategies to seek improvements to them, particularly when it comes to educating middle and high school students about the profound danger of these drugs.

The final part of Bruce's Law authorizes new community-based coalition enhancement grants to help educate young people about the risks of street drugs laced with fentanyl. This would allow the Drug-Free Communities Coalitions to access new funding focused specifically on fentanyl and to try to curb or eradicate its use.

This is a starting point. It is a starting point. And we have to start because we have such a serious problem on our hands. We know we have it in Anchorage, where Bruce Snodgrass likely never knew that he was taking a drug

laced with fentanyl; where the officer who met Sandy after Bruce's body was found had just come—he had just come from notifying another family of another death caused by another overdose.

We also know that we are not alone. This is a national crisis. We know we must do more—more to prevent fentanyl from coming across our borders; more to prevent fentanyl-laced drugs from being sold on the street; more to educate Americans, especially—especially—young adults, especially youth, about its acute danger; and more to address addiction and to provide support for recovery.

As I close, I want to thank Senator FEINSTEIN for being the lead Democratic sponsor of Bruce's Law, as well as Senator SULLIVAN and Senator HASSAN for agreeing to cosponsor it with us. I would encourage every Member of the Senate to sign on to this legislation.

We acknowledge in Alaska this is a problem in our State, and we have to acknowledge it in all of our 50 States. I urge others to join us in this effort. Send us your input on how we might be able to strengthen this legislation.

Again, I want to thank Sandy. I want to thank Sandy Snodgrass, who is with us today. Joining her are Kim Kovol from the Office of the Governor, as well as Mike Troster, who is the State of Alaska's HIDTA director. Each of them—each of them—they are such important advocates.

We recognize that it is going to take all of us doing a lot more than we are doing now to raise awareness of fentanyl and turn back this deadly tide, but we have to. We have to for our communities, for our kids, and for Bruce.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

H.R. 3967

Mrs. GILLIBRAND. Madam President, I rise to discuss helping our servicemembers exposed to toxic burn pits.

Let me tell you about U.S. Army SFC Heath Robinson. He was a strong, healthy, fit combat medic who served tours in Kosovo and Iraq. When he returned home, however, he began experiencing fatigue. He started bleeding from his ears and nose and completely lost his voice.

After consulting multiple doctors, he and his wife were sitting in the exam room waiting for test results when the doctor came in with tears in his eyes. He explained that Sergeant Robinson had an extremely rare form of stage IV lung cancer and exclaimed: What have you been exposed to? Sergeant Robinson thought back to his tour in Iraq. He remembered seeing and smelling smoke from pits the size of football fields at his base near Baghdad.

While serving in Iraq, Afghanistan, and beyond, millions of U.S. troops have lived and worked near burn pits. They are basically burning trash heaps that the military has used for decades to dispose of everything from human waste to trash and electronics and jet fuel, and they spew forth many of the same dangerous toxins that were at Ground Zero after 9/11.

The VA estimates that 3.5 million servicemembers were exposed to burn pits around the world, many of them veterans who are now suffering from permanent injuries and illnesses ranging from chronic bronchitis to cancer. But when these veterans seek treatments, they face an often unsurmountable burden of proof.

For SFC Heath Robinson, the VA denied him compensation and prescription medications because it wasn't proven that burn pits were the cause of his illness. Army Sergeant Robinson died in 2020. He was only 39 years old.

I have heard from many veterans, servicemembers, and their families who have also been raising the alarm about burn pits. Gina Cancelino of New York told me about her husband Joseph, who was a Marine Corps veteran, an NYPD sergeant, and a dad of two girls. In 2017, he developed a very rare, very aggressive form of testicular cancer, as well as thyroid cancer. He died in 2019 when he was just 52.

This is simply unacceptable. Our servicemembers risk their lives to keep us safe. All they ask for is care in return, but our government has failed them repeatedly. First, it was Agent Orange. Then, it was the Blue Water Navy vets. Today, it is burn pits.

That is why, nearly 2 years ago, I started working with Jon Stewart, John Feal, and a strong coalition of veterans service organizations to craft the Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act.

This bill forms the centerpiece of the Honoring Our PACT Act, which has now been named in honor of Sergeant Robinson. The bottom line: It would remove the unsurmountable and unreasonable burden of proof for veterans to receive care. No longer would these selfless individuals have to jump through hoops to get the care they actually have already earned. No longer would they have to spend hours upon hours researching the very diseases that are killing them. No longer would they have to spend their own money on biopsies to prove their illnesses are exposure-related and service-related. No longer would they be forced to suffer or even die like Sergeant Robinson, Sergeant Cancelino, and so many others as our Nation and government continue to fail them.

Now we have the opportunity to pass this bill here in this Chamber at this moment in time. While we have incredible momentum, we still have to make sure we get 60 votes on final passage. I have been meeting with many of you to drum up the support we need for this critical bill to get it over the finish line. Its passage will represent an enormous victory for servicemembers and veterans across the country.

I am proud of the enormous progress we have made in this effort, and I hope that all of my colleagues will join us in passing the PACT Act, not only for Sergeants Robinson and Cancelino but for all of the brave men and women who are still suffering and dying from their exposure to burn pits while serving this country so honorably.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I want to thank my colleagues who have worked with us on a bipartisan basis to bring the SFC Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022 to the floor for a vote. That is a mouthful. The PACT Act is the way it is known more colloquially.

The PACT Act is a profoundly significant measure. It is a milestone in our dealing with the health and benefits that our veterans deserve.

We know that the modern battlefield is filled with toxins and poison that could cause grave injury, and many of the afflictions that result from those toxins or chemicals are manifested only years after a veteran leaves Active-Duty service. In fact, cancer, hypertension, skin disease—the list is long, and so are the number of years when the illnesses can arrive. They are latent. They are hidden. Like many wounds of war, they are invisible at the time. But these brave men and women who serve us on the modern battlefield experience them at higher rates because there are more of those toxins and chemicals.

We have seen them, for example, in the burn pit. One of my sons, a Marine Corps officer in Afghanistan, saw them firsthand, described them to me, and worried about the effects on him. So far he is fine, but the years ahead are an unknown for him and for countless other men and women who may have been exposed. In fact, they may not even know that they have been exposed to these chemicals and toxins.

The fact of the matter is that the Veterans Administration has resisted taking responsibility for these illnesses. It has erected thresholds of proof and barriers of evidence for veterans who suffer the effects of the burn pit and the other sources of toxic chemicals that can inflict such grievous pain and worry on so many of them. That is why this legislation is so significant—because it will begin to right the inaction of the government in helping veterans afflicted by toxic exposure.

We have been here before. We have fought year after year after year for veterans who were afflicted with the results of Agent Orange over the resistance and the opposition of the VA. And even after we passed the measure, righting those wrongs, the VA resisted implementing the law, not under this administration, fortunately, but previous ones.

I am immensely grateful to this VA for its seeming support of this measure, but I am most grateful to the veterans themselves, the veterans service

organizations that have been at our side and have had our back, including the Iraq and Afghanistan veterans, their organization. The IAVA has played an important role; likewise, the VFW—Veterans of Foreign Wars—the American Legion, Disabled American Veterans, and others. They are among the main rulers who deserve predominant thanks.

Chairman TESTER and Ranking Member MORAN and our counterparts in the House Committee on Veterans Affairs have been instrumental in this measure. In fact, I worked with Senator MORAN on this issue when I was the ranking member on the Veterans' Affairs Committee. He saw, along with me, the importance of moving forward on this issue.

This inaction has affected countless families like Sergeant First Class Robinson's family. I received a handwritten note from his young daughter yesterday urging me to vote yes on ''my dad's bill.'' Let there be no mistake, I am going to be voting yes on this bill, and I hope that my colleagues on both sides of the aisle will overwhelmingly join me in voting yes.

I want to say, in particular, how proud I have been to lead legislation, along with colleagues like Senator TILLIS, to advance particular causes of groups of veterans who have been specifically affected. For example, the Palomares nuclear accident in 1966 caused huge suffering and pain to men and women in uniform who were sent to clean up a crash or a release of bombs. They didn't explode, but they were nuclear weapons, and they had to be cleaned up. Their remediation exposed those veterans to radiation, and the PACT Act will provide them with much needed relief.

Similarly, there are an estimated 16,000—that is right; 16,000—U.S. servicemembers deployed to a base in Uzbekistan known as K2. It was an old Soviet base, which became a dumping ground for all kinds of toxic substances, and they were exposed to those substances when they served there.

Now, the old Soviet Union didn't care much about its people—Russia not much more—about its people in uniform, but we should, and we do. That is why the PACT Act would provide care to them.

In the United States at Camp Lejeune, many of our veterans and their families were exposed to toxins in the water supply. They have been left without any real recourse. My friend and colleague Senator TILLIS and I worked together on legislation to help these thousands of veterans and their families impacted by those toxins at Camp Lejeune. It was an uphill battle. We had to overcome a lot of resistance. Again, some of our VA friends didn't see it our way, but my feeling is that we had to fight as tenaciously for those Camp Lejeune families as marines do for us.

The PACT Act essentially regards these kinds of illnesses and inflictions as part of the cost of war, and it puts the presumption of service-connected cause on the side of the veteran because many of them are making claims after the fact, indeed, well after they have left the battlefield. The proof is much more difficult for them to make and much easier for the VA to resist, so the burden should be on the VA to prove that these illnesses are not service connected, not the other way around. The presumption has to be in favor of the veteran. That is the basic fairness here. It levels the playing field so that veterans have a fair chance at making sure that they receive the healthcare and the benefits that they deserve and need.

I am proud that this measure is bipartisan. It is long overdue, but it moves us in the right direction, and maybe it helps to prove that we can continue to work productively together. Certainly, as to veterans, we need to do the right thing in recognizing these costs of war.

This measure is not only an important milestone as legislation, but it also represents an opportunity to educate our country about invisible wounds, about brave men and women who serve in combat and come home without necessarily a visible wound but experience a different kind of hardship and burden. Their sacrifice must be recognized. They need healthcare, and they deserve it. The benefits that they are receiving as a result of this measure are extraordinarily and deeply well deserved and should be available promptly.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Madam President, I have been on the floor quite a few times about an industry which is controversial: for-profit schools. If you want to know about for-profit colleges and universities, you have to remember two numbers, and the numbers are these: 8 and 33. Eight percent of the graduates of high schools go to for-profit colleges and universities; 33 percent of all the student loan defaults are students who started out at for-profit colleges and universities.

They are students who didn't finish or ended up with a worthless degree, couldn't make enough money, and defaulted on their student loans. That is an industry that deserves close scrutiny, because, you see, they operate almost exclusively with Federal taxpayers' dollars.

I believe that they have really posed an unscrupulous threat to unsuspecting students, to taxpayers, and to the solvency of Federal student aid programs.

Corinthian Colleges, sounds great, doesn't it? That was one of them, one of the largest for-profit college companies, and one of the worst.

It operated more than a hundred campuses, including six in my home State of Illinois, under names like Everest Colleges, WyoTech, and Heald Colleges.

At its peak, Corinthian enrolled more than 110,000 students, raking in a $1.4 billion sum from the Federal Treasury every year, 1.4 billion for Corinthian. How did Corinthian attract its students? It lied. It invested heavily in marketing and advertising. It created a business model that relied heavily on predatory sales practices. It deliberately misled students into taking on more debt than they could ever, ever repay.

They lied to potential students about the school's job placement rates. They lied about the students' future salary prospects. They lied about whether Corinthian credits could be transferred to another college. Most appallingly, Corinthian recruiters were sent out to look for the most vulnerable targets: high school students whose families had no experience with higher education—minority students.

An internal company document described Corinthian's target demographic as ''isolated people'' with ''low self-esteem.'' People who have ''few people in their lives who care about them'' and people who are ''stuck, unable to see and plan for the future.'' They preyed on these people.

Single moms living close to poverty were the best targets. In 2013, Vice President KAMALA HARRIS, who was then California's attorney general, sued this company for predatory and deceptive business practices. That lawsuit was followed by investigations by four different Federal agencies and more than 20 State attorneys general for consumer fraud on all of their campuses.

Corinthian's enrollment numbers and stock prices tumbled with these investigations, and on April 26, 2015, the whole Corinthian College house of cards collapsed. The company announced abruptly it would close all of its schools the following day.

The announcement left 16,000 students stunned and worried about how they were ever going to pay off the debts they had incurred and about the degrees that they wouldn't be able to finish.

Back in 2015, I called for widespread relief for borrowers defrauded by Corinthian. And last week, these borrowers finally received some long overdue relief. Seven years after they closed Corinthian, they finally got relief from the student loans they incurred because of the fraud of Corinthian Colleges.

In its largest student loan forgiveness action ever, the Education Department recognized the rot that was at the core of Corinthian Colleges and announced it was going to wipe out $5.8

billion in student loan debt owed by 560,000 borrowers who attended the company's for-profit schools.

You see, the Federal Government was saying to the students: These schools are OK. You can borrow Federal money going to these schools.

These students said, well, I couldn't get a Federal loan unless it was a real college or university, and, in fact, they were wrong.

For former Corinthian students, this loan forgiveness means finally their credit scores will start to get above sinking, fewer garnished paychecks, and calls from collection agencies may just slow down. I applaud Education Secretary Cardona and President Biden for their leadership on this simple issue of justice.

This is the latest step the Biden administration has taken to ease the crush of student loan debt.

The administration has used relief programs aimed at a variety of borrowers, including public service workers and people with disabilities. It also paused loan repayment during the pandemic.

President Biden reportedly is considering a broader student loan forgiveness program that would benefit more borrowers, such a program—if it is responsibly crafted—would be a boon not only to individual borrowers and their families, but also to our economy. It would make it possible for young people to finally restart their lives, buy a car, maybe even a home, start a business, maybe even a family—the kinds of investments that make America grow the right way.

I also believe we need to rethink the provisions in our Federal bankruptcy laws that make student loan debt one of the few debts that cannot be discharged in bankruptcy proceedings. If you declare bankruptcy, you can basically be discharged from any obligation to pay back your mortgage, even your mortgage on a second home, your car loan, or even money that you borrowed for a boat. You can discharge all those in bankruptcies, but you cannot discharge your student loan, in all practical purposes.

Bankruptcy should be allowed to be used as a last resort for borrowers who have no other place to turn. I expect to have more to say about that in the near future.

America needs more trained nurses, doctors, teachers, engineers, mechanics, and skilled professionals and trade workers than ever before. It is in America's national and economic interest to make sure that student loans are a prudent investment and to protect unsuspecting students from unscrupulous organizations like these for-profit colleges and universities.

We should have learned our lesson as a Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I ask unanimous consent to speak for up to 15 minutes and Senator STABENOW for 1 minute prior to the scheduled rollcall votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

UKRAINE

Mr. PORTMAN. Madam President, last Friday was a grim milestone. It was the 100th day of the war in Ukraine—a war being waged by Russia against an ally in a democratic country, Ukraine: a hundred days of brutal, unrelenting rocket and missile attacks throughout Ukraine, including attacks on a number of civilian targets like hospitals and churches and apartment buildings, schools. Tens of thousands of Ukrainian citizens and soldiers have been killed and entire cities have been laid to rubble by the Russian barrages.

For the 14th straight week when the Senate has been in session during this war, I come to the Senate floor again today to discuss the status of this unprovoked and bloody invasion and to talk about what our role as Americans ought to be.

First, it can never be emphasized enough that the people of Ukraine, professional soldiers and civilians and volunteers alike, have demonstrated courage, fortitude, and competence in beating all expectations in their existential battle against the odds to preserve their freedom and protect their homeland.

I am not surprised because I have seen the spirit and bravery of the Ukrainian people firsthand. In my seven or eight or nine trips to Ukraine, including meetings with Ukrainian troops on the line of contact before this latest invasion, I have seen the Ukrainian spirit. To have held off Russia this long demonstrates their strength and their resiliency. But at this moment in time there is reason for concern too.

President Zelenskyy just said that Russia now controls 20 percent of Ukraine's territory. Before the war started, Russia controlled just 7 percent of Ukraine, after its illegal annexation of the Crimean Peninsula and the creation of a Russian-backed separatist government in parts of the Donbas region in eastern Ukraine.

If you look at this map, you can see here what Russia took in 2014, Crimea and part of the Donbas here, and look what they have now and look at where the battles are occurring.

I made another trip to the region last week, and what I heard was that thanks to the fierce Ukrainian resistance, Ukrainians have had success in some parts of the country.

Remember, at one point Kyiv was under attack and there were Russian troops coming down from Belarus. They have been repelled, so there have been successes. There is no question about it. But Russia has now consolidated its troops and its firepower in this area, in the south and in the east, and they are making gains—incremental gains, but gains nonetheless.

This is a crucial point in the war, and we have to redouble our efforts and do that now to help Ukrainians defend themselves, to save Ukrainian lives, and to push the Russian invasion back.

In my trip to the region last week, I also visited with U.S. troops and commanders in Germany and with heads of government, military leaders, and refugee coordinators in Romania and Moldova before traveling to the United Kingdom, one of our staunchest allies. I thank them for their support.

While I was in Moldova, I was able to cross the border into Ukraine, where I met Ukrainian refugees leaving the country, but also Ukrainians who were actually returning to Ukraine, as the place where they lived in this part of Ukraine, closer to Kyiv, was relatively stable.

During my visits with the leaders of Moldova and Romania, I was able to thank each of them for their support in Ukraine and to learn more about what they need to be more effective partners in the region.

In Germany, visiting with the U.S.-European command, I received detailed briefings on the state of the war in Ukraine, as well as what the United States and our allies are doing to support Ukraine's brave defenders with military assistance.

I also met with the senior Ukrainian liaison there from the Ukrainian military who gave me his very frank assessment of the war and what weapons his brothers-in-arms absolutely need to be able to continue their fight. As I mentioned earlier, Russia's recent gains on the eastern side of the country are cause for serious concern.

Russia's mainline effort, again, is here in the Donbas region. By all accounts, the Ukrainians are making the Russians pay dearly for every inch of territory, but they are taking territory, incrementally, and the Ukrainians, both soldiers and civilians, are taking higher casualties.

The primary reason is the Russian artillery has a longer range than the artillery that the Ukrainians possess. They are able to strike Ukrainian positions from safe distances where Ukrainian artillery cannot reach them. This unlevel playing field in eastern Ukraine must be addressed.

This is why I have been urging the administration and our allies to immediately provide Ukraine with the weapons they are asking for to allow them to have a fighting chance against the longer range Russian artillery, specifically longer range advanced rocket artillery systems. These systems which we have are superior or at least on par with the Russian artillery in terms of distance, accuracy, reload speed, and mobility and would help immediately to level the playing field for Ukraine.

I spoke about the need for these weapons in my floor speech on May 24. I have tweeted about it, I think, six or seven times. Finally, after weeks of urging that we listen to the Ukrainians and provide these systems, I was very pleased that the administration announced last Tuesday that they will

provide Ukraine with high-mobility artillery rocket systems or HIMARS. But I am concerned not just by how long it took and continues to take but by how long it will take to get these systems in place in Ukraine while lives are being lost and Ukrainian territory is being taken.

Moreover, the best information that I have is that the administration is only providing four of these HIMARS systems, which will have limited impact on the battlefield. I hope I am wrong about that. I hope there are more on the way. But that is the best information we have.

They are also only providing Ukraine with midrange missiles, meaning that Ukrainian troops will need to fire closer to Russian positions and put themselves at greater risk. That may be OK because that may be comparable or maybe evenly slightly better than the Russian artillery, but they are not getting the special, longer range missiles.

Lastly, we are being told it will take time to train Ukrainian soldiers on how to operate this advanced system. All told, it will take, we are told, roughly 2 weeks for these systems to arrive in-theater and for Ukrainian troops to be sufficiently trained on them. In the meantime, Russia's brutal advance will proceed, and Ukrainian lives will continue to be lost.

There is some good news on that front from another part of our allied front. Just yesterday, the British announced that they will send several multiple launch rocket systems to Ukraine, which is a larger version of what we are sending. This is very important. I appreciate what the UK is doing, and I also urge other allied countries that have this longer range capacity to step up as well.

In addition, this week we learned that Spain is ready to send Leopard battle tanks and anti-aircraft missiles to Ukraine. This is a big change, and we appreciate the fact that the Spanish military support has been increasing. They will also provide training for Ukrainian Army officials and soldiers on the tanks, according to the report, which cites government sources.

Also, in, Severodonetsk, the city the Russians were overrunning last weekend, reports indicate that the Ukrainians have counterattacked and are putting up a fierce resistance to Russia's assault.

This is this area right here.

Although the battle is far from over, the Ukrainians are, once again, demonstrating their incredible bravery and resolve, showing the world that despite being outgunned, they will not give up without a fight.

After my briefings in Germany, I traveled to Romania, where I met with Prime Minister Ciuca, the Minister of Economy, State Secretary of Foreign Affairs, members of Parliament, and officials and volunteers involved with welcoming Ukrainian refugees.

America could ask for no better friend than Romania. Our interests align on many issues, including energy security, defense spending, food security, standing against Russian aggression, and blocking malign Chinese investments in critical infrastructure. Our relationship is strengthened by the Romanian community in the United States, including in Ohio, where thousands trace their heritage back to that great country.

Twenty percent of Romania's energy comes from nuclear energy, and the country plans to boost that to 40 percent in coming years, with America as their partner of choice. I urge the Biden administration to do more to support Romania's embrace of nuclear energy, especially with regard to the Export-Import Bank, working with American energy companies. As their production increases, I hope that Romania can be become an energy hub that can help wean its neighbors off Russian energy. Romania has been smart. They have cut their ties with both Chinese nuclear energy and telecommunications companies, fully recognizing the threat that these companies pose. And unlike other countries in Europe, they are not dependent on Russian energy.

Romania has also been creative in finding ways to help Ukraine export its grain. This is a huge issue. We all know that Ukraine is a large exporter, whether it is sunflower oil or whether it is corn or whether it is wheat, but particularly with regard to wheat. So many poor countries around the world depend on Ukrainian wheat.

This photograph, unfortunately, is of a bombing attack only about a day and a half ago in the area of the Port of Odessa. And this is the Russians exploding a bomb at a grain bin. So they are destroying wheat and other grains that would be destined for poor countries in the world. This is what is going on today in Ukraine.

There is something else that is very important, and that is the ability of Ukraine to export this wheat that they do have in bins around the country. I discussed this at length with Prime Minister Ciuca of Romania. It is extremely important because he has the ability to help with regard to a port in Romania to get some of this grain out that would normally go out through Odessa, which has been mined and has been—mined by the Russians.

So here we are. The Port of Constanta is here. This is Romania. This is Ukraine. Here is the Port of Odessa. Over here is the Donbas, where we were earlier.

This port is actually the largest port on the Black Sea. It is difficult to get from Odessa to here, but in talking to the Prime Minister, he has some great ideas on how to deal with this. With the blockade of Odessa by Russia, there is an opportunity to use rail, to use a canal system, and to use roads to get the grain to Constanta to be able to export it.

I appreciate the fact the Romanians are willing to work us on that, and it is incredibly important, again, not just to Ukraine and their economy to have the ability to export, but it is also incredibly important because the dire warnings of global food insecurity and price spikes if this blockade continues concerns all of us. It certainly concerns this Congress and this administration.

These poor countries in Africa depend on Ukrainian wheat to avoid food shortages.

Romanian officials told me they intend to work with Ukraine in this project, and I appreciate that.

Malign actors around the world, by the way, have used food as a weapon over time. The Houthis in Yemen, Assad in Syria, and now Putin in Russia.

President Putin recently suggested that he would only lift his stranglehold on these ports, including Odessa, if the sanctions were lifted on Russia.

Let me be clear. Food should never be used as leverage in negotiations. Russia must lift its blockade immediately without any conditions. Millions of lives depend on it. I would expect the administration and allies, including Turkey, to be coming up with contingency plans now, if they don't have them already, to ensure that this wheat can be exported and other grains as well.

When it comes to the administration, President Biden has said recently: ''There is going to have to be a negotiated settlement'' to end this war.

I urge the administration not to talk about ceding ground in Ukraine. This does not signal resolve or clarity; it signals weakness. It will not help us break the blockade in the Black Sea, and it will not help Ukraine win this war. We should be doing what we can with allies—short of boots on the ground—helping the Ukrainians take back every inch of territory that Russia has taken from them since 2014.

That is fair, just, and what Ukrainian officials themselves have been calling for. Our allies in Eastern Europe know what is at stake here. Romania is a great example. A staunch NATO ally, Romania is committed to the military defense of the alliance and meets NATO's goal of spending 2 percent of its GDP on defense. They actually told me when I was there that they plan to raise it to 2.5 percent in the next few years in response to Russia's invasion of Ukraine.

After Romania, I visited Moldova, where I met with Prime Minister Gavrilita, the Minister of Internal Affairs, and various parliamentarians. I was impressed with what I saw. As I told the Prime Minister, Moldova is a small country that punches way above its weight. Moldova has graciously accepted almost half a million Ukrainian refugees through its border—more per capita than any other Nation.

Unfortunately, the war in Ukraine is far from over, and if Russia continues to gain ground or opens up an assault on Odessa, which many fear, it will send another massive wave of refugees westward into Moldova.

While in Moldova, I traveled to Palanca, a border crossing that is run jointly by Moldovan, Ukrainian, and EU Frontex border security guards. While at the border, I had the opportunity to speak with Ukrainians whose lives have been turned upside down by this war. Some were leaving Moldova, some were coming back into Moldova, but they all expressed to me their fears that Russia will gain ground and expand their brutal assault to other parts of the country, including Odessa, which is only about 30 miles away from where I was.

Now, as the war rages on and we cross 100 days of this brutal invasion, I want to highlight another recent development. I have mentioned on this floor many times the need for stronger sanctions against Russia, particularly with regard to energy but also trade and banking. In particular, I have pointed out that Europe sends Russia roughly $870 million a day in gas and oil receipts that help fund the Putin war machine.

So I was pleased that late last week the European Union took a positive step in partially banning Russian oil into the EU. Specifically, these phased-in sanctions will prohibit the import of seaborne crude oil from Russia and petroleum products over the next 8 months. This phased-in embargo, I believe, along with countries like Germany that stopped pipeline oil altogether, is expected to impact approximately 90 percent of Russian oil imports into Europe by the end of this year. Combined with the ban on coal imports that Russia has agreed to earlier this year, which will take effect in August, Europe is undoubtedly making progress in cutting off that nearly $1 billion that goes to Russia to feed the war machine.

Even better, given the situation on the ground in Ukraine today, would be a full embargo against all Russian energy immediately, as the United States has done, but this is progress.

Given their greater dependence on Russian oil and gas, by the way, Europe's energy independence from Russia will require a different kind of leadership from the United States as we establish a new energy world order.

Where the United States can help most is to get more energy on the global market now to help backfill Russia's energy needs and stabilize prices. Instead of looking to countries like Iran and Venezuela to produce more energy, this administration should be pursuing policies to expand our domestic oil and gas production as well as renewables, nuclear, all of the above. And in the longer term for our national security and that of our allies, the United States needs to take steps to lead the world in developing and exporting the next-generation energy technologies like advanced nuclear and hydrogen.

The reality is this: It shouldn't have taken a global energy crisis for us to realize this. Before this administration took office, concerns had been raised about the prospect about aggressive or idealistic policies that threaten the reliability and security of our energy supplies here in the United States. We need to act, and we need to act now. Providing LNG to Europe is key to Europe being able to wean themselves from Russian gas.

The fact is, we need to unleash American energy. We have the resources here to help our friends and allies. We can help everyone so that they don't need to take another dime and give it to Vladimir Putin's war machine.

Right now, Ukrainians continue to suffer, and the world must not turn a blind eye. According to the United Nations recently, nearly 7 million Ukrainian refugees have fled the country since the war began, and another 8 million Ukrainians are internally displaced. This invasion has flattened beautiful cities in Ukraine, like Mariupol, where, according to local officials, at least 22,000 residents have been killed.

I will close with this. I have now come to this floor every week since just before President Putin put this illegal and unprovoked invasion upon the people of a democratic Ukraine, who just wanted to live in peace with their neighbors—their neighbors, by the way, including Russia.

Some have asked me why a Senator from Ohio should care about this fighting in Ukraine, and I tell them every American should care. This is a fight during our generation where democracy is on the line. Some folks here may not agree with that; I understand. But Ukrainians get it. They know what it is like to live under the thumb of an authoritarian, of Russia, and they broke away from that and toward democracy in 1991 and again, as we all saw, in 2014. I was in Ukraine then in 2014 right after the Revolution of Dignity, where Ukrainians decided for themselves that they wanted to turn to us and to Europe to pursue a hopeful future of freedom and democracy. Now President Putin is trying to extinguish that hope. We must not let him.

I am also motivated by the tens of thousands of Ukrainian-American friends and constituents in my home State of Ohio, some of whom joined me for an update last Friday, where I learned more about the amazing Ohio volunteer efforts to help Ukraine.

But even if I didn't have one constituent of Ukrainian descent or know a single Ukrainian, I would be on this floor condemning Russia's atrocities.

As Russian forces target Ukrainian civilians, people from across the globe are showing their support and encouragement for Ukrainians. In Ohio, we have assured Ukrainians that America has their back.

At the Ohio State University, President Kristina Johnson participated in a call with President Zelenskyy, and she said she asked him how Ohio State could help. President Zelenskyy answered with: How about helping to rebuild our cities that have been flattened? What did President Johnson say? ''Count on us.'' That has been the consistent theme from the Buckeye State—count on us. In fact, student organizations like the Ukrainian Society and Desserts for Donations have held fundraisers around the State selling buttons, pins, desserts—all of which have been donated to the Revived Ukrainian Soldiers, a group that provides medical and humanitarian aid.

I have listed before on this floor a dozen other great causes in Ohio that have been helpful with regard to the humanitarian effort in Ukraine. Ohioans get it. They know that America can't afford to stay on the sidelines and be a spectator.

I commend the administration for the actions taken, but as I have said before, we need to do more and more quickly. At this crucial time in the battle, freedom and democracy are at stake and the ability for countries to have their territorial integrity respected. America cannot afford to be tentative. Instead, we must lead with allies in protecting the post-World War II order. We are being watched by those allies, 41 of whom have joined us in helping Ukraine defend itself. But we are also being watched by our adversaries who must see strength and determination and willingness to lead.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Michigan.

Ms. STABENOW. Mr. President, first I want to thank my friend from Ohio for his passionate leadership on this very, very important issue and the importance of standing with Ukraine. I want to thank him for that.

NOMINATION OF CHAVONDA J. JACOBS-YOUNG

Mr. President, we are about to vote on a very important position in the Department of Agriculture, and I am urging my colleagues to confirm Dr. Chavonda Jacobs-Young as our next Under Secretary for Research, Education, and Economics at the Department of Agriculture.

It is critical to quickly confirm Dr. Jacobs-Young because without Agency leadership and senior staff, the research Agencies at USDA can't do the really essential work that our producers are counting on.

Dr. Jacobs-Young is extremely qualified. She has held leadership roles at multiple research Agencies at the USDA and the White House. She will be the first woman of color to serve in the USDA's highest scientific post.

She was the first African-American woman in the country to receive a Ph.D. in wood and paper science and the first woman of color to serve as the Administrator for the Agriculture Research Service.

She has even got her own statue on the National Mall as part of the IfThenSheCan exhibit to celebrate contemporary women innovators in science, technology, engineering, and math—her own statue on the Mall.

Her commitment to science, research, and education is a true inspiration.

I am excited about the nomination of Dr. Jacobs-Young, and I know that she will help protect scientific integrity at the USDA and build a diverse and resilient scientific workforce. I appreciate the cooperation of my colleague and friend, our Ranking Member Senator BOOZMAN, in moving this nomination forward, and I urge my colleagues to vote to confirm Dr. Jacobs-Young today.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Chavonda J. Jacobs-Young, of Georgia, to be Under Secretary of Agriculture for Research, Education, and Economics.

VOTE ON JACOBS-YOUNG NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Jacobs-Young nomination?

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

The result was announced—yeas 95, nays 4, as follows:

[Rollcall Vote No. 216 Ex.]

YEAS—95

Baldwin	Graham	Portman
Barrasso	Grassley	Reed
Bennet	Hagerty	Risch
Blackburn	Hassan	Romney
Blumenthal	Heinrich	Rosen
Blunt	Hickenlooper	Rounds
Booker	Hirono	Rubio
Boozman	Hoeven	Sanders
Braun	Hyde-Smith	Sasse
Brown	Inhofe	Schatz
Burr	Johnson	Schumer
Cantwell	Kaine	Scott (FL)
Capito	Kelly	Scott (SC)
Cardin	Kennedy	Shaheen
Carper	King	Shelby
Casey	Klobuchar	Sinema
Cassidy	Lankford	Smith
Collins	Leahy	Stabenow
Coons	Lee	Tester
Cornyn	Luján	Thune
Cortez Masto	Lummis	Tillis
Cotton	Manchin	Toomey
Cramer	Markey	Tuberville
Crapo	Marshall	Van Hollen
Cruz	McConnell	Warner
Daines	Menendez	Warnock
Duckworth	Moran	Warren
Durbin	Murphy	Whitehouse
Ernst	Murray	Wicker
Feinstein	Ossoff	Wyden
Fischer	Padilla	Young
Gillibrand	Peters	

NAYS—4

Hawley	Paul	Sullivan
Murkowski		

NOT VOTING—1

Merkley

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kenneth L. Wainstein, of Virginia, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security.

VOTE ON WAINSTEIN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Wainstein nomination?

Ms. DUCKWORTH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 63, nays 35, as follows:

[Rollcall Vote No. 217 Ex.]

YEAS—63

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Kaine	Sanders
Brown	Kelly	Sasse
Burr	King	Schatz
Cantwell	Klobuchar	Schumer
Capito	Leahy	Shaheen
Cardin	Luján	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Tillis
Cornyn	Murkowski	Toomey
Cortez Masto	Murphy	Van Hollen
Duckworth	Murray	Warner
Durbin	Ossoff	Warnock
Feinstein	Padilla	Warren
Gillibrand	Peters	Whitehouse
Graham	Portman	Wyden

NAYS—35

Barrasso	Hagerty	Paul
Blackburn	Hawley	Risch
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Tuberville
Ernst	Lummis	Wicker
Fischer	Marshall	Young
Grassley	Moran	

NOT VOTING—2

Cramer Merkley

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

NOMINATION OF SHALANDA H. BAKER

Mr. MANCHIN. Mr. President, I am pleased to support the nomination of Ms. Shalanda Baker to be the Director of the Office of Minority Economic Impact at the Department of Energy.

Congress established the Office of Minority Economic Impact within the Department of Energy in 1978. Congress recognized that the energy shortages and rising energy prices we faced at the time would have an overwhelming impact on the quality of life for our socially or economically disadvantaged citizens.

The Office of Minority Economic Impact was created to provide a mechanism to ensure that the energy needs of minorities were fairly considered and addressed. Its goals were, first, to understand the impacts of our energy policies and programs on the quality of life in minority communities and, second, to ensure that minority business enterprises are afforded an equal opportunity to participate fully in the energy programs of the Department.

The position of Director was created not only to head this office, but also to advise the Secretary of Energy on the effect of the energy policies, regulations, and actions of the Department on minorities and on how to increase minority participation in the Department's programs. The position does not carry with it the policy making or regulatory or adjudicatory powers of many other senior offices in the Department of Energy, but it plays an important role in ensuring that the needs of minority and disadvantaged communities are justly and fairly addressed and that they are treated fairly.

The Director also helps ensure that the Department complies with our civil rights and equal employment laws and that it maintains a diverse workforce and inclusive work environment.

The Department of Energy's commitment to fairness, equality, and diversity has always been important. But it is especially important today, as we face record high fuel prices, come to grips with the global climate crisis, and transform how we fuel our economy. We must ensure that our energy policies do not leave anyone behind or impose an unfair or disproportionate burden on minority or disadvantaged communities.

I believe Ms. Baker is very well qualified for this position. She has spent the past decade studying the impact of the transition from fossil fuels to cleaner energy resources on disadvantaged communities. And she has spent the past 17 months serving as the Deputy Director for Energy Justice and as Secretary Granholm's Advisor on Equity.

I strongly support her nomination, and I urge a favorable vote on her nomination.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant executive clerk read the nomination of Shalanda H. Baker, of Texas, to be Director of the Office of Minority Economic Impact, Department of Energy.

VOTE ON BAKER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Baker nomination?

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 218 Ex.]

YEAS—54

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Hyde-Smith	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Luján	Stabenow
Collins	Manchin	Tester
Coons	Markey	Tillis
Cortez Masto	Menendez	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wicker
Heinrich	Peters	Wyden

NAYS—45

Barrasso	Fischer	Paul
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Young

NOT VOTING—1

Merkley

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Rhode Island.

250TH ANNIVERSARY OF THE ''GASPEE'' RAID

Mr. WHITEHOUSE. Mr. President, this week marks the 250th anniversary of the first blow struck in the American Colonies' struggle for independence from the British Crown. I come to the Senate floor every year to commemorate this moment because it took place in Rhode Island at the hands of some brave and bold Rhode Islanders.

Before recounting the tale of those bold Rhode Islanders, I would like to acknowledge a special guest with us in the Gallery today: Michael Tatham, Deputy Head of Mission for the British Embassy here in Washington. A lot has happened over the last 250 years, and Great Britain is now America's closest ally and great, great friend. It is an honor to have the Deputy Ambassador here today.

So it was 1772, and the Royal Navy's revenue cutter, the HMS *Gaspee*, patrolled Narragansett Bay in the wake of the Seven Years War, where Great Britain had emerged the victor. The Crown owed, by some estimates, between 74 and 133 million pounds. That was a colossal burden on the empire's finances. The *Gaspee*'s mission was to collect taxes from the Colonies to help repay British debt.

I will concede that part of the *Gaspee*'s mission was righteous. Rhode Island's rum distilleries formed a corner of the so-called triangle trade, with enslaved people from Africa and sugar from the Caribbean forming the other legs of this foul business. Rum-running to support the slave trade was repugnant and a worthy target of British authorities.

But Britain's heavy hand reached far beyond that. British customs agents seized Colonial vessels and cargo at whim, leaving rightful owners with no recourse to reclaim their property. One such owner was John Hancock, whose signature would soon become famous. Authorities even pressed Colonial sailors into service on His Majesty's vessels against their will.

The *Gaspee* and her captain, Lieutenant William Dudingston, drew particular ire. One of Dudingston's first acts was to stop the merchant ship *Fortune*. Dudingston and his crew roughed up the *Fortune*'s commander, Rufus Greene, condemned the ship and her cargo, and sent the *Fortune* to Boston for the admiralty to sell.

This did not please the *Fortune*'s owner, Rhode Island's Nathanael Greene, who would go on to become General Washington's aide-de-camp and wartime administrator and then command the southern campaign of the Revolutionary War, which he did so effectively that British General Cornwallis would write:

That damned Greene is more dangerous than Washington.

Dudingston's reputation only worsened from there. British law awarded revenue cutter commanders a share of the cargo they seized. Dudingston seized so much cargo that he was able to nearly double his salary, and he earned, along with that bounty, a well-deserved reputation for arrogance. Soon Rhode Islanders were protesting his conduct formally, but those protests yielded no accommodation.

On June 9, 1772, simmering anger at Dudingston and the *Gaspee* boiled over. Dudingston spotted a small trading ship, the *Hannah*, bound for Providence. The *Gaspee* gave chase, and Dudingston hailed the *Hannah*'s captain, Benjamin Lindsey, and ordered the *Hannah* to submit to a search. Captain Lindsey declined that invitation and ignored the *Gaspee*'s warning shots and sailed on toward Providence.

Now, the *Hannah* was smaller and lighter than the *Gaspee*, and Captain Lindsey was more familiar than Dudingston with the waters between Newport and Providence. Lindsey steered his *Hannah* across the shallow waters outside Namquid Point. The *Hannah* could sail over the shallows, but the heavier *Gaspee* could not. Dudingston and his crew ran aground on a sandbar off Pawtuxet Cove, stranded, as the Sun was setting in a falling tide. The *Gaspee* would need to wait for the next day's high tides to lift it free.

When the *Hannah* arrived in Providence, Captain Lindsey summoned local patriots to Sabin's Tavern for refreshments and for planning. The result of the plan was that under the leadership of John Brown, later to be famous for Brown University, and Abraham Whipple, a group of men boarded a half dozen longboats to row from Providence down to Pawtuxet. Through the dark night, with oars muffled, the Rhode Islanders descended on the *Gaspee*. Whipple reputedly called out to Dudingston—and I hope the young pages will forgive my language, but this is apparently the language used in that moment:

I am the sheriff of the county of Kent, God damn you. I have got a warrant to apprehend you, God damn you; so surrender, God damn you.

I believe I mentioned that the Rhode Islanders had fortified themselves at Sabin's Tavern, which might explain some of the language. In any event, Lieutenant Dudingston refused that invitation so a brief, sharp battle ensued.

At this moment those 250 years ago, Rhode Islanders drew the first blood of what would become our revolutionary struggle when a musket ball struck Lieutenant Dudingston. The Rhode Island patriots boarded the Gaspee. In the melee, Dudingston cried out:

Lord, have mercy upon me—I am done for.

But he was not. The British sailors soon gave up the fight. The Rhode Islanders took the crew prisoner and ferried the captives to shore. A marker still stands at the place where the captive crew was brought ashore. And there, Dudingston received the care of a doctor and, ultimately, recovered from his wounds. Indeed, Dudingston would not only heal, but go on to live a long life. He commanded other vessels. He moved back to his native Scotland and married and raised four children in a coastal town called Elie overlooking the Firth of Fife and the North Sea, but he never patrolled Narragansett Bay again.

A quick side story. A few years ago, a couple from Scotland, Angela and Roddy Innes, visited Pawtuxet during Gaspee Days, our annual celebration of the Gaspee raid, coming up this weekend. The Inneses are connected through

marriage to the Dudingstons, and Angela wanted to see what the Dudingston-Gaspee was all about.

In Pawtuxet, Rhode Islanders welcomed Angela and Roddy with open arms. Local historian Dr. John Concannon invited them to stay. ''It was an amazing experience,'' Angela said. ''The people there are incredibly friendly.'' The trip also helped them grasp the significance of the Gaspee raid on America's road to revolution. And this year, Angela Innes will mark the 250th Gaspee anniversary with a Gaspee Day party of her own in Scotland.

Well, that left the dreaded Gaspee. With the prisoners ashore, the Gaspee raiders returned to the stranded ship and set her afire. When the fire reached her powder magazine, she blew apart, and her remains were lost to time and tides. Rhode Island was rid of the dreaded Gaspee.

New efforts are underway now to find the charred remains of the Gaspee using advanced sonar technology. Dr. Kathy Abbass of the Rhode Island Marine Archaeology Project is on the case. Dr. Abbass is accomplished in her field. Indeed, she may have located Captain Cook's ship, the Endeavor, sunk in Newport Harbor. If anyone can find the Gaspee or what is left of her, it is Dr. Abbass.

I should offer special thanks to Peter Abbott, the British Consul General in Boston who, along with representatives of the Royal Navy, came to Rhode Island last month for the announcement that funds had been raised to find the Gaspee. Abbott said:

> Being a British consul in New England means you must have broad shoulders. I get invited to events that celebrate the Boston Massacre and Evacuation Day. But what takes the biscuit is commemorating the burning of a British ship!

The Deputy Ambassador should know that if, in fact, we do find the Gaspee, Rhode Island, a colony no more, intends to courteously seize the vessel for further research.

The Gaspee raid represents Rhode Island's spirit of independence, which has lived in us since Rhode Island's founding as a refuge of religious tolerance from the Massachusetts Colony's harsh theocracy. Our celebration of the Gaspee Affair represents Rhode Islanders' pride in that spirit, which we share willingly, even with a Dudingston descendant.

Oh, and by the way, this episode where Rhode Islanders rode down through the night to a British ship that had been stranded by Rhode Island wilds and sacked her and took her crew and set her afire and blew her up, that all took place more than a year before Massachusetts colonists boarded a British ship to push tea bales into Boston Harbor. They pushed tea bales off the ship; more than a year earlier, Rhode Islanders blew the ship up. I am just saying, Mr. President.

So here is to another 250 years of celebrating the Gaspee raiders and to more people learning about Rhode Island's role as a spark of revolution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO LIEUTENANT GENERAL GUY C. SWAN III

Mr. REED. Mr. President, on behalf of myself and Senator INHOFE, as chairman and ranking member of the Senate Armed Services Committee and the co-chairs of the Senate Army Caucus, it is our honor to pay tribute to a great leader and exceptional advocate for the U.S. Army, LTG Guy C. Swan III, U.S. Army, Retired, as he retires from his current position as vice president of the Association of the United States Army, AUSA. For the past 10 years, Lieutenant General Swan led education and professional development for AUSA. Lieutenant General Swan exemplifies a lifetime of commitment and service to the Nation and to others.

A 1976 graduate of the U.S. Military Academy at West Point, Lieutenant General Swan was commissioned as a second lieutenant to be an armor officer. Throughout his distinguished career, he was frequently recognized for his exemplary leadership skills, holding command assignments at every level and in many theaters. His career culminated as the commanding general, U.S. Army North/Fifth Army. Along the way, he served in critical staff assignments such as chief of staff and director of operations in Multi-National Forces-Iraq and in high visibility roles including commanding general, Military District of Washington. Placing mission and Nation first, he excelled in every endeavor.

Between assignments leading soldiers, Lieutenant General Swan demonstrated his longstanding commitment to continuous learning. He earned master's degrees in military art and science from the U.S. Army's School of Advanced Military Studies and in national security studies from Georgetown University. Seamlessly stitching his knowledge gained in academia with his military experience, Lieutenant General Swan made considerable contributions as a thought leader in national security throughout his career. He served as a national security fellow at the John F. Kennedy School of Government at Harvard University and as a member of the Council on Foreign Relations, the Aspen Institute Homeland Security Group, and the Federal Emergency Management Agency—FEMA—National Advisory Council.

Following his retirement in December of 2011 from the U.S. Army, Lieutenant General Swan continued to serve in support of soldiers, their families, Army civilians, and veterans as vice president for education at AUSA. Through his committed leadership, vision, and always positive outlook, Lieutenant General Swan responded to ever-changing interests and needs of the Army by expanding and improving AUSA's support for professional development and education. His work also heightened public interest in the appropriate role of the Army in defense of our Nation. His priority programs to achieve these goals included creating AUSA's world-class ''ARMY'' magazine, building a family readiness program that reaches out to Army families worldwide, refocusing AUSA-sponsored writing contests to build critical thinking and research skills in the Army, expanding the AUSA book program to include discussions with authors having expert knowledge on the Army and the Nation's security challenges, and establishing an AUSA fellowship program to provide professional development opportunities for mid-level Army officers. In developing and supporting these diverse efforts, he ensured AUSA made the Army, across all of its components, a more professional and capable organization.

He also continued to give back to his alma mater, West Point, serving as a Presidentially appointed member of its Board of Visitors. In this capacity, he contributed to the development of the next generation of academy graduates entrusted with the privilege of leading American soldiers.

Lieutenant General Swan has served the Nation he loves with great distinction and has been an exemplary leader for the servicemembers, families, and civilians of the Armed Forces. His steady leadership, positive outlook, and professionalism have been a sustaining source of strength for those he has led, coached, mentored, and taught through four decades of service.

On behalf of the Senate and the United States of America, we thank Lieutenant General Swan, his wife Melanie, and their entire family for their commitment, sacrifice, and contributions to our Nation. We join our colleagues in wishing him a long and joyful retirement. Well done.

ADDITIONAL STATEMENTS

TRIBUTE TO BRIGADIER GENERAL LELAND SHEPHERD

● Mr. BOOZMAN. Mr. President, I rise to recognize Colonel Leland ''Tony'' Shepherd on his selection as Arkansas Army National Guard's 6th Land Component commander and his promotion to the rank of brigadier general on June 5, 2022.

On June 12, 2022, General Shepherd will assume command of Arkansas Army's eight land power units with a force size of 6,700 personnel tasked with operational readiness, training, mobilization, and deployments supporting my great State and in defense of an even greater Nation. This historical selection makes him the first African-American man to hold such a prestigious position and only the second African-American man to be promoted as a general officer in the history of the Arkansas National Guard.

General Shepherd began his military career in the U.S. Army Reserve in Philadelphia, PA, on July 23, 1992. He then transitioned to the Arkansas Army National Guard as an enlisted soldier in October 1995 and was commissioned to second lieutenant in August 1998. General Shepherd has served in several positions over the past 27 years, including assignments as a signal officer in the 212th Signal Battalion in Little Rock and as part of the 39th Infantry Brigade Combat Team in Malvern, AR. General Shepherd also deployed twice to Iraq where he oversaw Camp Victory's post signal capabilities. Prior to this selection for the 6th Land Component Command, he served as the State's deputy chief of staff G–6 overseeing the planning, strategy, network architecture, and implementation of command, control, communications, and networks for Army operations.

General Shepherd received the Order of Mercury, Bronze for the highest standards of integrity, moral character, professional competence, and selflessness for those who have made significant contributions to the U.S. Army Signal Corps. This award reflects his superior performance and devotion to duty throughout his entire professional career.

I would like to recognize General Shephard's wife Zandral and children Anthony, Ryan Wells, Logan, and Lukas for their sacrifice and service. It is their steadfast support of their husband and dad that enabled his continued service, ultimately leading to this historic promotion. As the son of George and Gwendoline Shepherd of Guyana, South America, General Shepherd is the epitome of the American dream which is founded on the belief that we all can attain our own version of success and achieve prosperity through hard work.

General Shepherd, congratulations on this new chapter in your career. I join my colleagues in the Senate and all Arkansans as we express our appreciation for you and your family's continued service to our country.●

RECOGNIZING THE HEALTH WAGON

● Mr. KAINE. Mr. President, as we continue our battle with COVID–19, we must acknowledge the healthcare healers that are serving in our rural communities. In particular, I would like to highlight the work of the Health Wagon in Virginia. The Health Wagon is the oldest mobile clinic in the Nation. Their mission is to provide compassionate, quality healthcare to medically underserved people in Appalachia. The Health Wagon works to mitigate barriers to healthcare access, taking healthcare into the community, into places like grocery stores, food banks, workplaces, and providing communities in southwest Virginia with access to primary, specialty, dental and vision care.

Health Wagon originated 40 years ago with Sister Bernadette Kenny of the Catholic order Medical Missionaries of Mary. Sister Bernie traveled on rural mountain roads in her Volkswagen Beetle to deliver healthcare to individuals in southwest Virginia. Now, the organization employs more than 50 staff members across four clinics and four mobile units. Their average patient is 41 years old, with 100 percent of patients being uninsured or underinsured. Over the last year, the Health Wagon has served 10,857 individual patients and documented 35,250 patient encounters.

The Health Wagon has also been vital in the fight against COVID–19. Since March 2020, the Health Wagon has provided more than 18,000 COVID–19 tests, provided 19,567 COVID–19 vaccinations, and administered over 5,500 monoclonal antibody treatments. They do not bill for services, and their programs are sustained by grants and donations from individuals, corporations, and foundations. The Health Wagon is led by president and CEO, Dr. Teresa Tyson. Dr. Tyson has served with the Health Wagon for 30 years, and under her leadership, the organization has received national recognition for its innovative projects in telehealth space. The Health Wagon was the first to deliver a virtual wound care clinic and conducted the first FAA-approved drone delivery of medications in the United States. Dr. Tyson led the largest health outreach of its kind in the Nation, as well as providing the first telecytoscopy in the world in partnership with University of Virginia. Dr. Tyson leads a group of caring and committed providers.

Rural communities are the backbone of our country, and the Health Wagon has served the Appalachia community admirably. I thank them for their service.●

TRIBUTE TO MARY M. HUNT

● Mr. MANCHIN. Mr. President, I rise today to honor the long-time program director for community and economic development Mary M. Hunt upon her retirement after more than 20 remarkable years of service to the Claude Worthington Benedum Foundation.

I have often said there is no greater accomplishment than to find yourself in a position to give back to the community you love. As a Clarksburg native, Mary Hunt has served the people of her community and beyond with professionalism, compassion, and respect throughout her entire career.

Mary has never taken any position she has held lightly—and has always seen herself primarily as a servant of the people of West Virginia. She worked tirelessly for the Charleston mayor's office of economic and community development throughout the late '80s and early '90s. Mary found herself in the capital city at a pivotal time, when major development projects were coming to fruition. It is hard to imagine a Charleston today without such iconic spaces as Haddad Riverfront Park and Capitol Market, but Mary was there when the ideas were conceived and helped bring them to reality.

Mary made her mark in State government, too. In the early 1990s, during Gaston Caperton's administration, she worked as executive assistant to the cabinet secretary for the West Virginia Department of Commerce for 2 years and then as the chief of administration for the West Virginia Department of Environmental Protection for 5 years, through 1997. Truly, her legacy of civic service is one we should all instill in ourselves.

Throughout her time as program director at the Benedum Foundation, Mary served as an irreplaceable leader by advancing the foundation's existing programs and starting new initiatives to ensure the organization's continued viability and positive social impact. Time and time again, Mary has made her devotion to helping others abundantly clear—not only through her philanthropy projects, but by building new partnerships and inviting others into the fold—ultimately bolstering her capacity for good.

Over the last two decades, Mary has helped numerous communities, both internally and externally, to help them make their projects possible. During her tenure, she has helped distribute grants in almost all 55 of West Virginia's counties, supporting nearly 650 grant projects and touching roughly 200 organizations.

With an unrivaled, strong spirit of optimism and innovation, her commitment to strengthening our communities is something to admire. Her work has undoubtedly advanced the foundation, but more importantly, our entire State. I know she has inspired many young leaders throughout her illustrious career, and I am confident that they will carry the torch to ensure a brighter tomorrow.

I will always be grateful to Mary for her passion for serving the people of West Virginia. While she is retiring and everyone is sure to miss her strong leadership, Mary Hunt's unwavering dedication will leave a lasting legacy on the countless lives she has touched. Again, I congratulate Mary for her remarkable years of service, and I am honored to wish good health and much happiness to Mary and her family in the days and years ahead.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:39 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. BROWN) has signed the following enrolled bills:

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 Building''.

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''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILL SIGNED

At 5:24 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

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.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4251. A communication from the Secretary of the Environmental Protection Agency, transmitting, pursuant to law, the report entitled ''Prioritization Framework for Technical Cybersecurity Support to Public Water Systems''; to the Committees on Environment and Public Works; and Homeland Security and Governmental Affairs.

EC–4252. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''NUREG–2159, Revision 1, 'Acceptable Standard Format and Content for the Fundamental Nuclear Material Control Plan Required for Special Nuclear Material of Moderate Strategic Significance' '' (NUREG–2159) received in the Office of the President of the Senate on May 25, 2022; to the Committee on Environment and Public Works.

EC–4253. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Guide (RG) 3.54, Revision 3, 'Spent Fuel Heat Generation in an Independent Spent Fuel Storage Installation' '' received in the Office of the President of the Senate on May 19, 2022; to the Committee on Environment and Public Works.

EC–4254. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received in the Office of the President of the Senate on May 23, 2022; to the Committee on Finance.

EC–4255. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Simplified procedures for certain bona fide residents of the Commonwealth of Puerto Rico (Puerto Rico) to claim the child tax credit under section 24'' (Rev. Proc. 2022–22) received in the Office of the President of the Senate on May 23, 2022; to the Committee on Finance.

EC–4256. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Israel in the amount of $50,000,000 or more (Transmittal No. DDTC 20–077); to the Committee on Foreign Relations.

EC–4257. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Israel in the amount of $50,000,000 or more (Transmittal No. DDTC 22–004); to the Committee on Foreign Relations.

EC–4258. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 40A of the Arms Export Control Act, the certification of countries that are not fully cooperating with U.S. Anti-Terrorism Efforts; to the Committee on Foreign Relations.

EC–4259. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the intent to exercise the authorities under section 506(a) (1) of the FAA and 614(a) (1) of the FAA to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC–4260. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Sections 506(a) (1) and 614(a) (1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–4261. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adhesives and Components of Coatings; Paper and Paperboard Components; Polymers; Adjuvants, Production Aids, and Sanitizers'' (Docket No. FDA–2018–F–3757) received in the Office of the President of the Senate on May 23, 2022; to the Committee on Health, Education, Labor, and Pensions.

EC–4262. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from October 1, 2021 through March 31, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–4263. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semi-annual report of the Inspector General for the period from October 1, 2021 through March 31, 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–4264. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Transition to a New Record Keeping System'' received in the Office of the President of the Senate on May 19, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–4265. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to applications made to the Foreign Intelligence Surveillance Court during calendar year 2021; to the Committee on the Judiciary.

EC–4266. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the report entitled ''2021 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005''; to the Committee on the Judiciary.

EC–4267. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Visa Inadmissibility Determination for Russian National Roman Abramovich''; to the Committee on the Judiciary.

EC–4268. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Standard for Presentation of Nucleotide and Amino Acid Sequence Listings Using eXtensible Markup Language (XML) in Patent Applications to Implement WIPO Standard ST.26; Incorporation by Reference'' (RIN0651–AD53) received in the Office of the President of the Senate on May 23, 2022; to the Committee on the Judiciary.

EC–4269. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Exercise of Time-Limited Authority to Increase the Numerical Limitation for Second Half of FY 2022 for the H–2B Temporary Nonagricultural Worker Program and Portability Flexibility for H–2B Workers Seeking To Change Employers'' ((RIN1615–AC79) (RIN1205–AC10)) received in the Office of the President of the Senate on May 23, 2022; to the Committee on the Judiciary.

EC–4270. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, two reports entitled, ''2021 Annual Report of the Director of the Administrative Office of the United States Courts'' and ''Judicial Business of the United States Courts''; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself and Mr. BURR):

S. 4353. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to improve retirement plan provisions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mrs. SHAHEEN, Mr. BLUMENTHAL, and Ms. HIRONO):

S. 4354. A bill to amend title 10, United States Code, regarding restrictions on the use of funds and facilities of the Department of Defense for abortion care; to the Committee on Armed Services.

By Mr. WHITEHOUSE (for himself, Mr. COONS, Mr. SCHATZ, and Mr. HEINRICH):

S. 4355. A bill to amend the Internal Revenue Code of 1986 to create a carbon border adjustment based on carbon intensity, and for other purposes; to the Committee on Finance.

By Ms. LUMMIS (for herself and Mrs. GILLIBRAND):

S. 4356. A bill to provide for responsible financial innovation and to bring digital assets within the regulatory perimeter; to the Committee on Finance.

By Mr. PAUL:

S.J. Res. 52. A joint resolution providing for congressional disapproval of the proposed foreign military sale to the Government of Egypt of certain defense articles and services; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. YOUNG, Mr. KAINE, Mr. HAGERTY, and Mr. COONS):

S. Res. 661. A resolution promoting stronger economic relations between the United States and countries in Latin America and the Caribbean; to the Committee on Foreign Relations.

By Mr. LUJÁN (for himself, Mr. PORTMAN, Ms. STABENOW, and Mr. DAINES):

S. Res. 662. A resolution expressing support for the designation of May 2022 as ''Mental Health Awareness Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 464

At the request of Ms. MURKOWSKI, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 464, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 865

At the request of Mr. MENENDEZ, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 865, a bill to recognize the right of the People of Puerto Rico to call a status convention through which the people would exercise their natural right to self-determination, and to establish a mechanism for congressional consideration of such decision, and for other purposes.

S. 868

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 868, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title and waive the 24-month waiting period for Medicare eligibility for individuals with Huntington's disease.

S. 1408

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1489

At the request of Mr. MENENDEZ, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1489, a bill to amend the Inspector General Act of 1978 to establish an Inspector General of the Office of the United States Trade Representative, and for other purposes.

S. 1548

At the request of Mr. LUJÁN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1548, a bill to amend the Public Health Service Act to improve the diversity of participants in research on Alzheimer's disease, and for other purposes.

S. 1567

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1567, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 1896

At the request of Mr. MARKEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1896, a bill to prohibit the discriminatory use of personal information by online platforms in any algorithmic process, to require transparency in the use of algorithmic processes and content moderation, and for other purposes.

S. 2079

At the request of Mr. TUBERVILLE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2079, a bill to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes.

S. 2405

At the request of Ms. BALDWIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2405, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 2565

At the request of Ms. ROSEN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2565, a bill to amend title XI of the Social Security Act to provide for the testing of a community-based palliative care model.

S. 2702

At the request of Mr. LUJÁN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2702, a bill to protect the voting rights of Native American and Alaska Native voters.

S. 2854

At the request of Mr. KENNEDY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 2854, a bill to allow for the transfer and redemption of abandoned savings bonds.

S. 2956

At the request of Mr. COONS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2956, a bill to advance targeted, high-impact, and evidence-based inventions for the prevention and treatment of global malnutrition, to improve the coordination of such programs, and for other purposes.

S. 3091

At the request of Mr. OSSOFF, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3091, a bill to amend the Internal Revenue Code of 1986 to establish the advanced solar manufacturing production credit.

S. 3137

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the

Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 3137, a bill to amend title 18, United States Code, to prohibit a foreign official from demanding a bribe, and for other purposes.

S. 3316

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3316, a bill to provide for certain whistleblower incentives and protections.

S. 3357

At the request of Mr. BOOKER, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Mr. PETERS), the Senator from New Hampshire (Ms. HASSAN), the Senator from Washington (Ms. CANTWELL) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3357, a bill to substantially restrict the use of animal testing for cosmetics.

S. 3531

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3531, a bill to require the Federal Government to produce a national climate adaptation and resilience strategy, and for other purposes.

S. 3572

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3572, a bill to direct the Federal Trade Commission to require impact assessments of automated decision systems and augmented critical decision processes, and for other purposes.

S. 3702

At the request of Mr. BOOKER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 3702, a bill to award a Congressional Gold Medal, collectively, to the African Americans who served with Union forces during the Civil War, in recognition of their bravery and outstanding service.

S. 3781

At the request of Ms. DUCKWORTH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3781, a bill to amend the Food and Nutrition Act of 2008 to exclude a basic allowance for housing from income for purposes of eligibility for the supplemental nutrition assistance program.

S. 3909

At the request of Mr. KAINE, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3957

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3957, a bill to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes.

S. 4003

At the request of Mr. CORNYN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 4003, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

S. 4277

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 4277, a bill to require public institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes.

S. 4290

At the request of Mrs. BLACKBURN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4290, a bill to impose certain requirements relating to the renegotiation or reentry into the Joint Comprehensive Plan of Action or other agreement relating to Iran's nuclear program, and for other purposes.

S. 4317

At the request of Ms. DUCKWORTH, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 4317, a bill to amend title 10, United States Code, to codify certain clean energy targets of the Department of Defense, and for other purposes.

S. 4331

At the request of Ms. DUCKWORTH, the names of the Senator from Iowa (Ms. ERNST), the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4331, a bill to require a plan on emergency military assistance to Taiwan and other support to Taiwan's defensive capabilities, and for other purposes.

S. 4343

At the request of Mr. JOHNSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 4343, a bill to require any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly to be subject to Senate ratification.

S. 4347

At the request of Mrs. MURRAY, the names of the Senator from Michigan (Mr. PETERS), the Senator from California (Mr. PADILLA), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 4347, a bill to require group health plans and group or individual health insurance coverage to provide coverage for over-the-counter contraceptives.

S. RES. 629

At the request of Mr. RUBIO, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. Res. 629, a resolution celebrating the 200th anniversary of United States diplomatic relations with Colombia.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 661—PROMOTING STRONGER ECONOMIC RELATIONS BETWEEN THE UNITED STATES AND COUNTRIES IN LATIN AMERICA AND THE CARIBBEAN

Mr. MENENDEZ (for himself, Mr. YOUNG, Mr. KAINE, Mr. HAGERTY, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 661

Whereas, to maintain the role of the United States as a global economic leader and protect the national security interests of the United States, the United States must strengthen economic relations with countries in the Western Hemisphere;

Whereas ongoing supply chain disruptions resulting from the COVID–19 pandemic demonstrate the need for the United States to increase supply chain resiliency through reshoring and nearshoring initiatives;

Whereas, in 2019, the People's Republic of China was the top supplier of goods imported into the United States, providing significant quantities of rare earth minerals, pharmaceutical ingredients, medical equipment, and other goods vital to the economic prosperity and national security of the United States;

Whereas the COVID–19 pandemic and production outages and shipping disruptions in the People's Republic of China have jeopardized worldwide access to critical goods, contributing to an unprecedented, ongoing supply chain crisis that has exposed the severe risks of concentrating global supply chains in the People's Republic of China;

Whereas Congress has raised concerns about the reliance of the United States on global supply chains based in the People's Republic of China;

Whereas the People's Republic of China has shown its willingness to use critical supplies as a political tool to advance the goals of the Chinese Communist Party, including when the People's Republic of China—

(1) threatened to withhold rare earth mineral shipments to Japan; and

(2) utilized personal protective equipment and vaccines as a diplomatic tool;

Whereas findings made pursuant to a supply chain review required by President Joseph R. Biden, Jr., under Executive Order 14017 (86 Fed. Reg. 11849) and released on June 8, 2021, recommended that, in addition to expanding domestic production capacity, the United States Government use diplomatic and financial tools to cooperate with allies to create more diverse, resilient, and secure supply chains;

Whereas 8 of the 13 countries in the world that recognize Taiwan are in Latin America and the Caribbean, and nearshoring initiatives can help decrease the susceptibility of such countries to coercive economic pressure from the People's Republic of China;

Whereas the United States has free trade agreements in effect with 12 countries in Latin America and the Caribbean, more than in any other geographic region, providing significant incentives to relocate international supply chains that cannot be relocated to the United States to Latin America and the Caribbean;

Whereas, in addition to existing free trade agreements and the geographic proximity of countries in Latin America and the Caribbean to the United States, there are several significant advantages for the United States Government and United States entities to relocate supply chains from the People's Republic of China to the Western Hemisphere, including—

(1) reduced distance to markets in the United States, which will lower freight costs, enable quicker adaptability to fluctuating consumer demand, and reduce the energy used to transport goods;

(2) longstanding bilateral ties and shared democratic values, which lessen the risk of geopolitical disruptions to supply chains;

(3) comparative advantages for sourcing and manufacturing key critical goods, including rare earth minerals, pharmaceuticals, medical goods, and semiconductors, when there is a historical inability for such goods to be entirely sourced or manufactured in the United States; and

(4) access to a highly qualified and young working-age population;

Whereas the report entitled ''Widening the Aperture: Nearshoring in Our 'Near Abroad' '' released by the Wilson Center in April 2021 provided evidence that increasing and strengthening supply chains regionally, particularly in Colombia, Mexico, and other countries in the Caribbean and Central America, will, on average, create more jobs in the United States than international supply chains located in other geographic regions;

Whereas switching as few as 15 percent of imports into the United States from the top 10 source countries of such imports outside of the Western Hemisphere to countries in Latin America and the Caribbean would increase exports from Latin America and the Caribbean by $72,000,000,000 annually, helping the region recover from the effects of the COVID–19 pandemic and reducing pressures encouraging migration to the United States;

Whereas, despite existing and growing opportunities for countries in Latin America and the Caribbean to become crucial actors in global supply chains, including technological advances that have diminished the need to produce in countries with a low cost of labor, challenges to nearshoring remain, including—

(1) concerns about the rule of law, corruption, and criminal activities that discourage foreign direct investment or significantly raise the costs of shifting production to the region;

(2) concerns about compliance with and enforcement of international labor and environmental standards;

(3) underdeveloped physical and digital infrastructure; and

(4) regional economic fragmentation;

Whereas the governments of several countries in Latin America and the Caribbean, including Colombia, the Dominican Republic, and Mexico, have sought to strengthen economic relations with the United States and launched initiatives to incentivize nearshoring;

Whereas the Inter-American Development Bank (commonly known as ''IDB'') has prioritized efforts to encourage nearshoring in Latin America and the Caribbean, including by—

(1) making economic integration and the strengthening of regional supply chains 1 of 5 core pillars in the agenda outlined in the document entitled ''Vision 2025, Reinvest in the Americas'';

(2) including nearshoring as a business line of IDB Invest for the first time in the history of IDB;

(3) hosting a high-level dialogue with more than 500 private sector leaders on December 2, 2020, to assess how to increase production capacity and supply chain resilience in the region; and

(4) launching the largest private sector coalition in the history of the IDB to explore opportunities for reinvesting in countries in the Western Hemisphere, including through nearshoring initiatives and a toolkit to incentivize and finance nearshoring activities in the Western Hemisphere; and

Whereas the United States Government can leverage diplomatic, foreign assistance, and financing tools to strengthen the participation of Latin American and the Caribbean in global supply chains and address challenges to nearshoring, including through the activities of the United States Agency for International Development and the United States International Development Finance Corporation: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that increased tensions between the United States and the People's Republic of China and the COVID–19 pandemic have—

(A) exposed severe vulnerabilities attributable to overreliance by the United States and other countries on supply chains based solely or mainly in the People's Republic of China; and

(B) heightened the importance of the United States diversifying its supply chains through reshoring and nearshoring initiatives to increase resiliency against future disruptions;

(2) emphasizes that reshoring efforts of sufficient scale to increase domestic production capacity and relocate supply chains to the United States remain critical and should be encouraged and implemented;

(3) emphasizes that—

(A) nearshoring efforts should be pursued in a complementary fashion to better achieve more resilient, diverse, and secure supply chains, particularly for goods unlikely to be manufactured in the United States;

(B) nearshoring in Latin America and the Caribbean, relative to relying on supply chains in other geographic regions, has the greatest potential to contribute to the economic prosperity and security of the United States while also advancing the post-pandemic economic recovery of countries in the Western Hemisphere;

(C) nearshoring in Latin America and the Caribbean provides greater opportunities for expanding co-production operations and other cooperative business ventures with United States entities; and

(D) nearshoring in Latin America and the Caribbean can complement and enhance efforts by the United States to support democratic consolidation across the region by strengthening the rule of law, encouraging competitiveness, and raising standards on corruption, labor, and environmental issues;

(4) supports initiatives by the Inter-American Development Bank, governments in Latin America and the Caribbean, and the private sector to finance, incentivize, or otherwise promote nearshoring in Latin America and the Caribbean;

(5) encourages the United States Agency for International Development and the United States International Development Finance Corporation to strengthen programmatic support for initiatives likely to facilitate the relocation of global supply chains to the Western Hemisphere, including through increased collaboration with each other, the private sector, the Inter-American Development Bank, and countries in Latin America and the Caribbean;

(6) calls for governments in Latin America and the Caribbean to increase opportunities for nearshoring in the region by—

(A) modernizing and consolidating physical and digital infrastructure;

(B) combating corruption, strengthening the rule of law, enhancing labor and environmental standards, and improving democratic governance; and

(C) pursuing other efforts to facilitate the ease of doing business in and attract foreign direct investment to the region, including by leveraging strong relationships with Taiwan; and

(7) urges the Secretary of State, in coordination with the United States Agency for International Development, the United States International Development Finance Corporation, and the heads of all other relevant Federal agencies and departments, to take a leading role in advancing nearshoring in Latin America and the Caribbean, including by—

(A) strengthening support for the activities described in paragraph (6);

(B) engaging with governments in the Western Hemisphere to explore opportunities to lower trade barriers, streamline customs and other regulations, support capacity building programs to strengthen environmental and labor standards, establish incentives for mutually beneficial co-production arrangements, and facilitate economic integration of the region;

(C) strengthening legal regimes and monitoring and enforcement measures relating to labor standards to ensure that—

(i) any enhanced sourcing relationship with a country does not support or beget labor abuse or other human rights abuses, such as those found in the People's Republic of China; and

(ii) any new investment under a nearshoring program has sufficient labor standards and benefits the workers in such country;

(D) ensuring that nearshoring activities are consistent with efforts to improve supply chain energy efficiency, reduce the energy used to transport goods, and advance environmental sustainability; and

(E) working in partnership with multilateral development banks and private investors to create incentives for entities to relocate supply chains from the People's Republic of China to the Western Hemisphere, including by financing the development of regional technology hubs with strong labor and environmental regulations.

SENATE RESOLUTION 662—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2022 AS ''MENTAL HEALTH AWARENESS MONTH''

Mr. LUJÁN (for himself, Mr. PORTMAN, Ms. STABENOW, and Mr. DAINES) submitted the following resolution; which was considered and agreed to:

S. RES. 662

Whereas the COVID–19 public health emergency has taken a toll on the mental well-being of the people of the United States and understandably has been stressful for many of those people;

Whereas, for more than 2 years, the United States has witnessed firsthand how fear and anxiety about a disease can be overwhelming and negatively affect mental health in both adults and children;

Whereas, according to the National Institute of Mental Health, before the COVID–19 pandemic, nearly 1 in 5 adults in the United States lived with a mental illness;

Whereas, according to the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC''), before the COVID–19 pandemic, up to 1 in 5 children who were 3 to 17 years of age reported a mental, emotional, developmental, or behavioral disorder;

Whereas, according to the CDC, the COVID–19 pandemic has been associated with mental health challenges;

Whereas the ''Stress in America 2021: Stress and Decision-Making during the Pandemic'' poll found that—

(1) 32 percent of adults, including 48 percent of Millennials, have so much stress about the COVID–19 pandemic that they struggle to make basic decisions, such as what to wear or what to eat;

(2) 59 percent of adults experienced behavior changes as a result of stress in the past month; and

(3) 63 percent of adults agreed that uncertainty about what the next few months would be like caused stress for those individuals;

Whereas the April 2, 2021, CDC Morbidity and Mortality Weekly Report found that, during the COVID-19 pandemic, the percentage of adults with symptoms of an anxiety or a depressive disorder during the 7 days preceding the study rose from 36.4 percent in August 2020 to 41.5 percent in February 2021;

Whereas a Household Pulse Survey in December 2021 found that 30.7 percent of adults reported symptoms of anxiety or depressive disorder, which is up from 11 percent in 2019, and, among those adults, 27.8 percent reported an unmet need for counseling or therapy;

Whereas, according to the CDC, nearly 1 in 6 children has a mental, behavioral, or developmental disorder, such as anxiety or depression, attention-deficit/hyperactivity disorder (commonly referred to as ''ADHD''), autism spectrum disorder (commonly referred to as ''ASD''), disruptive behavior disorder, or Tourette syndrome;

Whereas, according to data collected by the CDC in 2021, 37 percent of high school students reported that they experienced poor mental health during the COVID–19 pandemic, and 44 percent of those students reported they persistently felt sad or hopeless;

Whereas, according to the CDC, mental health disorders are chronic conditions, and, without proper diagnosis and treatment with respect to those disorders, children can face problems at home, in school, and with their development;

Whereas, according to the CDC, children with mental, emotional, or behavioral disorders benefit from early diagnosis and treatment;

Whereas the Federal Government supports a variety of programs aimed at providing behavioral and mental health resources to children and youth;

Whereas, according to the National Institute of Mental Health, 50 percent of all lifetime cases of mental illness begin by 14 years of age, 75 percent of those illnesses begin by 24 years of age, and 20 percent of youth between 13 and 18 years of age live with a mental health condition;

Whereas an August 2021 study published in JAMA Pediatrics found that the prevalence of depression and anxiety symptoms during COVID–19 has doubled from pre-pandemic rates;

Whereas, in December 2021, the Surgeon General of the Public Health Service, Dr. Vivek Murthy, issued a new Surgeon General's Advisory—

(1) to highlight the urgent need for families, educators and schools, community organizations, media and technology companies, and governments to address the worsening youth mental health crisis in the United States; and

(2) that noted that—

(A) youth mental health challenges have been on the rise, even before the COVID–19 pandemic; and

(B) from 2007 to 2018, the suicide rate among youth between 10 and 24 years of age increased by 57 percent;

Whereas Imperial College London estimates that more than 214,000 children in the United States have lost a parent or primary caregiver to COVID–19, which continues to raise concerns about the emotional well-being of children;

Whereas, according to the Health Resources and Services Administration's Behavioral Health Workforce Projections, many areas of the United States are currently experiencing a shortage of behavioral health care providers, particularly those with experience in treating children and adolescents;

Whereas a July 2021 survey by the National Council for Mental Wellbeing found that, during the 12-month period preceding the study—

(1) 49 percent of LGBTQ+ adults experienced more stress and mental health challenges, but only 41 percent said they received treatment or care of any kind for their mental health;

(2) 46 percent of Black adults experienced more stress and mental health challenges, but only 21 percent said they received treatment or care of any kind for their mental health;

(3) 45 percent of Native American adults experienced more stress and mental health challenges, but only 24 percent received treatment or care of any kind for their mental health;

(4) 42 percent of Hispanic adults experienced more stress and mental health challenges, but only 26 percent said they received treatment or care of any kind for their mental health;

(5) 40 percent of Asian adults experienced more stress and mental health challenges, but only 11 percent said they received treatment or care of any kind for their mental health; and

(6) 47 percent of all adults surveyed stated that the cost of help or treatment was an obstacle in seeking treatment for their mental health;

Whereas the number of adults reporting suicidal ideation in 2021 increased by 664,000 when compared with the 2020 dataset;

Whereas the 2021 National Veteran Suicide Prevention Annual Report stated that veterans—

(1) account for 13.7 percent of suicides among United States adults; and

(2) have a 52.3 percent greater rate of suicide than the non-veteran United States population;

Whereas individuals between 10 and 24 years of age account for 14 percent of all suicides;

Whereas suicide is the ninth leading cause of death for adults between 35 and 64 years of age, and adults between 35 and 64 years of age account for 47.2 percent of all suicides in the United States;

Whereas, in 2021, adults with disabilities were 3 times more likely to report suicidal ideation, at 30.6 percent in the month preceding the study, compared to individuals without disabilities, at 8.3 percent; and

Whereas it would be appropriate to observe May 2022 as ''Mental Health Awareness Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 2022 as ''Mental Health Awareness Month'' to remove the stigma associated with mental illness and place emphasis on scientific findings regarding mental health recovery;

(2) declares mental health to be a national priority;

(3) recognizes that mental well-being is as important as physical well-being for citizens, communities, schools, businesses, and the economy in the United States;

(4) applauds the coalescing of national, State, local, medical, and faith-based organizations in—

(A) working to promote public awareness of mental health; and

(B) providing critical information and support during the COVID–19 pandemic to individuals and families affected by mental illness; and

(5) encourages all people of the United States to draw on ''Mental Health Awareness Month'' as an opportunity to promote mental well-being and awareness, ensure access to appropriate coverage and services, and support overall quality of life for those living with mental illness.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5048. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table.

SA 5049. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5050. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5051. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5052. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5053. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5054. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5055. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5056. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5057. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5058. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5059. Mr. SANDERS submitted an amendment intended to be proposed to

amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5060. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr . MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5061. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5062. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5063. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5064. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5048. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, strike lines 4 through 19 and insert the following:

''(b) REMOVAL OF PRESUMPTION.—(1) The Secretary shall—

''(A) issue a regulation to remove an illness from a presumption of service connection previously established pursuant to a regulation issued under subsection (a) if there is a lack of evidence establishing a positive association between the illness and the toxic exposure; and

''(B) issue a regulation to remove a presumption of service connection established pursuant to title IV of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 if there is a lack of evidence establishing a positive association between the disease and the toxic exposure.

SA 5049. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 64, strike line 1 and all that follows through page 65, line 9, and insert the following:

''(1) Chronic asthma that was diagnosed after service of the covered veteran as specified in subsection (c).

''(2) The following types of cancer:

''(A) Squamous cell carcinoma of the larynx.

''(B) Squamous cell carcinoma of the trachea.

''(C) Adenocarcinoma of the trachea.

''(D) Salivary gland-type tumors of the trachea.

''(E) Adenosquamous carcinoma of the lung.

''(F) Large cell carcinoma of the lung.

''(G) Salivary gland-type tumors of the lung.

''(H) Sacromatoid carcinoma of the lung.

''(I) Typical and atypical carcinoid of the lung.

''(3) chronic rhinitis.

''(4) Chronic sinusitis.

SA 5050. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 1 and all that follows through page 67, line 15.

Beginning on page 86, strike line 1 and all that follows through page 150, line 16.

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE ON PROVISION OF COMPENSATION.

It is the sense of the Senate that, for the purposes of section 1110 of title 38, United States Code, and subject to section 1113 of such title, for disabilities where there is affirmative evidence to establish that a personal injury suffered or disease contracted in line of duty for which there is a recognized cause, or for aggravation of a preexisting disease contracted in line of duty for which there is a recognized cause, in the active military, naval, air, or space service, during a period of war, the United States will pay to any veteran thus disabled and who was discharged or released under conditions other than dishonorable from the period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, compensation, but no compensation shall be paid if the disability is a result of the veteran's own willful misconduct or abuse of alcohol or drugs.

SA 5051. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022'' or the ''Honoring our PACT Act of 2022''.

(b) MATTERS RELATING TO AMENDMENTS TO TITLE 38, UNITED STATES CODE.—

(1) REFERENCES.—Except as otherwise expressly provided, when in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

(2) AMENDMENTS TO TABLES OF CONTENTS.—Except as otherwise expressly provided, when an amendment made by this Act to title 38, United States Code, adds a section or larger organizational unit to that title or amends the designation or heading of a section or larger organizational unit in that title, that amendment also shall have the effect of amending any table of sections in that title to alter the table to conform to the changes made by the amendment.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—EXPANSION OF HEALTH CARE ELIGIBILITY

Subtitle A—Toxic-exposed Veterans

SEC. 101. SHORT TITLE.

This title may be cited as the ''Conceding Our Veterans' Exposure Now and Necessitating Training Act of 2022'' or the ''COVENANT Act of 2022''.

SEC. 102. DEFINITIONS RELATING TO TOXIC-EXPOSED VETERANS.

(a) IN GENERAL.—Section 1710(a)(2)(F) is amended by striking ''who was exposed to a toxic substance, radiation, or other conditions, as provided in subsection (e)'' and inserting ''who is a toxic-exposed veteran, in accordance with subsection (e)''.

(b) DEFINITIONS OF TOXIC EXPOSURE AND TOXIC-EXPOSED VETERAN.—Section 101 is amended by adding at the end the following new paragraphs:

''(37) The term 'toxic exposure' includes the following:

''(A) A toxic exposure risk activity, as defined in section 1710(e)(4) of this title.

''(B) An exposure to a substance, chemical, or airborne hazard identified in the list under section 1119(b)(2) of this title.

''(38) The term 'toxic-exposed veteran' means any veteran described in section 1710(e)(1) of this title.''.

(c) DEFINITION OF TOXIC EXPOSURE RISK ACTIVITY.—Section 1710(e)(4) is amended by adding at the end the following new subparagraph:

''(C) The term 'toxic exposure risk activity' means any activity—

''(i) that requires a corresponding entry in an exposure tracking record system (as defined in section 1119(c) of this title) for the veteran who carried out the activity; or

''(ii) that the Secretary determines qualifies for purposes of this subsection when taking into account what is reasonably prudent to protect the health of veterans.''.

SEC. 103. EXPANSION OF HEALTH CARE FOR SPECIFIC CATEGORIES OF TOXIC-EXPOSED VETERANS AND VETERANS SUPPORTING CERTAIN OVERSEAS CONTINGENCY OPERATIONS.

(a) IN GENERAL.—

(1) EXPANSION.—Subsection (e) of section 1710, as amended by section 102(c), is further amended—

(A) in paragraph (1), by adding at the end the following new subparagraphs:

''(G) Beginning not later than the applicable date specified in paragraph (6), and subject to paragraph (2), a veteran who participated in a toxic exposure risk activity while serving on active duty, active duty for training, or inactive duty training is eligible for hospital care (including mental health services and counseling), medical services, and nursing home care under subsection (a)(2)(F) for any illness.

''(H) Beginning not later than the applicable date specified in paragraph (6), and subject to paragraph (2), a covered veteran (as defined in section 1119(c) of this title) is eligible for hospital care (including mental health services and counseling), medical services, and nursing home care under subsection (a)(2)(F) for any illness.

''(I)(i) Beginning not later than the applicable date specified in paragraph (6), and subject to paragraph (2), a veteran who deployed in support of a contingency operation specified in clause (ii) is eligible for hospital care (including mental health services and counseling), medical services, and nursing home care under subsection (a)(2)(F) for any illness.

''(ii) A contingency operation specified in this clause is any of the following:

''(I) Operation Enduring Freedom.

''(II) Operation Freedom's Sentinel.

''(III) Operation Iraqi Freedom.

''(IV) Operation New Dawn.

''(V) Operation Inherent Resolve.

''(VI) Resolute Support Mission.''; and

(B) in paragraph (2)(B)—

(i) by striking ''or (F)'' and inserting ''(F), (G), (H), or (I)''; and

(ii) by striking ''service or testing'' and inserting ''service, testing, or activity''.

(2) PHASE IN.—Such subsection is further amended by adding at the end the following new paragraph:

''(6)(A) The Secretary shall determine the dates in subparagraphs (G), (H), and (I) of paragraph (1) as follows:

''(i) October 1, 2024, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on August 2, 1990, and ending on September 11, 2001.

''(ii) October 1, 2026, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on September 12, 2001, and ending on December 31, 2006.

''(iii) October 1, 2028, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on January 1, 2007, and ending on December 31, 2012.

''(iv) October 1, 2030, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on January 1, 2013, and ending on December 31, 2018.

''(v) October 1, 2032, with respect to a veteran described in such subparagraph (I).

''(B)(i) The Secretary may modify a date specified in subparagraph (A) to an earlier date, as the Secretary determines appropriate based on the number of veterans receiving hospital care, medical services, and nursing home care under subparagraphs (G), (H), and (I) of paragraph (1) and the resources available to the Secretary.

''(ii) If the Secretary determines to modify a date under clause (i), the Secretary shall—

''(I) notify the Committee on Veterans' Affairs of the Senate and the Committee on

Veterans' Affairs of the House of Representatives of the proposed modification; and

''(II) publish such modified date in the Federal Register.''.

(b) OUTREACH PLANS.—With respect to each of clauses (i) through (v) of section 1710(e)(6)(A) of title 38, United States Code (as added by subsection (a)(2)), not later than 180 days before the date specified in the clause (including a date modified pursuant to such section), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan to conduct outreach to the veterans described in the clause to notify such veterans of their eligibility for hospital care, medical services, or nursing home care under subparagraph (G), (H), or (I), of section 1710(e)(1) of such title, as the case may be.

SEC. 104. ASSESSMENTS OF IMPLEMENTATION AND OPERATION.

(a) INITIAL RESOURCE ASSESSMENT AND REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete an assessment to determine—

(A) the personnel and material resources necessary to implement section 103 (including the amendments made by such section); and

(B) the total number of covered veterans, as such term is defined in section 1119(c) of title 38, United States Code (as added by section 302), who receive hospital care or medical services furnished by the Secretary under chapter 17 of such title, disaggregated by priority group specified in section 1705(a) of such title; and

(2) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the findings of the assessment completed under paragraph (1), including a specific determination as to whether the Department has the personnel and material resources necessary to implement section 103.

(b) INFORMATION SYSTEMS.—Not later than October 1, 2024, the Secretary shall establish information systems to assess the implementation of section 103, including the amendments made by such section, and use the results of assessments under such systems to inform the reports under subsection (c).

(c) ANNUAL REPORTS.—

(1) REPORTS.—Not later than October 1, 2025, and on an annual basis thereafter until October 1, 2033, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the following:

(A) The effect of the implementation of, and the provision and management of care under, section 103 (including the amendments made by such section) on the demand by veterans described in subparagraphs (G), (H), and (I) of section 1710(e)(1) of title 38, United States Code (as added by such section 103) for health care services furnished by the Secretary.

(B) Any differing patterns of demand for health care services by such veterans, disaggregated by factors such as the relative distance of the veteran from medical facilities of the Department and whether the veteran had previously received hospital care or medical services furnished by the Secretary under chapter 17 of such title.

(C) The extent to which the Secretary has met such demand.

(D) Any changes, during the year covered by the report, in the delivery patterns of health care furnished by the Secretary under chapter 17 of such title, and the fiscal impact of such changes.

(2) MATTERS.—Each report under paragraph (1) shall include, with respect to the year covered by the report, detailed information on the following:

(A) The total number of veterans enrolled in the patient enrollment system who, during such year, received hospital care or medical services furnished by the Secretary under chapter 17 of title 38, United States Code.

(B) Of the veterans specified in subparagraph (A), the number of such veterans who, during the preceding three fiscal years, had not received such care or services.

(C) With respect to the veterans specified in subparagraph (B), the cost of providing health care to such veterans during the year covered by the report, shown in total and disaggregated by—

(i) the level of care; and

(ii) whether the care was provided through the Veterans Community Care Program.

(D) With respect to the number of veterans described in subparagraphs (G), (H), and (I) of section 1710(e)(1) of title 38, United States Code (as added by section 103), the following (shown in total and disaggregated by medical facility of the Department, as applicable):

(i) The number of such veterans who, during the year covered by the report, enrolled in the patient enrollment system.

(ii) The number of such veterans who applied for, but were denied, such enrollment.

(iii) The number of such veterans who were denied hospital care or a medical service furnished by the Secretary that was considered to be medically necessary but not of an emergency nature.

(E) The numbers and characteristics of, and the type and extent of health care furnished by the Secretary to, veterans enrolled in the patient enrollment system (shown in total and disaggregated by medical facility of the Department).

(F) The numbers and characteristics of, and the type and extent of health care furnished by the Secretary to, veterans not enrolled in the patient enrollment system (disaggregated by each class of eligibility for care under section 1710 of title 38, United States Code, and further shown as a total per class and disaggregated by medical facility of the Department).

(G) The specific fiscal impact (shown in total and disaggregated by geographic health care delivery areas) of changes in the delivery patterns of health care furnished by the Secretary under chapter 17 of such title as a result of the implementation of section 103 (including the amendments made by such section).

(d) DEFINITIONS.—In this section:

(1) PATIENT ENROLLMENT SYSTEM.—The term ''patient enrollment system'' means the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

(2) VETERANS COMMUNITY CARE PROGRAM.—The term ''Veterans Community Care Program'' means the program established under section 1703 of title 38, United States Code.

Subtitle B—Certain Veterans of Combat Service and Other Matters

SEC. 111. EXPANSION OF PERIOD OF ELIGIBILITY FOR HEALTH CARE FOR CERTAIN VETERANS OF COMBAT SERVICE.

(a) EXPANDED PERIOD.—Section 1710(e)(3) is amended—

(1) in subparagraph (A)—

(A) by striking ''January 27, 2003'' and inserting ''September 11, 2001''; and

(B) by striking ''five-year period'' and inserting ''10-year period'';

(2) by amending subparagraph (B) to read as follows:

''(B) With respect to a veteran described in paragraph (1)(D) who was discharged or released from the active military, naval, air, or space service after September 11, 2001, and before October 1, 2013, but did not enroll to receive such hospital care, medical services, or nursing home care under such paragraph pursuant to subparagraph (A) before October 1, 2022, the one-year period beginning on October 1, 2022.''; and

(3) by striking subparagraph (C).

(b) CLARIFICATION OF COVERAGE.—Section 1710(e)(1)(D) is amended by inserting after ''Persian Gulf War'' the following: ''(including any veteran who, in connection with service during such period, received the Armed Forces Expeditionary Medal, Service Specific Expeditionary Medal, Combat Era Specific Expeditionary Medal, Campaign Specific Medal, or any other combat theater award established by a Federal statute or an Executive order)''.

(c) OUTREACH PLAN.—Not later than December 1, 2022, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan to conduct outreach to veterans described in subparagraph (B) of section 1710(e)(3) of title 38, United States Code, as amended by subsection (a)(2), to notify such veterans of their eligibility for hospital care, medical services, or nursing home care pursuant to such subparagraph.

(d) REPORT ON ENROLLMENTS.—Not later than January 30, 2024, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report identifying, with respect to the one-year period beginning on October 1, 2022, the number of veterans described in section 1710(e)(3)(B) of title 38, United States Code, as amended by subsection (a)(2), who, during such period, enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705(a) of such title.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2022.

TITLE II—TOXIC EXPOSURE PRESUMPTION PROCESS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Toxic Exposure in the American Military Act of 2022'' or the ''TEAM Act of 2022''.

SEC. 202. IMPROVEMENTS TO ABILITY OF DEPARTMENT OF VETERANS AFFAIRS TO ESTABLISH PRESUMPTIONS OF SERVICE CONNECTION BASED ON TOXIC EXPOSURE.

(a) ADVISORY COMMITTEES, PANELS, AND BOARDS.—Chapter 11 is amended by adding at the end the following new subchapter:

''SUBCHAPTER VII—DETERMINATIONS RELATING TO PRESUMPTIONS OF SERVICE CONNECTION BASED ON TOXIC EXPOSURE

''§ 1171. Procedures to determine presumptions of service connection based on toxic exposure; definitions

''(a) PROCEDURES.—The Secretary shall determine whether to establish, or to remove, presumptions of service connection based on toxic exposure pursuant to this subchapter, whereby—

''(1) under section 1172 of this title—

''(A) the Secretary provides—

''(i) public notice regarding what formal evaluations the Secretary plans to conduct; and

''(ii) the public an opportunity to comment on the proposed formal evaluations;

''(B) the working group established under subsection (b) of such section provides—

''(i) advice to the Secretary on toxic-exposed veterans and cases in which veterans who, during active military, naval, air, or

space service, may have experienced a toxic exposure or their dependents may have experienced a toxic exposure while the veterans were serving in the active military, naval, air, or space service;

''(ii) recommendations to the Secretary on corrections needed in the Individual Longitudinal Exposure Record to better reflect veterans and dependents described in clause (i); and

''(iii) recommendations to the Secretary regarding which cases of possible toxic exposure should be reviewed;

''(2) the Secretary provides for formal evaluations of such recommendations under section 1173 of this title and takes into account reports received by the Secretary from the National Academies of Sciences, Engineering, and Medicine under section 1176 of this title; and

''(3) the Secretary issues regulations under section 1174 of this title.

''(b) DEFINITIONS.—In this subchapter:

''(1) The term 'illness' includes a disease or other condition affecting the health of an individual, including mental and physical health.

''(2) The term 'Individual Longitudinal Exposure Record' includes—

''(A) service records;

''(B) any database maintained by the Department of Defense and shared with the Department of Veterans Affairs to serve as a central portal for exposure-related data that compiles, collates, presents, and provides available occupational and environmental exposure information to support the needs of the Department of Defense and the Department of Veterans Affairs; or

''(C) any successor system to a database described in subparagraph (B).

''§ 1172. Annual notice and opportunity for public comment

''(a) NOTICE REQUIRED.—(1)(A) Not less frequently than once each year, the Secretary shall publish in the Federal Register notice of the formal evaluations that the Secretary plans to conduct pursuant to section 1173 of this title.

''(B) Each notice published under subparagraph (A) shall include, for each formal evaluation referred to in the notice, an explanation as to why the military environmental exposures and adverse health outcomes that are the subject of the formal evaluation were chosen by the Secretary for formal evaluation under section 1173 of this title.

''(2)(A) With each notice published under paragraph (1), the Secretary shall seek public comment on the military environmental exposures and adverse health outcomes that are the subject of the formal evaluations referred to in the notice.

''(B) The Secretary shall—

''(i) consider all public comment received under subparagraph (A); and

''(ii) publish in the Federal Register a response to the comments received under subparagraph (A).

''(3)(A) For each notice published under paragraph (1), the Secretary shall hold an open meeting for members of the public to voice their comments in response to the notice.

''(B) To help evaluate presumptions of service connection, the Secretary shall, not less frequently than quarterly, collaborate with, partner with, and give weight to the advice of veterans service organizations and such other stakeholders as the Secretary considers appropriate.

''(4) Failure to include a military environmental exposure or adverse health effect in a Federal Register notice published pursuant to subsection (a) shall not preclude the Secretary from initiating a formal evaluation of such exposure or health effect.

''(b) WORKING GROUP.—(1) The Secretary shall establish a working group within the Department (in this section referred to as the 'Working Group').

''(2) The Working Group shall include personnel of the Veterans Health Administration and the Veterans Benefits Administration.

''(3) The Secretary shall consult with, and seek the advice of, the Working Group with respect to cases in which—

''(A) a veteran may have, during active military, naval, air, or space service, experienced a toxic exposure; or

''(B) a dependent of a veteran may have experienced a toxic exposure during the active military, naval, air, or space service of the veteran.

''(c) ASSESSMENTS.—(1) The Working Group shall assess cases of the toxic exposure of veterans and their dependents that occurred during active military, naval, air, or space service, including by conducting ongoing surveillance and reviewing such exposure described in scientific literature, media reports, information from veterans, and information from Congress.

''(2) The assessments under paragraph (1) shall cover suspected and known toxic exposures occurring during active military, naval, air, or space service, including by identifying and evaluating new and emerging toxic exposures that are not recognized under existing presumptions of service connection.

''(3) The Working Group may conduct an assessment under paragraph (1) in response to a comment received under paragraph (2) or (3) of subsection (a).

''(4) The Working Group shall, in consultation with the Secretary of Defense, on a periodic basis, assess the Individual Longitudinal Exposure Record to ensure the accuracy of data collected.

''(d) DEVELOPMENT OF RECOMMENDATIONS.—(1) Following an assessment of a case of the toxic exposure of veterans that occurred during active military, naval, air, or space service under subsection (c), or their dependents, the Working Group may develop a recommendation for formal evaluation under section 1173 of this title to conduct a review of the health effects related to the case of exposure if the Working Group determines that the research may change the current understanding of the relationship between an exposure to an environmental hazard and adverse health outcomes in humans.

''(2) Upon receipt of evidence suggesting that previous findings regarding the periods and locations of exposure covered by an existing presumption of service connection are no longer supported, the Working Group may nominate such evidence for formal evaluation under section 1173 of this title to modify the periods and locations.

''(e) REPORTS BY THE WORKING GROUP.—Not less frequently than once each year, the Working Group shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives, and make publicly available, a report on—

''(1) recommendations developed under subsection (d), if any; and

''(2) recommendations for such legislative or administrative action as the Working Group considers necessary for the Working Group to be more effective in carrying out the requirements of this section.

''(f) RESPONSES BY SECRETARY.—In response to each report submitted under subsection (e), the Secretary shall, not later than 30 days after receiving the report, initiate a formal evaluation pursuant to section 1173 of this title.

''§ 1173. Formal evaluation of recommendations

''(a) FORMAL EVALUATIONS.—The Secretary shall establish a process to conduct a formal evaluation with respect to each recommendation made by the Working Group under section 1172 of this title.

''(b) EVIDENCE, DATA, AND FACTORS.—The Secretary shall ensure that each formal evaluation under subsection (a) covers the following:

''(1) Scientific evidence, based on the review of available scientific literature, including human, toxicological, animal, and methodological studies, and other factors.

''(2) Claims data, based on the review of claim rate, grant rate, and service connection prevalence, and other factors.

''(3) Other factors the Secretary determines appropriate, such as—

''(A) the level of disability and mortality caused by the health effects related to the case of toxic exposure being evaluated;

''(B) the quantity and quality of the information available and reviewed;

''(C) the feasibility of and period for generating relevant information and evidence;

''(D) whether such health effects are combat- or deployment-related;

''(E) the ubiquity or rarity of the health effects; and

''(F) any time frame during which a health effect must become manifest.

''(c) CONDUCT OF EVALUATIONS.—(1) The Secretary shall ensure that each formal evaluation under subsection (a)—

''(A) reviews scientific evidence in a manner that—

''(i) conforms to principles of scientific and data integrity;

''(ii) is free from suppression or distortion of scientific or technological findings, data, information, conclusions, or technical results; and

''(B)(i) evaluates the likelihood that a positive association exists between an illness and a toxic exposure while serving in the active military, naval, air, or space service; and

''(ii) assesses the toxic exposures and illnesses and determines whether the evidence supports a finding of a positive association between the toxic exposure and the illness.

''(2) In carrying out paragraph (1)(B)(ii), a formal evaluation under subsection (a) shall include reviewing all relevant data to determine the strength of evidence for a positive association based on the following four categories:

''(A) The 'sufficient' category, where the evidence is sufficient to conclude that a positive association exists.

''(B) The 'equipoise and above' category, where the evidence is sufficient to conclude that a positive association is at least as likely as not, but not sufficient to conclude that a positive association exists.

''(C) The 'below equipoise' category, where the evidence is not sufficient to conclude that a positive association is at least as likely as not, or is not sufficient to make a scientifically informed judgment.

''(D) The 'against' category, where the evidence suggests the lack of a positive association.

''(d) RECOMMENDATION FOR ESTABLISHING A PRESUMPTION OF SERVICE CONNECTION.—Not later than 120 days after the date on which a formal evaluation is commenced, the element of the Department that conducts the evaluation shall submit to the Secretary a recommendation with respect to establishing a presumption of service connection for the toxic exposure and illness, or modifying an existing presumption of service connection, covered by the evaluation.

"§ 1174. Regulations regarding presumptions of service connection based on toxic exposure

''(a) ACTION UPON RECOMMENDATION.—Not later than 160 days after the date on which the Secretary receives a recommendation to establish or modify a presumption of service connection under section 1173 of this title—

''(1) if the Secretary determines, in the discretion of the Secretary, that the presumption, or modification, is warranted, the Secretary shall—

''(A) commence issuing regulations in accordance with the provisions of subchapter II of chapter 5 of title 5 (commonly referred to as the Administrative Procedures Act) setting forth the presumption or commence revising regulations to carry out such modification; and

''(B) include in such regulations any time frame during which a health effect must become manifest; or

''(2) if the Secretary determines, in the discretion of the Secretary, that the presumption, or modification, is not warranted, the Secretary shall publish in the Federal Register a notice of the determination, including the reasons supporting the determination.

''(b) REMOVAL OF PRESUMPTION.—(1)(A) The Secretary may—

''(i) issue a regulation to remove an illness from a presumption of service connection previously established pursuant to a regulation issued under subsection (a); and

''(ii) issue a regulation to remove a presumption of service connection established pursuant to title IV of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 if the Secretary concludes that evidence suggests the lack of a positive association between the disease and the toxic exposure.

''(B) Under subparagraph (A)(ii), the Secretary shall not consider the lack of evidence as sufficient to support a decision for removal of a presumption.

''(2) Whenever an illness is removed from regulations pursuant to paragraph (1), or the periods and locations of exposure covered by a presumption of service connection are modified under subsection (a)—

''(A) a veteran who was awarded compensation under chapter 11 of this title for such illness on the basis of the presumption provided under such regulations before the effective date of the removal or modification shall continue to be entitled to receive compensation on that basis;

''(B) a survivor of a veteran who was awarded dependency and indemnity compensation under chapter 13 of this title for the death of a veteran resulting from such illness on the basis of such presumption shall continue to be entitled to receive dependency and indemnity compensation on such basis; and

''(C) no veteran or survivor covered under subparagraph (A) or (B) shall have their compensation reduced solely because of the removal of an illness pursuant to paragraph (1).

"§ 1175. Authority to modify process; congressional oversight

''(a) IN GENERAL.—The Secretary may modify the process under which the working group established under subsection (b) of section 1172 of this title conducts assessments under such section, the Secretary conducts formal evaluations under section 1173 of this title, and issues regulations under section 1174 of this title if—

''(1) such evaluations cover the evidence, data, and factors required by subsection (b) of such section 1173; and

''(2) a period of 180 days has elapsed following the date on which the Secretary submits the notice under subsection (b) regarding the modification.

''(b) NOTICE.—If the Secretary proposes to modify the process under which the working group established under subsection (b) of section 1172 of this title conducts assessments under such section, the process under which the Secretary conducts formal evaluations under section 1173 of this title, or issues regulations under section 1174 of this title, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a notice of the proposed modifications containing the following:

''(1) A description of the proposed modifications.

''(2) A description of any exceptions to the requirements of such sections that are proposed because of limited available scientific evidence, and a description of how such evaluations will be conducted.

"§ 1176. Agreement with National Academies of Sciences, Engineering, and Medicine concerning toxic exposures

''(a) PURPOSE.—The purpose of this section is to provide for the National Academies of Sciences, Engineering, and Medicine (in this section referred to as the 'Academies'), an independent nonprofit scientific organization with appropriate expertise that is not part of the Federal Government, to review and evaluate the available scientific evidence regarding associations between diseases and toxic exposures.

''(b) AGREEMENT.—(1) The Secretary shall seek to enter into a five-year agreement with the Academies to perform the services covered by this section.

''(2) The Secretary shall seek to enter into an agreement described in paragraph (1) not later than 60 days after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022.

''(3) An agreement under this section may be extended in five-year increments.

''(c) REVIEW OF SCIENTIFIC EVIDENCE.—Under an agreement between the Secretary and the Academies under this section, the Academies shall review and summarize the scientific evidence, and assess the strength thereof, concerning the association between toxic exposures during active military, naval, air, or space service and each disease suspected to be associated with such exposure in the human population.

''(d) SCIENTIFIC DETERMINATIONS CONCERNING DISEASES.—For each disease reviewed under subsection (c), the Academies shall determine, to the extent that available scientific data permit meaningful determinations—

''(1) whether an association exists between toxic exposures and the occurrence of the disease, taking into account the strength of the scientific evidence and the appropriateness of the statistical and epidemiological methods used to detect the association;

''(2) the increased risk of the disease among those reporting toxic exposures during active military, naval, air, or space service;

''(3) whether there exists a plausible biological mechanism or other evidence of a positive association between the toxic exposure and the occurrence of the disease; and

''(4) determine the strength of evidence for a positive association based on categories furnished under section 1173 of this title.

''(e) COOPERATION OF FEDERAL AGENCIES.—The head of each relevant Federal agency, including the Secretary of Defense, shall cooperate fully with the Academies in performing the services covered by this section.

''(f) RECOMMENDATIONS FOR ADDITIONAL SCIENTIFIC STUDIES.—(1) Under an agreement between the Secretary and the Academies under this section, the Academies shall make any recommendations for additional scientific studies to resolve areas of continuing scientific uncertainty relating to toxic exposures.

''(2) In making recommendations under paragraph (1), the Academies shall consider—

''(A) the scientific information that is available at the time of the recommendation;

''(B) the value and relevance of the information that could result from additional studies; and

''(C) the cost and feasibility of carrying out such additional studies.

''(g) REPORTS.—(1)(A) Under an agreement between the Secretary and the Academies under this section, not later than one year after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, the Academies shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives an initial report on the activities of the Academies under the agreement.

''(B) The report submitted under subparagraph (A) shall include the following:

''(i) The determinations described in subsection (d).

''(ii) A full explanation of the scientific evidence and reasoning that led to such determinations.

''(iii) Any recommendations of the Academies under subsection (f).

''(2) Under an agreement between the Secretary and the Academies under this section, not less frequently than once every two years after the date on which the initial report is submitted under paragraph (1)(A), the Academies shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives an updated report on the activities of the Academies under the agreement.

''(h) ALTERNATIVE CONTRACT SCIENTIFIC ORGANIZATION.—(1) If the Secretary is unable within the time period prescribed in subsection (b)(2) to enter into an agreement with the Academies for the purposes of this section on terms acceptable to the Secretary, the Secretary shall seek to enter into an agreement for the purposes of this section with another appropriate scientific organization that—

''(A) is not part of the Federal Government;

''(B) operates as a not-for-profit entity; and

''(C) has expertise and objectivity comparable to that of the Academies.

''(2) If the Secretary enters into an agreement with another organization as described in paragraph (1), any reference in this subchapter to the Academies shall be treated as a reference to the other organization.''.

(b) REPORTS AND BRIEFINGS.—

(1) REPORT.—

(A) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of, and recommendations for, subchapter VII of chapter 11 of title 38, United States Code, as added by subsection (a).

(B) CONSULTATION.—The Secretary shall develop the report under subparagraph (A) in consultation with organizations recognized by the Secretary for the representation of veterans under section 5902 of such title and any other entity the Secretary determines appropriate.

(2) BRIEFING.—On a quarterly basis during the two-year period beginning on the date of the enactment of this Act, the Secretary shall provide to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a briefing on the implementation of subchapter VII of chapter 11 of such title, as added by subsection (a).

(c) INDEPENDENT ASSESSMENT.—

(1) AGREEMENT.—The Secretary shall seek to enter into an agreement with the National Academies of Science, Engineering, and Medicine (in this subsection referred to as the ''Academies'') before the date that is 90 days after the date of the enactment of this Act to perform the services set forth under paragraph (2).

(2) ASSESSMENT.—

(A) IN GENERAL.—Under an agreement between the Secretary and the Academies under paragraph (1), the Academies shall conduct an assessment of the implementation by the Department of Veterans Affairs of the process established under subchapter VII of chapter 11 of title 38, United States Code, as added by subsection (a).

(B) ELEMENTS.—The assessment conducted under subparagraph (A) shall include the following:

(i) An assessment of the Department's implementation of the process established under subsection (a) to determine whether the process is in accordance with current scientific standards for assessing the link between exposure to environmental hazards and the development of health outcomes,

(ii) assess whether the criteria is fair and consistent, and

(iii) provide recommendations for improvements to the process.

(3) REPORT.—Not later than one year after the date on which the Secretary enters into an agreement under paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the findings of the Academies pursuant to such agreement.

(4) ALTERNATIVE CONTRACT SCIENTIFIC ORGANIZATION.—

(A) IN GENERAL.—If the Secretary is unable within the time period prescribed in paragraph (1) to enter into an agreement with the Academies for the purposes of this subsection on terms acceptable to the Secretary, the Secretary shall seek to enter into an agreement for the purposes of this subsection with another appropriate scientific organization that—

(i) is not part of the Federal Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the Academies.

(B) TREATMENT.—If the Secretary enters into an agreement with another organization as described in subparagraph (A), any reference in this subsection to the Academies of Sciences, Engineering, and Medicine shall be treated as a reference to the other organization.

(d) CONFORMING AMENDMENTS.—Chapter 11 is amended—

(1) in section 1116—

(A) by striking subsections (b), (c), (d), and (e);

(B) by inserting after subsection (a) the following new subsection (b):

''(b) The Secretary shall ensure that any determination made on or after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 regarding a presumption of service connection based on exposure to an herbicide agent under this section is made pursuant to subchapter VII of this chapter, including with respect to assessing reports received by the Secretary from the National Academy of Sciences under section 3 of the Agent Orange Act of 1991 (Public Law 102–4).''; and

(C) by redesignating subsection (f) as subsection (c);

(2) in section 1116B(b)(2)(A), by inserting ''pursuant to subchapter VII of this chapter,'' before ''the Secretary determines''; and

(3) in section 1118—

(A) by striking subsections (b) through (e); and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) The Secretary shall ensure that any determination made on or after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 regarding a presumption of service connection based on a toxic exposure under this section is made pursuant to subchapter VII of this chapter.''.

SEC. 203. OUTREACH TO CLAIMANTS FOR DISABILITY COMPENSATION PURSUANT TO CHANGES IN PRESUMPTIONS OF SERVICE CONNECTION.

(a) IN GENERAL.—Subchapter VI of chapter 11 is amended by adding at the end the following new section:

''§ 1167. Outreach pursuant to changes in presumptions of service connection

''(a) IN GENERAL.—Whenever a law, including through a regulation or Federal court decision or settlement, establishes or modifies a presumption of service connection, the Secretary shall—

''(1) identify all claims for compensation under this chapter that—

''(A) were submitted to the Secretary;

''(B) were evaluated and denied by the Secretary before the date on which such provision of law went into effect; and

''(C) might have been evaluated differently had the establishment or modification been applicable to the claim; and

''(2) pursuant to subsection (b), conduct outreach to the claimants.

''(b) OUTREACH.—(1) The Secretary shall conduct outreach to inform claimants identified under subsection (a) that they may submit a supplemental claim in light of the establishment or modification of a presumption of service connection described in subsection (a).

''(2) Outreach under paragraph (1) shall include the following:

''(A) The Secretary shall publish on the internet website of the Department a notice that such veterans may elect to file a supplemental claim.

''(B) The Secretary shall notify, in writing or by electronic means, veterans service organizations of the ability of such veterans to file a supplemental claim.

''(C) The Secretary shall contact each claimant identified under subsection (a) in the same manner that the Department last provided notice of a decision.''.

(b) APPLICATION.—Section 1167 of title 38, United States Code, as added by subsection (a), shall apply with respect to presumptions of service connection established or modified on or after the date of the enactment of this Act, including pursuant to amendments made by this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as—

(1) modifying the obligations of the Department of Veterans Affairs under Federal court decisions or settlements in effect as of the date of the enactment of this Act; or

(2) requiring a retroactively applied effective date of a supplemental claim earlier than the date a presumption of service connection is established or modified.

SEC. 204. REEVALUATION OF CLAIMS FOR DEPENDENCY AND INDEMNITY COMPENSATION INVOLVING PRESUMPTIONS OF SERVICE CONNECTION.

(a) IN GENERAL.—Subchapter I of chapter 13 is amended by adding at the end the following new section:

''§ 1305. Reevaluation of dependency and indemnity compensation determinations pursuant to changes in presumptions of service connection

''(a) REEVALUATION.—Whenever a law, including through a regulation or Federal court decision or settlement, establishes or modifies a presumption of service connection, the Secretary shall—

''(1) identify all claims for dependency and indemnity compensation under this chapter that—

''(A) were submitted to the Secretary;

''(B) were evaluated and denied by the Secretary before the date on which such provision of law went into effect; and

''(C) might have been evaluated differently had the establishment or modification been applicable to the claim;

''(2) allow for the reevaluation of such claims at the election of the claimant; and

''(3) notwithstanding section 5110 of this title, with respect to claims approved pursuant to such reevaluation, provide compensation under this chapter effective as if the establishment or modification of the presumption of service connection had been in effect on the date of the submission of the original claim described in paragraph (1).

''(b) OUTREACH.—(1) The Secretary shall conduct outreach to inform relevant claimants that they may elect to have a claim be reevaluated in light of the establishment or modification of a presumption of service connection described in subsection (a).

''(2) Outreach under paragraph (1) shall include the following:

''(A) The Secretary shall publish on the internet website of the Department a notice that such claimants may elect to have a claim so reevaluated.

''(B) The Secretary shall notify, in writing or by electronic means, veterans service organizations of the ability of such claimants to elect to have a claim so reevaluated.

''(C) The Secretary shall contact each claimant identified under subsection (a) in the same manner that the Department last provided notice of a decision.''.

(b) APPLICATION.—Section 1305 of title 38, United States Code, as added by subsection (a), shall apply with respect to presumptions of service connection established or modified on or after the date of the enactment of this Act, including pursuant to amendments made by this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as modifying the obligations of the Department of Veterans Affairs under Federal court decisions or settlements in effect as of the date of the enactment of this Act.

TITLE III—IMPROVING THE ESTABLISHMENT OF SERVICE CONNECTION PROCESS FOR TOXIC-EXPOSED VETERANS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Veterans Burn Pits Exposure Recognition Act of 2022''.

SEC. 302. PRESUMPTIONS OF TOXIC EXPOSURE.

Subchapter II of chapter 11 is amended by adding at the end the following new section:

''§ 1119. Presumptions of toxic exposure

''(a) CONSIDERATION OF RECORDS.—If a veteran submits to the Secretary a claim for compensation for a service-connected disability under section 1110 of this title with evidence of a disability and a toxic exposure that occurred during active military, naval, air, or space service, the Secretary may, in adjudicating such claim, consider—

''(1) any record of the veteran in an exposure tracking record system; and

''(2) if no record of the veteran in an exposure tracking record system indicates that the veteran was subject to a toxic exposure during active military, naval, air, or space service, the totality of the circumstances of the service of the veteran.

''(b) PRESUMPTION OF SPECIFIC TOXIC EXPOSURE FOR MEMBERS WHO SERVED IN CERTAIN LOCATIONS.—(1) The Secretary shall, for purposes of section 1110 and chapter 17 of this title, presume that any covered veteran was exposed to the substances, chemicals, and airborne hazards identified in the list under paragraph (2) during the service of the covered veteran specified in subsection (c)(1), unless there is affirmative evidence to establish that the covered veteran was not exposed to any such substances, chemicals, or hazards in connection with such service.

''(2) The Secretary shall—

''(A) establish and maintain a list that contains an identification of one or more such substances, chemicals, and airborne hazards as the Secretary, in collaboration with the Secretary of Defense, may determine appropriate for purposes of this section; and

''(B) determine, using procedures consistent with section 1172 of this title and through the conduct of a formal evaluation under section 1173 of this title, whether to establish an end date for a covered veteran to qualify for presumptions of exposure under this section, if appropriate, but in no case establish an end date earlier than the last day of the period specified in section 101(33) for the Persian Gulf War.

''(3) Beginning not later than two years after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, and not less frequently than once every two years thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report identifying any additions or removals to the list under paragraph (2) during the period covered by the report.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered veteran' means any veteran who—

''(A) on or after August 2, 1990, performed active military, naval, air, or space service while assigned to a duty station in, including airspace above—

''(i) Bahrain;

''(ii) Iraq;

''(iii) Kuwait;

''(iv) Oman;

''(v) Qatar;

''(vi) Saudi Arabia;

''(vii) Somalia; or

''(viii) United Arab Emirates; or

''(B) on or after September 11, 2001, performed active military, naval, air, or space service while assigned to a duty station in, including airspace above—

''(i) Afghanistan;

''(ii) Djibouti;

''(iii) Egypt;

''(iv) Jordan;

''(v) Lebanon;

''(vi) Syria;

''(vii) Yemen;

''(viii) Uzbekistan; or

''(ix) any other country determined relevant by the Secretary.

''(2) The term 'exposure tracking record system'—

''(A) means any system, program, or pilot program used by the Secretary of Veterans Affairs or the Secretary of Defense to track how veterans or members of the Armed Forces have been exposed to various occupational or environmental hazards; and

''(B) includes the Individual Longitudinal Exposure Record, or successor system.

''(3) The term 'toxic exposure risk activity' has the meaning given such term in section 1710(e)(4) of this title.''.

SEC. 303. MEDICAL NEXUS EXAMINATIONS FOR TOXIC EXPOSURE RISK ACTIVITIES.

Subchapter VI of chapter 11, as amended by section 203, is further amended by adding at the end the following new section:

''§ 1168. Medical nexus examinations for toxic exposure risk activities

''(a) MEDICAL EXAMINATIONS AND MEDICAL OPINIONS.—(1) Except as provided in subsection (b), if a veteran submits to the Secretary a claim for compensation for a service-connected disability under section 1110 of this title with evidence of a disability and evidence of participation in a toxic exposure risk activity during active military, naval, air, or space service, and such evidence is not sufficient to establish a service connection for the disability, the Secretary shall—

''(A) provide the veteran with a medical examination under section 5103A(d) of this title; and

''(B) obtain a medical opinion (to be requested by the Secretary in connection with the medical examination under subparagraph (A)) as to whether it is at least as likely as not that there is a nexus between the disability and the toxic exposure risk activity.

''(2) When providing the Secretary with a medical opinion under paragraph (1)(B) for a veteran, the health care provider shall consider—

''(A) the total potential exposure through all applicable military deployments of the veteran; and

''(B) the synergistic, combined effect of all toxic exposure risk activities of the veteran.

''(3) The requirement under paragraph (2)(B) shall not be construed as requiring a health care provider to consider the synergistic, combined effect of each of the substances, chemicals, and airborne hazards identified in the list under section 1119(b)(2) of this title.

''(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary determines there is no indication of an association between the disability claimed by the veteran and the toxic exposure risk activity for which the veteran submitted evidence.

''(c) TOXIC EXPOSURE RISK ACTIVITY DEFINED.—In this section, the term 'toxic exposure risk activity' has the meaning given that term in section 1710(e)(4) of this title.''.

TITLE IV—PRESUMPTIONS OF SERVICE CONNECTION

SEC. 401. TREATMENT OF VETERANS WHO PARTICIPATED IN CLEANUP OF ENEWETAK ATOLL AS RADIATION-EXPOSED VETERANS FOR PURPOSES OF PRESUMPTION OF SERVICE CONNECTION OF CERTAIN DISABILITIES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) SHORT TITLE.—This section may be cited as the ''Mark Takai Atomic Veterans Healthcare Parity Act of 2022''.

(b) ENEWETAK ATOLL.—Section 1112(c)(3)(B) is amended by adding at the end the following new clause:

''(v) Cleanup of Enewetak Atoll during the period beginning on January 1, 1977, and ending on December 31, 1980.''.

SEC. 402. TREATMENT OF VETERANS WHO PARTICIPATED IN NUCLEAR RESPONSE NEAR PALOMARES, SPAIN, OR THULE, GREENLAND, AS RADIATION-EXPOSED VETERANS FOR PURPOSES OF PRESUMPTION OF SERVICE CONNECTION OF CERTAIN DISABILITIES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) SHORT TITLE.—This section may be cited as the ''Palomares or Thule Veterans Act of 2022''.

(b) PALOMARES OR THULE.—Section 1112(c)(3)(B), as amended by section 401, is further amended by adding at the end the following new clauses:

''(vi) Onsite participation in the response effort following the collision of a United States Air Force B–52 bomber and refueling plane that caused the release of four thermonuclear weapons in the vicinity of Palomares, Spain, during the period beginning January 17, 1966, and ending March 31, 1967.

''(vii) Onsite participation in the response effort following the on-board fire and crash of a United States Air Force B–52 bomber that caused the release of four thermonuclear weapons in the vicinity of Thule Air Force Base, Greenland, during the period beginning January 21, 1968, and ending September 25, 1968.''.

SEC. 403. PRESUMPTIONS OF SERVICE CONNECTION FOR DISEASES ASSOCIATED WITH EXPOSURES TO CERTAIN HERBICIDE AGENTS FOR VETERANS WHO SERVED IN CERTAIN LOCATIONS.

(a) SHORT TITLE.—This section may be cited as the ''Veterans Agent Orange Exposure Equity Act of 2022''.

(b) IN GENERAL.—Section 1116, as amended by section 202, is further amended—

(1) by striking '', during active military, naval, air, or space service, served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975'' each place it appears and inserting ''performed covered service'';

(2) by striking ''performed active military, naval, air, or space service in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975'' each place it appears and inserting ''performed covered service''; and

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

''(d) In this section, the term 'covered service' means active military, naval, air, or space service—

''(1) performed in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975;

''(2) performed in Thailand at any United States or Royal Thai base during the period beginning on January 9, 1962, and ending on June 30, 1976, without regard to where on the base the veteran was located or what military job specialty the veteran performed;

''(3) performed in Laos during the period beginning on December 1, 1965, and ending on September 30, 1969;

''(4) performed in Cambodia at Mimot or Krek, Kampong Cham Province during the period beginning on April 16, 1969, and ending on April 30, 1969; or

''(5) performed on Guam or American Samoa, or in the territorial waters thereof, during the period beginning on January 9, 1962, and ending on July 31, 1980, or served on Johnston Atoll or on a ship that called at Johnston Atoll during the period beginning on January 1, 1972, and ending on September 30, 1977.''.

(c) ELIGIBILITY FOR HOSPITAL CARE AND MEDICAL SERVICES.—Section 1710(e)(4), as amended by section 102(c), is further amended by striking subparagraph (A) and inserting the following new subparagraph:

''(A) The term 'Vietnam-era herbicide-exposed veteran' means a veteran who—

''(i) performed covered service, as defined in section 1116(d) of this title; or

''(ii) the Secretary finds may have been exposed during active military, naval, air, or space service to dioxin during the Vietnam era, regardless of the geographic area of such service, or was exposed during such service to a toxic substance found in a herbicide or defoliant used for military purposes during

such era, regardless of the geographic area of such service.''.

(d) CONFORMING AMENDMENT.—The heading for section 1116 is amended by striking ''**the Republic of Vietnam**'' and inserting ''**certain locations**''.

(e) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply as follows:

(1) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

(A) terminally ill;

(B) homeless;

(C) under extreme financial hardship;

(D) more than 85 years old; or

(E) capable of demonstrating other sufficient cause.

(2) On October 1, 2022, for everyone not described in paragraph (1).

SEC. 404. ADDITION OF ADDITIONAL DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HERBICIDE AGENTS FOR WHICH THERE IS A PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO SERVED IN CERTAIN LOCATIONS.

(a) SHORT TITLE.—This section may be cited as the ''Fair Care for Vietnam Veterans Act of 2022''.

(b) MONOCLONAL GAMMOPATHY OF UNDETERMINED SIGNIFICANCE.—Section 1116(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(L) Monoclonal gammopathy of undetermined significance.''.

(c) HYPERTENSION.—Such section, as amended by subsection (b), is further amended by adding at the end the following new subparagraph:

''(M) Hypertension.''.

(d) EFFECTIVE DATES AND APPLICABILITY.—

(1) MONOCLONAL GAMMOPATHY OF UNDETERMINED SIGNIFICANCE.—

(A) IN GENERAL.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and shall apply as follows:

(i) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

(I) terminally ill;

(II) homeless;

(III) under extreme financial hardship;

(IV) more than 85 years old; or

(V) capable of demonstrating other sufficient cause.

(ii) On October 1, 2022, for everyone not described in clause (i).

(B) RETROACTIVE APPLICATION.—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(L) of title 38, United States Code, as added by subsection (b) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in subparagraph (A)(i) of this paragraph.

(2) HYPERTENSION.—

(A) IN GENERAL.—The amendment made by subsection (c) shall take effect on the date of the enactment of this Act and shall apply as follows:

(i) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

(I) terminally ill;

(II) homeless;

(III) under extreme financial hardship;

(IV) more than 85 years old; or

(V) capable of demonstrating other sufficient cause.

(ii) On October 1, 2026, for everyone not described in subparagraph (A).

(B) RETROACTIVE APPLICATION.—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(M) of title 38, United States Code, as added by subsection (c) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in subparagraph (A)(i) of this paragraph.

SEC. 405. IMPROVING COMPENSATION FOR DISABILITIES OCCURRING IN PERSIAN GULF WAR VETERANS.

(a) REDUCTION IN THRESHOLD OF ELIGIBILITY.—Subsection (a)(1) of section 1117 is amended by striking ''became manifest—'' and all that follows through the period at the end and inserting ''became manifest to any degree at any time.''.

(b) PERMANENT EXTENSION OF PERIOD OF ELIGIBILITY.—Such section is further amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(3) in subsection (a)(2)(C), by striking ''under subsection (d)'' and inserting ''under subsection (c)''.

(c) ESTABLISHING SINGULAR DISABILITY-BASED QUESTIONNAIRE.—Such section is further amended by inserting after subsection (c) (as redesignated by subsection (b)) the following new subsection (d):

''(d) If a Persian Gulf veteran at a medical facility of the Department presents with any one symptom associated with Gulf War Illness, the Secretary shall ensure that health care personnel of the Department use a disability benefits questionnaire, or successor questionnaire, designed to identify Gulf War Illness, in addition to any other diagnostic actions the personnel determine appropriate.''.

(d) EXPANSION OF DEFINITION OF PERSIAN GULF VETERAN.—Subsection (f) of such section is amended by inserting '', Afghanistan, Israel, Egypt, Turkey, Syria, or Jordan,'' after ''operations''.

(e) TRAINING.—Such section is further amended by adding at the end the following new subsection:

''(i)(1) The Secretary shall take such actions as may be necessary to ensure that health care personnel of the Department are appropriately trained to effectively carry out this section.

''(2) Not less frequently than once each year, the Secretary shall submit to Congress a report on the actions taken by the Secretary to carry out paragraph (1).''.

SEC. 406. PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN DISEASES ASSOCIATED WITH EXPOSURE TO BURN PITS AND OTHER TOXINS.

(a) SHORT TITLE.—This section may be cited as the ''Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act of 2022''.

(b) IN GENERAL.—Subchapter II of chapter 11, as amended by section 302, is further amended by inserting after section 1119 the following new section:

''§ 1120. Presumption of service connection for certain diseases associated with exposure to burn pits and other toxins

''(a) PRESUMPTION OF SERVICE CONNECTION.—For the purposes of section 1110 of this title, and subject to section 1113 of this title, a disease specified in subsection (b) becoming manifest in a covered veteran shall be considered to have been incurred in or aggravated during active military, naval, air, or space service, notwithstanding that there is no record of evidence of such disease during the period of such service.

''(b) DISEASES SPECIFIED.—The diseases specified in this subsection are the following:

''(1) Asthma that was diagnosed after service of the covered veteran as specified in subsection (c).

''(2) The following types of cancer:

''(A) Head cancer of any type.

''(B) Neck cancer of any type.

''(C) Respiratory cancer of any type.

''(D) Gastrointestinal cancer of any type.

''(E) Reproductive cancer of any type.

''(F) Lymphoma cancer of any type.

''(G) Lymphomatic cancer of any type.

''(H) Kidney cancer.

''(I) Brain cancer.

''(J) Melanoma.

''(K) Pancreatic cancer.

''(3) Chronic bronchitis.

''(4) Chronic obstructive pulmonary disease.

''(5) Constrictive bronchiolitis or obliterative bronchiolitis.

''(6) Emphysema.

''(7) Granulomatous disease.

''(8) Interstitial lung disease.

''(9) Pleuritis.

''(10) Pulmonary fibrosis.

''(11) Sarcoidosis.

''(12) Chronic sinusitis.

''(13) Chronic rhinitis.

''(14) Glioblastoma.

''(15) Any other disease for which the Secretary determines, pursuant to regulations prescribed under subchapter VII that a presumption of service connection is warranted based on a positive association with a substance, chemical, or airborne hazard identified in the list under section 1119(b)(2) of this title.

''(c) COVERED VETERAN DEFINED.—In this section, the term 'covered veteran' has the meaning given that term in section 1119(c) of this title.''.

(c) CONFORMING AMENDMENT.—Section 1113 is amended by striking ''or 1118'' each place it appears and inserting ''1118, or 1120''.

(d) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply as follows:

(1) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and veterans whom the Secretary of Veterans Affairs determines are—

(A) terminally ill;

(B) homeless;

(C) under extreme financial hardship;

(D) more than 85 years old; or

(E) capable of demonstrating other sufficient cause.

(2) On the date of the enactment of this Act for everyone not described in paragraph (1), with respect to paragraphs (1), (2)(C), (2)(I), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14), of section 1120(b) of title 38, United States Code, as added by subsection (b).

(3) On October 1, 2023, for everyone not described in paragraph (1), with respect to paragraphs (3) and (4) of section 1120(b) of such title, as so added.

(4) On October 1, 2024, for everyone not described in paragraph (1), with respect to subparagraphs (A), (B), (D), (E), (F), (G), and (K) of section 1120(b)(2) of such title, as so added.

(5) On October 1, 2025, for everyone not described in paragraph (1), with respect to subparagraphs (H) and (J) of section 1120(b)(2) of such title, as so added.

SEC. 407. RULE OF CONSTRUCTION.

(a) GENERALLY.—Nothing in this Act shall be construed to prevent the Secretary of Veterans Affairs from processing claims for benefits under title 38, United States Code, for a condition or disease for which this Act establishes a presumption of service connection, as a claim for benefits for a condition or disease with direct service connection.

(b) EFFECTIVE DATES AND APPLICABILITY.—The Secretary shall not deny a claim for benefits under title 38, United States Code, for a condition or disease for which this Act establishes a presumption of service connection because the claimant filed the claim prior to the effective date or date of applicability for that particular condition or disease.

TITLE V—RESEARCH MATTERS

SEC. 501. INTERAGENCY WORKING GROUP ON TOXIC EXPOSURE RESEARCH.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in collaboration with the heads of the entities described in paragraph (2), establish the Toxic Exposure Research Working Group (in this section referred to as the ''Working Group'').

(2) COMPOSITION.—The Working Group shall consist of employees, selected by the Secretary, of the following:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Environmental Protection Agency.

(E) Other entities of the Federal Government involved in research activities regarding the health consequences of toxic exposures experienced during active military, naval, air, or space service.

(b) FUNCTIONS.—The Working Group shall perform the following functions:

(1) Identify collaborative research activities and resources available among entities represented by members of the Working Group to conduct such collaborative research activities.

(2) Develop a five-year strategic plan for such entities to carry out collaborative research activities.

(c) REPORTING.—The Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the following:

(1) Not later than one year after the date of the enactment of this Act, a report on the establishment of the Working Group under subsection (a).

(2) Not later than two years after the date of the enactment of this Act, a report containing the collaborative research activities identified, and the strategic plan developed, by the Working Group under subsection (b).

(3) Not less frequently than annually during the five-year period covered by the strategic plan under subsection (b), a progress report on implementation of the strategic plan.

(d) TERMINATION.—The Working Group shall terminate after submitting the final report under subsection (c).

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, AIR, OR SPACE SERVICE.—The term ''active military, naval, air, or space service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) COLLABORATIVE RESEARCH ACTIVITY.—The term ''collaborative research activity'' means a research activity—

(A) agreed upon by the Working Group;

(B) conducted by an entity represented by a member of the Working Group;

(C) funded by the Federal Government; and

(D) regarding the health consequences of toxic exposures experienced during active military, naval, air, or space service.

(3) TOXIC EXPOSURE.—The term ''toxic exposure'' has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 502. ANALYSIS AND REPORT ON TREATMENT OF VETERANS FOR MEDICAL CONDITIONS RELATED TO TOXIC EXPOSURE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall analyze, on a continuous basis, all clinical data that—

(1) is obtained by the Department of Veterans Affairs in connection with hospital care, medical services, and nursing home care furnished under section 1710(a)(2)(F) of title 38, United States Code; and

(2) is likely to be scientifically useful in determining the association, if any, between the medical condition of a veteran and a toxic exposure.

(b) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the following:

(1) The aggregate data compiled under subsection (a).

(2) An analysis of such data.

(3) A description of the types and incidences of medical conditions identified by the Department under such subsection.

(4) The explanation of the Secretary for the incidence of such medical conditions and other explanations for the incidence of such conditions as the Secretary considers reasonable.

(5) The views of the Secretary on the scientific validity of drawing conclusions from the incidence of such medical conditions, as evidenced by the data compiled under subsection (a), regarding any association between such conditions and toxic exposures.

(c) TOXIC EXPOSURE DEFINED.—In this section, the term ''toxic exposure'' has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 503. ANALYSIS RELATING TO MORTALITY OF VETERANS WHO SERVED IN SOUTHWEST ASIA.

(a) ANALYSIS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Secretary of Defense, shall conduct an updated analysis of total and respiratory disease mortality in covered veterans.

(2) ELEMENTS.—The analysis required by paragraph (1) shall include, to the extent practicable, the following with respect to each covered veteran:

(A) Metrics of airborne exposures.

(B) The location and timing of deployments of the veteran.

(C) The military occupational specialty of the veteran.

(D) The Armed Force in which the veteran served.

(E) Pre-existing health status of the veteran, including with respect to asthma.

(F) Relevant personal information of the veteran, including cigarette and e-cigarette smoking history, diet, sex, gender, age, race, and ethnicity.

(b) COVERED VETERAN DEFINED.—In this section, the term ''covered veteran'' means any veteran who—

(1) on or after August 2, 1990, served on active duty in—

(A) Bahrain;

(B) Iraq;

(C) Kuwait;

(D) Oman;

(E) Qatar;

(F) Saudi Arabia;

(G) Somalia; or

(H) the United Arab Emirates; or

(2) on or after September 11, 2001, served on active duty in—

(A) Afghanistan;

(B) Djibouti;

(C) Egypt;

(D) Jordan;

(E) Lebanon;

(F) Syria; or

(G) Yemen.

SEC. 504. STUDY ON HEALTH TRENDS OF POST–9/11 VETERANS.

The Secretary of Veterans Affairs shall conduct an epidemiological study on the health trends of veterans who served in the Armed Forces after September 11, 2001.

SEC. 505. STUDY ON CANCER RATES AMONG VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a study on the incidence of cancer in veterans to determine trends in the rates of the incidence of cancer in veterans.

(b) ELEMENTS.—The study required by subsection (a) shall assess, with respect to each veteran included in the study, the following:

(1) The age of the veteran.

(2) The period of service and length of service of the veteran in the Armed Forces.

(3) The military occupational specialty or specialties of the veteran.

(4) The sex of the veteran.

(5) The type or types of cancer that the veteran has.

SEC. 506. STUDY ON HEALTH EFFECTS OF WASTE RELATED TO MANHATTAN PROJECT ON CERTAIN VETERANS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the conduct of a study on the health trends of veterans who, while serving in the active military, naval, air, or space service—

(1) participated in activities relating to the Manhattan Project (including activities relating to covered waste) in connection with such service; or

(2) resided at or near, as determined by the Secretary, the locations described in subsection (b).

(b) COVERED LOCATIONS.—The locations described in this subsection are the following locations:

(1) In the county of St. Louis, Missouri, the following:

(A) Coldwater Creek, Missouri.

(B) The St. Louis Airport Site, Missouri.

(C) The West Lake Landfill.

(2) Oak Ridge, Tennessee.

(3) Hanford, Washington.

(4) Any other location that is proximate to covered waste, as determined by the Secretary.

(c) ELEMENTS.—The study under subsection (a) shall assess, with respect to each veteran included in the study, the following:

(1) The age, sex, and race of the veteran.

(2) The period and location of exposure to covered waste.

(3) Any type of cancer, or other illness associated with toxic exposure, that the veteran has.

(4) A comparison of the overall health condition of the veteran, including any illness of the veteran identified pursuant to paragraph (3), with the overall health condition of past and present civilian populations residing at the same location of exposure, as determined by the Secretary.

(d) REPORT.—Not later than three years after the date of the enactment of this Act,

the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the study under subsection (a) and include in such report an analysis of the data available and data reliability.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, AIR, OR SPACE SERVICE; TOXIC EXPOSURE.—The terms ''active military, naval, air, or space service'' and ''toxic exposure'' have the meanings given those terms in section 101 of title 38, United States Code, as added by section 102(b).

(2) COVERED WASTE.—The term ''covered waste'' means any waste arising from activities carried out in connection with the Manhattan Project.

(3) ILLNESS.—The term ''illness'' has the meaning given that term in section 1171 of title 38, United States Code, as added by section 202.

(4) TOXIC EXPOSURE.—The term ''toxic exposure'' has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 507. STUDY ON TOXIC EXPOSURE AND MENTAL HEALTH OUTCOMES.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the conduct of a study of veterans to assess possible relationships between toxic exposures experienced during service in the Armed Forces and mental health conditions, including chronic multisymptom illness, traumatic brain injury, post-traumatic stress disorder, depression, episodes of psychosis, schizophrenia, bipolar disorder, suicide attempts, and suicide deaths.

(b) ELEMENTS.—For each veteran included in the study under subsection (a), the following information shall be collected and assessed:

(1) Age.

(2) Sex.

(3) Race and ethnicity.

(4) Period and length of service in the Armed Forces.

(5) The military occupational specialty or specialties of the veteran.

(6) History of toxic exposure during service in the Armed Forces.

(7) Any diagnosis of chronic multisymptom illness.

(8) Any diagnosis of a mental health or cognitive disorder.

(9) Any history of suicide attempt or suicidality.

(10) If the veteran died by suicide.

(11) Any confounding traumatic experiences that could affect a veteran's mental health.

(c) REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the findings of the National Academies of Sciences, Engineering, and Medicine with respect to the study conducted under subsection (a).

SEC. 508. STUDY ON VETERANS IN TERRITORIES OF THE UNITED STATES.

(a) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the state of access and barriers to benefits and services furnished by the Veterans Benefits Administration and the Veterans Health Administration under laws administered by the Secretary of Veterans Affairs to veterans in Territories and Freely Associated States of the United States, including deficits in the availability and accessibility of such benefits and services compared to veterans elsewhere in the United States.

(2) ELEMENTS.—The study under paragraph (1) shall include—

(A) the number of veterans in each Territory and Freely Associated State of the United States;

(B) the number of veterans in each Territory and Freely Associated State who are enrolled in the system of annual patient enrollment of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code;

(C) a description of how the Department estimates the number of veterans in each Territory and Freely Associated State who are eligible for services under section 1710 of such title but who are not enrolled as described in subparagraph (B);

(D) a detailed description of obstacles facing veterans in each Territory and Freely Associated State in accessing health care services, including those involving the availability of such services to veterans in the Territory or Freely Associated State in which the veterans reside, and any distance impediments to receiving services at a regional medical center of the Veterans Health Administration, a community-based outpatient clinic, another full-service medical facility of the Department, or a Vet Center, respectively;

(E) a detailed description of obstacles facing veterans in each Territory and Freely Associated State in accessing readjustment counseling services, including those involving the availability of such services to veterans in the Territory in which the veterans reside, and any distance impediments to receiving services at a readjustment counseling services center of the Department;

(F) a detailed description of obstacles facing veterans in each Territory and Freely Associated State in accessing non-health care veterans benefits, including those involving the availability of benefits and services to veterans in the Territory or Freely Associated State in which the veterans reside, and any distance impediments to accessing the nearest office of the Veterans Benefits Administration;

(G) an analysis of the staffing and quality of the offices of the Veterans Benefits Administration and Veterans Health Administration charged with serving veterans in the Territories and Freely Associated States, including the availability of the full- and part-time staff of each office to the veterans they are charged with serving;

(H) an analysis of the availability of the Veterans Community Care Program established under section 1703 of title 38, United States Code, to veterans in each Territory and Freely Associated State;

(I) an analysis of the economic and health outcomes for veterans in each Territory or Freely Associated State resulting from obstacles to accessing adequate assistance and health care at facilities of the Department;

(J) an analysis of the access to benefit assistance and health care provided to veterans in the aftermath of major disasters declared in each of the Territories and Freely Associated States since September 4, 2017; and

(K) such recommendations as the Comptroller General considers appropriate for improving access of veterans in the Territories and Freely Associated States to benefits and health care services furnished by the Secretary, and reducing barriers and deficits in the availability and accessibility of such benefits and services compared to veterans elsewhere in the United States.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall provide to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a briefing setting forth the results of the study conducted under subsection (a), including any recommendations developed under paragraph (2)(K) of such subsection.

(c) DEFINITIONS.—In this section:

(1) FREELY ASSOCIATED STATE.—The term ''Freely Associated State'' includes the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(2) TERRITORY.—The term ''Territory'' includes American Samoa, the Commonwealth of the Northern Marianas Islands, Guam, Puerto Rico, and the Virgin Islands.

(3) VET CENTER.—The term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

SEC. 509. DEPARTMENT OF VETERANS AFFAIRS PUBLIC WEBSITE FOR TOXIC EXPOSURE RESEARCH.

(a) WEBSITE.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish, and maintain thereafter, a publicly accessible internet website of the Department of Veterans Affairs that serves as a clearinghouse for the publication of all toxic exposure research carried out or funded by the executive branch of the Federal Government.

(b) COORDINATION.—In carrying out subsection (a), the Secretary shall coordinate with—

(1) the heads of each Federal agency carrying out or funding toxic exposure research;

(2) the War Related Illness and Injury Study Center of the Department of Veterans Affairs, or successor center; and

(3) any working group of the Department of Veterans Affairs or other similar entity responsible for coordinating toxic exposure research.

(c) DEFINITIONS.—In this section:

(1) TOXIC EXPOSURE.—The term ''toxic exposure'' has the meaning given that term in section 101 of title 38, United States Code, as added by section 102(b).

(2) TOXIC EXPOSURE RESEARCH.—The term ''toxic exposure research'' means research on the health consequences of toxic exposures experienced during service in the Armed Forces.

SEC. 510. REPORT ON HEALTH EFFECTS OF JET FUELS USED BY ARMED FORCES.

(a) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives, and make publicly available, a report on health effects of jet fuels used by the Armed Forces.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A discussion of the effect of various different types of jet fuels used by the Armed Forces on the health of individuals by length of exposure.

(2) An identification of the immediate symptoms of jet fuel exposure that may indicate future health risks.

(3) A chronology of health safeguards implemented by the Armed Forces intended to reduce the exposure of members of the Armed Forces to jet fuel.

(4) An identification of any areas relating to jet fuel exposure about which new research needs to be conducted.

(c) FOLLOW-UP REPORT.—Not later than five years after the date of the submittal of the report under subsection (a), the Secretary shall submit to the committees referred to in such subsection an update to such report.

TITLE VI—IMPROVEMENT OF RESOURCES AND TRAINING REGARDING TOXIC-EXPOSED VETERANS

SEC. 601. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This title may be cited as the ''Fairly Assessing Service-related Toxic Exposure Residuals Presumptions Act of 2022'' or the ''FASTER Presumption Act of 2022''.

(b) DEFINITIONS.—In this title, the terms ''active military, naval, air, or space service'', ''toxic exposure'', and ''toxic-exposed veteran'' have the meanings given those terms in section 101 of title 38, United States Code, as amended by section 102.

SEC. 602. PUBLICATION OF LIST OF RESOURCES OF DEPARTMENT OF VETERANS AFFAIRS FOR TOXIC-EXPOSED VETERANS AND VETERANS WHO REPORT TOXIC EXPOSURES AND OUTREACH PROGRAM FOR SUCH VETERANS AND CAREGIVERS AND SURVIVORS OF SUCH VETERANS.

(a) PUBLICATION OF LIST OF RESOURCES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs shall publish a list of resources of the Department of Veterans Affairs for—

(A) toxic-exposed veterans and veterans who report toxic exposure;

(B) families and caregivers of such veterans; and

(C) survivors of such veterans who are receiving death benefits under the laws administered by the Secretary.

(2) UPDATE.—The Secretary shall periodically update the list published under paragraph (1).

(b) OUTREACH.—The Secretary shall develop, with input from the community, an informative outreach program for veterans on illnesses that may be related to toxic exposures, including outreach with respect to benefits and support programs.

SEC. 603. INCORPORATION OF TOXIC EXPOSURE SCREENING FOR VETERANS.

(a) IN GENERAL.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall incorporate a screening to help determine potential toxic exposures during active military, naval, air, or space service as part of a health care screening furnished by the Department of Veterans Affairs to veterans enrolled in the system of annual patient enrollment of the Department established and operated under section 1705 of title 38, United States Code, to improve understanding by the Department of toxic exposures while serving in the Armed Forces.

(b) TIMING.—The Secretary shall ensure that a veteran described in subsection (a) completes the screening required under such subsection not less frequently than once every five years.

(c) DETERMINATION OF QUESTIONS.—

(1) IN GENERAL.—The questions included in the screening required under subsection (a) shall be determined by the Secretary with input from medical professionals.

(2) SPECIFIC QUESTIONS.—At a minimum, the screening required under subsection (a) shall, with respect to a veteran, include—

(A) a question about the potential exposure of the veteran to an open burn pit; and

(B) a question regarding toxic exposures that are commonly associated with service in the Armed Forces.

(3) OPEN BURN PIT DEFINED.—In this subsection, the term ''open burn pit'' means an area of land that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

(d) PRINT MATERIAL.—In developing the screening established under subsection (a), the Secretary shall ensure that print materials complementary to such screening that outline related resources for veterans are available at each medical center of the Department to veterans who may not have access to the internet.

(e) SCREENING UPDATES.—The Secretary shall consider updates to the content of the screening required under subsection (a) not less frequently than biennially to ensure the screening contains the most current information.

SEC. 604. TRAINING FOR PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS WITH RESPECT TO VETERANS WHO REPORT TOXIC EXPOSURES.

(a) HEALTH CARE PERSONNEL.—The Secretary of Veterans Affairs shall provide to health care personnel of the Department of Veterans Affairs education and training to identify, treat, and assess the impact on veterans of illnesses related to toxic exposures and inform such personnel of how to ask for additional information from veterans regarding different toxic exposures.

(b) BENEFITS PERSONNEL.—

(1) IN GENERAL.—The Secretary shall incorporate a training program for processors of claims under the laws administered by the Secretary who review claims for disability benefits relating to service-connected disabilities based on toxic exposures.

(2) ANNUAL TRAINING.—Training provided to processors under paragraph (1) shall be provided not less frequently than annually.

TITLE VII—RESOURCING

SEC. 701. AUTHORITY TO USE APPROPRIATIONS TO ENHANCE CLAIMS PROCESSING CAPACITY AND AUTOMATION.

(a) AUTHORITY.—The Secretary of Veterans Affairs may use, from amounts appropriated to the Cost of War Toxic Exposures Fund established by section 324 of title 38, United States Code, as added by section 805 of this Act, such amounts as may be necessary to continue the modernization, development, and expansion of capabilities and capacity of information technology systems and infrastructure of the Veterans Benefits Administration, including for claims automation, to support expected increased claims processing for newly eligible veterans pursuant to this Act.

(b) PLAN FOR MODERNIZATION OF VETERANS BENEFITS ADMINISTRATION INFORMATION TECHNOLOGY SYSTEMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a plan for the modernization of the information technology systems of the Veterans Benefits Administration. The plan shall cover the first fiscal year that begins after the date of the enactment of this Act and the subsequent four fiscal years and shall include each of the following:

(A) An identification of any information system to be modernized or retired, if applicable, during the period covered by the plan.

(B) A description of how the Secretary intends to incorporate the following principles into the modernization of such information systems:

(i) The purpose of automation should be to increase the speed and accuracy of claims processing decisions.

(ii) Automation should be conducted in a manner that enhances the productivity of employees of the Department of Veterans Affairs.

(iii) Automation should be carried out in a manner that achieves greater consistency in the processing and rating of claims by relying on patterns of similar evidence in claim files.

(iv) To the greatest extent possible, automation should be carried out by drawing from information in the possession of the Department, other Government agencies, and applicants for benefits.

(v) Automation of any claims analysis or determination process should not be end-to-end or lack intermediation.

(vi) Employees of the Department should continue to make decisions with respect to the approval of claims and the granting of benefits.

(vii) Automation should not be carried out in a manner that reduces or infringes upon the due process rights of applicants for benefits under the laws administered by the Secretary; or the duties of the Secretary to assist and notify claimants.

(viii) Automation should be carried out while taking all necessary measures to protect the privacy of claimants and their personally identifiable information.

(ix) Automation of claims processing should not eliminate or reduce the workforce of the Veterans Benefits Administration.

(C) An identification of targets, for each fiscal year, by which the Secretary intends to complete the modernization of each information system or major component or functionality of such system identified under subparagraph (A).

(D) Cost estimates for the modernization of each information system identified under paragraph (A) for each fiscal year covered by the plan and in total.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(A) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 702. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES OF DEPARTMENT OF VETERANS AFFAIRS FOR FISCAL YEAR 2023.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following major medical facility leases in fiscal year 2023:

(1) Lease for an outpatient clinic in the vicinity of Allentown, Pennsylvania, in an estimated amount of $31,832,000.

(2) Lease for a facility for member services for the Veterans Health Administration in the vicinity of Atlanta, Georgia, in an estimated amount of $27,134,000.

(3) Lease for an outpatient clinic in the vicinity of Baltimore, Maryland, in an estimated amount of $43,041,000.

(4) Lease for an outpatient clinic in the vicinity of Baton Rouge, Louisiana, in an estimated amount of $29,550,000.

(5) Lease for an outpatient clinic in the vicinity of Beaufort, South Carolina, in an estimated amount of $24,254,000.

(6) Lease for an outpatient clinic in the vicinity of Beaumont, Texas, in an estimated amount of $15,632,000.

(7) Lease for an outpatient clinic in the vicinity of Brainerd, Minnesota, in an estimated amount of $14,669,000.

(8) Lease for a facility for research in the vicinity of Buffalo, New York, in an estimated amount of $11,106,000.

(9) Lease for an outpatient clinic in the vicinity of Clarksville, Tennessee, in an estimated amount of $75,135,000.

(10) Lease of a facility for research in the vicinity of Columbia, Missouri, in an estimated amount of $20,726,000.

(11) Lease for an outpatient clinic in the vicinity of Cookeville, Tennessee, in an estimated amount of $10,958,000.

(12) Lease for a residential treatment facility in the vicinity of Denver, Colorado, in an estimated amount of $9,133,000.

(13) Lease for an outpatient clinic in the vicinity of Elizabethtown, Kentucky, in an estimated amount of $16,671,000.

(14) Lease for an outpatient clinic in the vicinity of Farmington, Missouri, in an estimated amount of $17,940,000.

(15) Lease for an outpatient clinic in the vicinity of Hampton, Virginia, in an estimated amount of $63,085,000.

(16) Lease for an outpatient clinic in the vicinity of Jacksonville, North Carolina, in an estimated amount of $61,450,000.

(17) Lease for an outpatient clinic in the vicinity of Killeen, Texas, in an estimated amount of $61,030,000.

(18) Lease for an outpatient clinic in the vicinity of Lawrence, Indiana, in an estimated amount of $15,811,000.

(19) Lease for an outpatient clinic in the vicinity of Lecanto, Florida, in an estimated amount of $15,373,000.

(20) Lease for an outpatient clinic in the vicinity of Nashville, Tennessee, in an estimated amount of $58,038,000.

(21) Lease for an outpatient clinic in the vicinity of North Kansas City, Missouri, in an estimated amount of $40,027,000.

(22) Lease for an outpatient clinic in the vicinity of Pflugerville, Texas, in an estimated amount of $16,654,000.

(23) Lease for an outpatient clinic in the vicinity of Plano, Texas, in an estimated amount of $32,796,000.

(24) Lease for an outpatient clinic in the vicinity of Prince George's County, Maryland, in an estimated amount of $31,754,000.

(25) Lease for an outpatient clinic in the vicinity of Rolla, Missouri, in an estimated amount of $21,352,000.

(26) Lease for an outpatient clinic in the vicinity of Salt Lake City, Utah, in an estimated amount of $29,466,000.

(27) Lease for an outpatient clinic in the vicinity of Sarasota, Florida, in an estimated amount of $36,517,000.

(28) Lease for an outpatient clinic in the vicinity of Springfield, Massachusetts, in an estimated amount of $30,918,000.

(29) Lease for a community living center in the vicinity of Tampa, Florida, in an estimated amount of $51,682,000.

(30) Lease for an outpatient clinic in the vicinity of The Villages, Florida, in an estimated amount of $48,267,000.

(31) Lease for an outpatient clinic in the vicinity of Tri-Cities, Washington, in an estimated amount of $36,136,000.

(b) TREATMENT OF AUTHORIZATIONS.—The authorization of leases under subsection (a) shall be considered to be a specific authorization by law of the funds for such leases for purposes of section 8104(a)(2) of title 38, United States Code, as in effect on the day before the date of the enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2023, or the year in which funds are appropriated for the Medical Facilities account, $998,137,000 for the leases authorized in subsection (a).

SEC. 703. TREATMENT OF MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CONGRESSIONAL APPROVAL OF MAJOR MEDICAL FACILITY LEASES.—Paragraph (2) of subsection (a) of section 8104 of title 38, United States Code, is amended—

(1) by striking ''No funds'' and inserting ''(A) No funds'';

(2) by striking ''or any major medical facility lease'';

(3) by striking ''or lease''; and

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

''(B) No funds may be appropriated for any fiscal year, and the Secretary may not obligate or expend funds (other than for advance planning and design), for any major medical facility lease unless the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives each adopt a resolution approving the lease.''.

(b) MODIFICATION OF DEFINITION OF MAJOR MEDICAL FACILITY LEASE.—Subparagraph (B) of paragraph (3) of such subsection is amended to read as follows:

''(B) The term 'major medical facility lease'—

''(i) means a lease for space for use as a new medical facility approved through the General Services Administration under section 3307(a) of title 40 at an average annual rent equal to or greater than the appropriate dollar threshold described in such section, which shall be subject to annual adjustment in accordance with section 3307(h) of such title; and

''(ii) does not include a lease for space for use as a shared Federal medical facility for which the Department's estimated share of the lease costs does not exceed such dollar threshold.''.

(c) SEPARATE PROSPECTUS REQUIREMENT FOR MAJOR MEDICAL FACILITY LEASES.—Subsection (b) of such section is amended—

(1) by striking paragraph (7);

(2) in paragraph (1), by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively;

(3) in paragraph (6), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(4) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively;

(5) in the matter preceding subparagraph (A), as redesignated by paragraph (4)—

(A) by striking ''Whenever the President'' and inserting ''(1) Whenever the President'';

(B) by striking ''the Congress'' and inserting ''Congress''; and

(C) by striking ''or a major medical facility lease (as defined in subsection (a)(3)(b))'';

(6) in subparagraph (A), as redesignated by paragraph (4), by striking ''leased,'';

(7) in subparagraph (E), as redesignated by paragraph (4)—

(A) by striking ''or lease'' each place it appears; and

(B) by striking ''or leases''; and

(8) by adding at the end the following new paragraph:

''(2) Whenever the President or the Secretary submit to Congress a request for the funding of a major medical facility lease (as defined in subsection (a)(3)(B)), the Secretary shall submit to each committee, on the same day, a prospectus of the proposed medical facility. Any such prospectus shall include the following:

''(A) A description of the facility to be leased.

''(B) An estimate of the cost to the Federal Government of the facility to be leased.

''(C) An estimate of the energy performance of the proposed lease space, to include a description of anticipated utilization of renewable energy, energy efficient and climate resilient elements, and related matters.

''(D) Current and projected workload and utilization data regarding the facility to be leased, including information on projected changes in workload and utilization over a five-year period, a ten-year period, and a twenty-year period.

''(E) A detailed analysis of how the lease is expected to comply with Office of Management and Budget Circular A–11 and section 1341 of title 31 (commonly referred to as the 'Anti-Deficiency Act'). Any such analysis shall include—

''(i) an analysis of the classification of the lease as a 'lease purchase', a 'capital lease', or an 'operating lease' as those terms are defined in Office of Management and Budget Circular A–11;

''(ii) an analysis of the obligation of budgetary resources associated with the lease; and

''(iii) an analysis of the methodology used in determining the asset cost, fair market value, and cancellation costs of the lease.''.

(d) INTERIM LEASING ACTIONS.—Such section is further amended by adding at the end the following new subsection:

''(i)(1) Notwithstanding subsection (a)(2)(B), the Secretary may carry out interim leasing actions as the Secretary considers necessary for the following leases:

''(A) Major medical facility leases (as defined in subsection (a)(3)(B)) approved pursuant to this section and for which a prospectus for a replacement lease has been submitted to Congress pursuant to subsection (b)(2).

''(B) Replacement leases that do not require approval under this section and for which a prospectus has been submitted to Congress pursuant to subsection (b)(2).

''(2) In this subsection, the term 'interim leasing actions' has the meaning given that term by the Administrator of the General Services Administration.''.

(e) PURCHASE OPTIONS.—Such section is further amended by adding at the end the following new subsection:

''(j) The Secretary may obligate and expend funds to exercise a purchase option included in any major medical facility lease (as defined in subsection (a)(3)(B)).''.

(f) APPLICABILITY.—The amendments made by this section shall apply with respect to any lease that has not been specifically authorized by law on or before the date of the enactment of this Act.

SEC. 704. AUTHORITY TO ENTER INTO AGREEMENTS WITH ACADEMIC AFFILIATES AND OTHER ENTITIES TO ACQUIRE SPACE FOR THE PURPOSE OF PROVIDING HEALTH-CARE RESOURCES TO VETERANS.

Section 8103 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(h)(1) Notwithstanding any other provision of law requiring the use of competitive procedures, including section 2304 of title 10, when the Secretary determines it to be in the best interest of the Department, the Secretary may enter into a lease with an academic affiliate or covered entity to acquire space for the purpose of providing healthcare resources to veterans.

''(2) In this subsection:

''(A) The term 'academic affiliate' means an institution or organization described in section 7302(d) of this title.

''(B) The term 'covered entity' means a unit or subdivision of a State, local, or municipal government, public or nonprofit agency, institution, or organization, or other institution or organization as the Secretary considers appropriate that owns property controlled by an academic affiliate to be leased under this subsection.

''(C) The term 'health -care resource' has the meaning given that term in section 8152(1) of this title.

''(D) The term 'space' means any room, unit, floor, wing, building, parking facility, or other subdivision of a building or facility

owned or controlled by an academic affiliate.''.

SEC. 705. MODIFICATIONS TO ENHANCED-USE LEASE AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS.

(a) MODIFICATIONS TO AUTHORITY.—Paragraph (2) of section 8162(a) of title 38, United States Code, is amended to read as follows:

''(2)(A) The Secretary may enter into an enhanced-use lease on or after the date of the enactment of this paragraph only if the Secretary determines—

''(i) that the lease will not be inconsistent with, and will not adversely affect—

''(I) the mission of the Department; or

''(II) the operation of facilities, programs, and services of the Department in the area of the leased property; and

''(ii) that—

''(I) the lease will enhance the use of the leased property by directly or indirectly benefitting veterans; or

''(II) the leased property will provide supportive housing.

''(B) The Secretary shall give priority to enhanced-use leases that, on the leased property—

''(i) provide supportive housing for veterans;

''(ii) provide direct services or benefits targeted to veterans; or

''(iii) provide services or benefits that indirectly support veterans.''.

(b) EXTENSION OF MAXIMUM TERM OF ENHANCED-USE LEASE.—Section 8162(b)(2) of such title is amended by striking ''75 years'' and inserting ''99 years''.

(c) MODIFICATION OF USE OF PROCEEDS.—Section 8165(a)(1) of such title is amended by striking ''shall be deposited in the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title.'' and inserting ''shall, at the discretion of the Secretary, be deposited in—

''(A) the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title; or

''(B) the Medical Facilities or Construction, Minor Projects account of the Department to be used to defray the costs of administration, maintenance, repair, and related expenses incurred by the Department with respect to property that is owned by or under the jurisdiction or control of the Department.''.

(d) REPEAL OF SUNSET.—Section 8169 of such title is repealed.

(e) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any funds in the Treasury not otherwise appropriated, $922,000,000 for an additional amount for the Department of Veterans Affairs, to remain available until expended, to enter into enhanced-use leases pursuant to section 8162 of title 38, United States Code, as amended by this section.

SEC. 706. AUTHORITY FOR JOINT LEASING ACTIONS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) DEPARTMENT OF DEFENSE.—Section 1104A of title 10, United States Code, is amended—

(1) by inserting '', or the leasing,'' after ''design, and construction'' each place it appears; and

(2) in subsection (c)(2), by inserting '', or the leasing,'' after ''design''.

(b) DEPARTMENT OF VETERANS AFFAIRS.—Section 8111B of title 38, United States Code, is amended—

(1) in subsection (a), by inserting '', or the leasing,'' after ''design, and construction'';

(2) in subsection (b), by adding at the end the following new paragraph:

''(3) The Secretary of Veterans Affairs may transfer to the Department of Defense amounts appropriated to the 'Medical Facilities' account of the Department of Veterans Affairs for the purpose of leasing space for a shared medical facility if the estimated share of the Department of Veterans Affairs for the lease costs does not exceed the amount specified in section 8104(a)(3)(B) of this title.''; and

(3) in subsection (c), by adding at the end the following new paragraph:

''(3) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for the purpose of leasing space for a shared medical facility may be credited to the 'Medical Facilities' account of the Department of Veterans Affairs and may be used for such purpose.''.

SEC. 707. APPROPRIATION OF AMOUNTS FOR MAJOR MEDICAL FACILITY LEASES.

(a) FISCAL YEAR 2023.—In addition to amounts otherwise available, there is appropriated for fiscal year 2023, out of any funds in the Treasury not otherwise appropriated, $1,880,000,000 for an additional amount for the Medical Facilities account of the Department of Veterans Affairs, to remain available until expended, for major medical facility leases authorized by section 702.

(b) ADDITIONAL YEARS.—In addition to amounts otherwise available, there is appropriated, out of any funds in the Treasury not otherwise appropriated, for an additional amount for the Medical Facilities account of the Department of Veterans Affairs, to remain available until expended, for major medical facility leases authorized by section 702 or approved pursuant to subchapter I of chapter 81 of title 38, United States Code, as amended by section 703—

(1) $100,000,000 for fiscal year 2024;
(2) $200,000,000 for fiscal year 2025;
(3) $400,000,000 for fiscal year 2026;
(4) $450,000,000 for fiscal year 2027;
(5) $600,000,000 for fiscal year 2028;
(6) $610,000,000 for fiscal year 2029;
(7) $620,000,000 for fiscal year 2030; and
(8) $650,000,000 for fiscal year 2031.

TITLE VIII—RECORDS AND OTHER MATTERS

SEC. 801. EPIDEMIOLOGICAL STUDY ON FORT MCCLELLAN VETERANS.

The Secretary of Veterans Affairs shall conduct an epidemiological study on the health trends of veterans who served in the Armed Forces at Fort McClellan at any time during the period beginning January 1, 1935, and ending on May 20, 1999.

SEC. 802. BIENNIAL BRIEFING ON INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.

(a) IN GENERAL.—Not later than one year after the date on which the Individual Longitudinal Exposure Record achieves full operational capability, as determined by the Secretary of Defense, and every two years thereafter, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall provide the appropriate committees of Congress a briefing on—

(1) the quality of the databases of the Department of Defense that provide the information presented in such Individual Longitudinal Exposure Record; and

(2) the usefulness of such Individual Longitudinal Exposure Record or system in supporting members of the Armed Forces and veterans in receiving health care and benefits from the Department of Defense and the Department of Veterans Affairs.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include, for the period covered by the report, the following:

(1) An identification of potential exposures to occupational or environmental hazards captured by the current systems of the Department of Defense for environmental, occupational, and health monitoring, and recommendations for how to improve those systems.

(2) An analysis of the quality and accuracy of the location data used by the Department of Defense in determining potential exposures to occupational or environmental hazards by members of the Armed Forces and veterans, and recommendations for how to improve the quality of such data if necessary.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.—The term ''Individual Longitudinal Exposure Record'' has the meaning given such term in section 1171 of title 38, United States Code, as added by section 202.

SEC. 803. CORRECTION OF EXPOSURE RECORDS BY MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense to provide a means for veterans to update their records as necessary to reflect exposures to occupational or environmental hazards by such member or veteran in the Individual Longitudinal Exposure Record.

(b) EVIDENCE.—

(1) PROVISION OF EVIDENCE.—To update a record under subsection (a), a veteran shall provide such evidence as the Secretary of Veterans Affairs considers necessary.

(2) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe by regulation the evidence considered necessary under paragraph (1).

(c) DEFINITIONS.—In this section:

(1) INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.—The term ''Individual Longitudinal Exposure Record'' has the meaning given such term in section 1171 of title 38, United States Code, as added by section 202.

(2) TOXIC EXPOSURE.—The term ''toxic exposure'' has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 804. FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE, NORTH CAROLINA.

(a) SHORT TITLE.—This section may be cited as the ''Camp Lejeune Justice Act of 2022''.

(b) IN GENERAL.—An individual, including a veteran (as defined in section 101 of title 38, United States Code), or the legal representative of such an individual, who resided, worked, or was otherwise exposed (including in utero exposure) for not less than 30 days during the period beginning on August 1, 1953, and ending on December 31, 1987, to water at Camp Lejeune, North Carolina, that was supplied by, or on behalf of, the United States may bring an action in the United States District Court for the Eastern District of North Carolina to obtain appropriate relief for harm that was caused by exposure to the water at Camp Lejeune.

(c) BURDENS AND STANDARD OF PROOF.—

(1) IN GENERAL.—The burden of proof shall be on the party filing the action to show one or more relationships between the water at Camp Lejeune and the harm.

(2) STANDARDS.—To meet the burden of proof described in paragraph (1), a party shall produce evidence showing that the relationship between exposure to the water at Camp Lejeune and the harm is—

(A) sufficient to conclude that a causal relationship exists; or

(B) sufficient to conclude that a causal relationship is at least as likely as not.

(d) EXCLUSIVE JURISDICTION AND VENUE.—The United States District Court for the Eastern District of North Carolina shall have exclusive jurisdiction over any action filed under subsection (b), and shall be the exclusive venue for such an action. Nothing in this subsection shall impair the right of any party to a trial by jury.

(e) EXCLUSIVE REMEDY.—

(1) IN GENERAL.—An individual, or legal representative of an individual, who brings an action under this section for a harm described in subsection (b), including a latent disease, may not thereafter bring a tort action against the United States for such harm pursuant to any other law.

(2) HEALTH AND DISABILITY BENEFITS RELATING TO WATER EXPOSURE.—Any award made to an individual, or legal representative of an individual, under this section shall be offset by the amount of any disability award, payment, or benefit provided to the individual, or legal representative—

(A) under—

(i) any program under the laws administered by the Secretary of Veterans Affairs;

(ii) the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

(iii) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(B) in connection with health care or a disability relating to exposure to the water at Camp Lejeune.

(f) IMMUNITY LIMITATION.—The United States may not assert any claim to immunity in an action under this section that would otherwise be available under section 2680(a) of title 28, United States Code.

(g) NO PUNITIVE DAMAGES.—Punitive damages may not be awarded in any action under this section.

(h) DISPOSITION BY FEDERAL AGENCY REQUIRED.—An individual may not bring an action under this section before complying with section 2675 of title 28, United States Code.

(i) EXCEPTION FOR COMBATANT ACTIVITIES.—This section does not apply to any claim or action arising out of the combatant activities of the Armed Forces.

(j) APPLICABILITY; PERIOD FOR FILING.—

(1) APPLICABILITY.—This section shall apply only to a claim accruing before the date of enactment of this Act.

(2) STATUTE OF LIMITATIONS.—A claim in an action under this section may not be commenced after the later of—

(A) the date that is two years after the date of enactment of this Act; or

(B) the date that is 180 days after the date on which the claim is denied under section 2675 of title 28, United States Code.

(3) INAPPLICABILITY OF OTHER LIMITATIONS.—Any applicable statute of repose or statute of limitations, other than under paragraph (2), shall not apply to a claim under this section.

SEC. 805. COST OF WAR TOXIC EXPOSURES FUND.

(a) IN GENERAL.—Chapter 3 is amended by adding at the end the following new section:

"§ 324. Cost of War Toxic Exposures Fund

''(a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States an account to be known as the 'Cost of War Toxic Exposures Fund' (the 'Fund'), to be administered by the Secretary.

''(b) DEPOSITS.—There shall be deposited in the Fund such amounts as may be appropriated to the Fund pursuant to subsection (c).

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund for fiscal year 2023 and each subsequent fiscal year such sums as are necessary to increase funding, over the fiscal year 2021 level, for investment in—

''(1) the delivery of veterans' health care associated with exposure to environmental hazards in the active military, naval, air, or space service in programs administered by the Under Secretary for Health;

''(2) any expenses incident to the delivery of veterans' health care and benefits associated with exposure to environmental hazards in the active military, naval, air, or space service, including administrative expenses, such as information technology and claims processing and appeals, and excluding leases as authorized or approved under section 8104 of this title; and

''(3) medical and other research relating to exposure to environmental hazards.

''(d) BUDGET SCOREKEEPING.—(1) Immediately upon enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, expenses authorized to be appropriated to the Fund in subsection (c) shall be estimated for fiscal year 2023 and each subsequent fiscal year and treated as budget authority that is considered to be direct spending—

''(A) in the baseline for purposes of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907);

''(B) by the Chairman of the Committee on the Budget of the Senate and the Chair of the Committee on the Budget of the House of Representatives, as appropriate, for purposes of budget enforcement in the Senate and the House of Representatives;

''(C) under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), including in the reports required by section 308(b) of such Act (2 U.S.C. 639); and

''(D) for purposes of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.).

''(2) No amount appropriated to the Fund in fiscal year 2023 or any subsequent fiscal year pursuant to this section shall be counted as discretionary budget authority and outlays or as direct spending for any estimate of an appropriation Act under the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) and any other Act.

''(3) Notwithstanding the Budget Scorekeeping Guidelines and the accompanying list of programs and accounts set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, and for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) and the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the Fund shall be treated as if it were an account designated as 'Appropriated Entitlements and Mandatories for Fiscal Year 1997' in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217.

''(e) ESTIMATES FOR CONGRESSIONAL CONSIDERATION.—The Secretary shall include in documents submitted to Congress in support of the President's budget submitted pursuant to section 1105 of title 31 detailed estimates of the sums described in subsection (c) for the applicable fiscal year.

''(f) PROCEDURES FOR ESTIMATES.—The Secretary may, after consultation with the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, establish policies and procedures for developing the annual detailed estimates required by subsection (e).''.

(b) SEQUESTRATION.—Section 256(h)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(h)(4)) is amended by adding at the end the following new subparagraph:

''(G) Cost of War Toxic Exposures Fund.''.

SEC. 806. APPROPRIATION FOR FISCAL YEAR 2022.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any funds in the Treasury not otherwise appropriated, $500,000,000 for the Cost of War Toxic Exposures Fund, established by section 324 of title 38, United States Code, as added by section 805 of this Act, to remain available until September 30, 2024.

(b) SPEND PLAN.—Not later than 30 days after enactment of this Act, the Secretary of Veterans Affairs shall submit a plan for expending amounts made available by subsection (a) by program, project or activity to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives. Funds may not be obligated until such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

SEC. 807. AUTHORIZATION OF ELECTRONIC NOTICE IN CLAIMS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Title 38, United States Code, is amended as follows:

(1) By striking section 5100 and inserting the following:

"§ 5100. Definitions

''In this chapter:

''(1) The term 'claimant' means any individual applying for, or submitting a claim for, any benefit under the laws administered by the Secretary.

''(2) The term 'notice' means a communication issued through means (including electronic means) prescribed by the Secretary.''.

(2) In section 5104, by adding at the end the following new subsection:

''(c) The Secretary may provide notice under subsection (a) electronically if a claimant (or the claimant's representative) elects to receive such notice electronically. A claimant (or the claimant's representative) may revoke such an election at any time, by means prescribed by the Secretary.

''(d) The Secretary shall annually—

''(1) solicit recommendations from stakeholders on how to improve notice under this section; and

''(2) publish such recommendations on a publicly available website of the Department.''.

(3) In section 5104B(c), in the matter preceding paragraph (1) by striking ''in writing'' and inserting ''to the claimant (and any representative of such claimant)''.

(4) In section 5112(b)(6), by striking ''(at the payee's last address of record)''.

(5) In section 7104—

(A) in the heading, by adding ''**; decisions; notice**'' at the end; and

(B) by striking subsection (e) and inserting the following:

''(e) After reaching a decision on an appeal, the Board shall promptly issue notice (as that term is defined in section 5100 of this title) of such decision to the following:

''(1) The appellant.

''(2) Any other party with a right to notice of such decision.

''(3) Any authorized representative of the appellant or party described in paragraph (2).

''(f)(1) The Secretary may provide notice under subsection (e) electronically if a claimant (or the claimant's representative) elects to receive such notice electronically.

''(2) A claimant (or the claimant's representative) may revoke such an election at any time, by means prescribed by the Secretary.''.

(6) In section 7105(b)(1)(A), by striking ''mailing'' and inserting ''issuance''.

(7) In section 7105A(a), by striking ''mailed'' and inserting ''issued''.

(8) In section 7266(a), by striking ''mailed'' and inserting ''issued''.

(b) RULE OF CONSTRUCTION.—None of the amendments made by this section shall be

construed to apply section 5104(a) of such title to decisions of the Board of Veterans' Appeals under chapter 71 of such title.

SEC. 808. BURN PIT TRANSPARENCY.

(a) ANNUAL REPORT ON DISABILITY CLAIMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a report detailing the following:

(A) The total number of covered veterans.

(B) The total number of claimed issues for disability compensation under chapter 11 of title 38, United States Code, approved and the total number denied by the Secretary of Veterans Affairs with respect to a covered veteran, and a breakdown of the reasons for the denials.

(C) A comprehensive list of the top 10 conditions from each body system for which the Secretary awarded service connection for covered veterans.

(D) Any updates or trends with respect to the information described in subparagraphs (A), (B), and (C), that the Secretary determines appropriate.

(2) COVERED VETERAN DEFINED.—In this subsection, the term ''covered veteran'' means a veteran who deployed to the Southwest Asia theater of operations any time after August 1990, or Afghanistan, Syria, Djibouti, or Uzbekistan after September 19, 2001, and who submits a claim for disability compensation under chapter 11 of title 38, United States Code.

(b) INFORMATION REGARDING THE AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—

(1) NOTICE.—The Secretary of Veterans Affairs shall ensure that a medical professional of the Department of Veterans Affairs informs a veteran of the Airborne Hazards and Open Burn Pit Registry if the veteran presents at a medical facility of the Department for treatment that the veteran describes as being related to, or ancillary to, the exposure of the veteran to toxic airborne chemicals and fumes caused by open burn pits.

(2) DISPLAY.—In making information public regarding the number of participants in the Airborne Hazards and Open Burn Pit Registry, the Secretary shall display such numbers by both State and by congressional district.

(c) DEFINITIONS.—In this section:

(1) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate; and

(B) The Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.

(3) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

TITLE IX—IMPROVEMENT OF WORKFORCE OF DEPARTMENT OF VETERANS AFFAIRS

SEC. 901. NATIONAL RURAL RECRUITMENT AND HIRING PLAN FOR VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs, in collaboration with the directors of each community-based outpatient clinic and medical center of the Department of Veterans Affairs, shall develop and implement a national rural recruitment and hiring plan for the Veterans Health Administration to—

(1) recruit health care professionals for rural and highly rural community-based outpatient clinics and rural and highly rural medical centers of the Department;

(2) determine which such clinics or centers have a staffing shortage of health care professionals;

(3) develop best practices and techniques for recruiting health care professionals for such clinics and centers;

(4) not less frequently than annually, provide virtually based, on-demand training to human resources professionals of the Veterans Health Administration on the best practices and techniques developed under paragraph (3); and

(5) provide recruitment resources, such as pamphlets and marketing material to—

(A) Veterans Integrated Service Networks of the Department;

(B) rural and highly rural community-based outpatient clinics of the Department; and

(C) rural and highly rural medical centers of the Department.

(b) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that includes—

(1) the plan developed and implemented under subsection (a); and

(2) an assessment of the outcomes related to recruitment and retention of employees of the Veterans Health Administration at rural and highly rural facilities of the Department.

(c) DEFINITIONS.—In this section, the terms ''rural'' and ''highly rural'' have the meanings given those terms under the rural-urban commuting areas coding system of the Department of Agriculture.

SEC. 902. AUTHORITY TO BUY OUT SERVICE CONTRACTS FOR CERTAIN HEALTH CARE PROFESSIONALS IN EXCHANGE FOR EMPLOYMENT AT RURAL OR HIGHLY RURAL FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—For any covered health care professional to whom the Secretary of Veterans Affairs has offered employment with the Department of Veterans Affairs, the Secretary may buy out the non-Department service contract of such individual in exchange for such individual agreeing to be employed at a rural or highly rural facility of the Department for a period of obligated service specified in subsection (c).

(b) PAYMENT OF AMOUNTS.—

(1) IN GENERAL.—Payment of any amounts for a buy out of a service contract for a covered health care professional under subsection (a) shall be made directly to the individual or entity with respect to which the covered health care professional has a service obligation under such contract.

(2) LIMITATION ON TOTAL AMOUNT.—The total amount paid by the Department under this section shall not exceed $40,000,000 per fiscal year.

(c) OBLIGATED SERVICE.—In exchange for a contract buy out under subsection (a), a covered health care professional shall agree to be employed for not less than four years at a rural or highly rural facility of the Department.

(d) LIABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), if a covered health care professional fails for any reason to complete the period of obligated service of the individual under subsection (c), the United States shall be entitled to recover from the individual an amount equal to—

(A) the total amount paid under subsection (a) to buy out the non-Department service contract of the individual; multiplied by

(B) a fraction—

(i) the numerator of which is—

(I) the total number of months in the period of obligated service of the individual; minus

(II) the number of months served by the individual; and

(ii) the denominator of which is the total number of months in the period of obligated service of the individual.

(2) EXCEPTION.—Liability shall not arise under paragraph (1) in the case of an individual covered by that paragraph if the individual does not obtain, or fails to maintain, employment as an employee of the Department due to staffing changes approved by the Under Secretary for Health.

(e) NOT A TAXABLE BENEFIT.—A contract buy out for a covered health care professional under subsection (a) shall not be considered a taxable benefit or event for the covered health care professional.

(f) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the use by the Secretary of the authority under this section.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) The number of health care professionals for whom a service contract buyout payment was made under subsection (a) in the previous fiscal year, disaggregated by occupation or specialty.

(B) The average, highest, and lowest amount of the service contract buyout payments made under subsection (a) for each occupation or specialty in the previous fiscal year.

(C) Each location where contract buyout authority under subsection (a) was utilized and the number of covered health care professionals who agreed to be employed at such location in the previous fiscal year.

(g) DEFINITIONS.—In this section:

(1) COVERED HEALTH CARE PROFESSIONAL.—The term ''covered health care professional'' means a physician, nurse anesthetist, physician assistant, or nurse practitioner offered employment with the Department regardless of the authority under which such employment is offered.

(2) RURAL; HIGHLY RURAL.—The terms ''rural'' and ''highly rural'' have the meanings given those terms under the rural-urban commuting areas coding system of the Department of Agriculture.

(h) SUNSET.—This section shall terminate on September 30, 2027.

SEC. 903. QUALIFICATIONS FOR HUMAN RESOURCES POSITIONS WITHIN DEPARTMENT OF VETERANS AFFAIRS AND PLAN TO RECRUIT AND RETAIN HUMAN RESOURCES EMPLOYEES.

(a) ESTABLISHMENT OF QUALIFICATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish qualifications for each human resources position within the Department of Veterans Affairs in coordination with the Office of Personnel Management;

(2) establish standardized performance metrics for each such position; and

(3) submit to the Committee on Veterans' Affairs of the Senate and the Committee on

Veterans' Affairs of the House of Representatives a report containing the qualifications and standardized performance metrics established under paragraphs (1) and (2).

(b) IMPROVEMENT OF HUMAN RESOURCES ACTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish or enhance systems of the Department to monitor the hiring and other human resources actions that occur at the local, regional, and national levels of the Department to improve the performance of those actions.

(c) REPORT.—Not later than one year after the establishment of the qualifications and performance metrics under subsection (a), the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing—

(1) a description of the implementation of such qualifications and performance metrics;

(2) an assessment of the quality of such qualifications and performance metrics;

(3) an assessment of performance and outcomes based on such metrics; and

(4) such other matters as the Comptroller General considers appropriate.

(d) PLAN TO RECRUIT AND RETAIN HUMAN RESOURCES EMPLOYEES.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan for the recruitment and retention of human resources employees within the Department of Veterans Affairs.

SEC. 904. MODIFICATION OF PAY CAP FOR CERTAIN EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—Section 7455(c) is amended—

(1) in paragraph (1), by striking ''30 percent'' inserting ''50 percent'';

(2) in paragraph (2), by striking ''level IV'' inserting ''level II''; and

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

''(3)(A) Notwithstanding section 5304 of title 5 or any other provision of law, but subject to the limitation under paragraph (2), pursuant to an increase under subsection (a), the Secretary may pay a special rate or an adjusted rate of basic pay in excess of the rate of basic pay payable for level IV of the Executive Schedule.

''(B) If an employee is in receipt of a special rate of pay under subparagraph (A) in excess of the rate of basic pay payable for level IV of the Executive Schedule with an established special rate supplement of greater value than a supplement based on the applicable locality-based comparability payment percentage under section 5304 of title 5, but a pay adjustment would cause such established special rate supplement to be of lesser value, the special rate supplement shall be converted to a supplement based on the applicable locality-based comparability percentage unless the Secretary determines that some other action is appropriate.''.

(b) PAY FOR CRITICAL POSITIONS.—Section 7404(a)(1)(B) is amended by inserting ''7306 or'' before ''7401(4)''.

SEC. 905. EXPANSION OF OPPORTUNITIES FOR HOUSEKEEPING AIDES.

Section 3310 of title 5, United States Code, is amended by inserting ''(other than for positions of housekeeping aides in the Department of Veterans Affairs)'' after ''competitive service''.

SEC. 906. MODIFICATION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS RELATING TO HOURS, CONDITIONS OF EMPLOYMENT, AND PAY FOR CERTAIN EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.

(a) EXPANSION OF ELIGIBILITY OF EMPLOYEES FOR CERTAIN AWARDS.—Section 7404(c) is amended—

(1) by striking ''Notwithstanding'' and inserting ''(1) Notwithstanding'';

(2) by inserting ''or 7401(4)'' after ''section 7306'';

(3) by striking ''who is not eligible for pay under subchapter III'' and inserting ''or in a covered executive position under section 7401(1) of this title'';

(4) by striking ''sections 4507 and 5384'' and inserting ''section 4507''; and

(5) by adding at the end the following new paragraph:

''(2) In this subsection, the term 'covered executive position' means a position that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5) and is subject to an agency performance management system.''.

(b) AUTHORITY FOR AWARDS PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Subchapter I of chapter 74 is amended by inserting after section 7404 the following new section:

''§ 7404A. Awards

''(a) SUPERIOR ACCOMPLISHMENTS AND PERFORMANCE AWARDS PROGRAM.—The Secretary may establish an awards program for personnel listed in section 7421(b) of this title consistent with chapter 45 of title 5, to the extent practicable.

''(b) EXECUTIVE PERFORMANCE AWARDS PROGRAM.—Notwithstanding section 7425 of this title or any other provision of law, the Secretary may establish a performance awards program consistent with section 5384 of title 5 for—

''(1) personnel appointed under section 7401(1) of this title for a position that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5) and is subject to an agency performance management system; and

''(2) personnel appointed under section 7306 or 7401(4) of this title.

''(c) PAYMENT OF AWARDS.—Awards under this section may be paid based on criteria established by the Secretary and shall not be considered in calculating the limitation under section 7431(e)(4) of this title.

''(d) NOT CONSIDERED BASIC PAY.—Awards under this section shall not be considered basic pay for any purpose.

''(e) REGULATIONS.—The Secretary may prescribe regulations for the administration of this section.''.

(2) LIMITATION ON PAST AWARDS.—Notwithstanding any other provision of law, awards made by the Secretary of Veterans Affairs for any period on or after January 1, 2017, and before the date of the enactment of this Act for an employee under section 7306 or 7401(4) of title 38, United States Code, or for a position described in section 7401(1) of such title that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5, United States Code), may be subject to section 7404A of title 38, United States Code, as added by paragraph (1).

(c) MODIFICATION OF EMPLOYEES SUBJECT TO REGULATION BY SECRETARY OF VETERANS AFFAIRS OF HOURS AND CONDITIONS OF EMPLOYMENT AND LEAVES OF ABSENCE.—

(1) IN GENERAL.—Section 7421 is amended—

(A) in subsection (a), by striking ''chapter'' and inserting ''title''; and

(B) in subsection (b), by adding at the end the following new paragraph:

''(9) Any position for which the employee is appointed under section 7306 or 7401(4) of this title.''.

(2) ADMINISTRATION OF FULL-TIME EMPLOYEES.—Section 7423 is amended—

(A) in subsection (a)(2), by adding at the end the following new subparagraph:

''(D) The Secretary may exclude from the requirements of paragraph (1) employees hired under section 7306 or 7401(4) of this title or for a position described in section 7401(1) of this title that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5).''; and

(B) in subsection (e)(1), by striking ''7401(1)'' and inserting ''7421(b)''.

(3) ADDITIONAL PAY AUTHORITIES.—Section 7410(a) is amended—

(A) by striking ''The Secretary'' and inserting ''(1) The Secretary'';

(B) by striking ''the personnel described in paragraph (1) of section 7401 of this title'' and inserting ''personnel appointed under section 7306 of this title or section 7401(4) of this title, or personnel described in section 7401(1) of this title,''; and

(C) by striking ''in the same manner, and subject to the same limitations, as in the case of'' and inserting ''in a manner consistent with''; and

(D) by adding at the end the following new paragraph:

''(2) Payments under paragraph (1) shall not be considered in calculating the limitation under section 7431(e)(4) of this title.''.

(4) TREATMENT OF PAY AUTHORITY CHANGES.—For the purposes of the amendments made by paragraph (3), the Secretary of Veterans Affairs shall treat any award or payment made by the Secretary between January 1, 2017, and the date of the enactment of this Act to employees appointed under sections 7306, 7401(1), and 7401(4) of title 38, United States Code, that the Secretary has determined are of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5, United States Code), as if such amendments had been in effect at the time of such award or payment.

(5) TREATMENT OF PRIOR LEAVE BALANCES.—Notwithstanding any other provision of law, the Secretary may adjust the leave balance and carryover leave balance of any employee described in section 7421(b)(9) of title 38, United States Code, as amended by paragraph (1)(B), to ensure any leave accrued or carried over before the date of the enactment of this Act remains available to such employee.

(d) TREATMENT OF CERTAIN EMPLOYEES AS APPOINTED UNDER SECTION 7306.—Section 7306 is amended—

(1) in subsection (a), by redesignating the second paragraph (11) as paragraph (12); and

(2) by adding at the end the following new subsection:

''(g) For purposes of applying any provision of chapter 74 of this title, including sections 7404, 7410, and 7421, or any other provision of law, the Secretary may treat any appointment for a position under this chapter to be an appointment under this section.''.

(e) CONFORMING AMENDMENT.—Section 7431(e)(4) is amended by striking ''In no case'' and inserting ''Except as provided in sections 7404A(c) and 7410(a)(2) of this title, in no case''.

SEC. 907. WAIVER OF PAY LIMITATION FOR CERTAIN EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

Subchapter I of chapter 7 is amended by inserting after section 703 the following new section:

''§ 704. Waiver of pay limitation for certain employees

''(a) EMPLOYEES OF VETERANS HEALTH ADMINISTRATION IMPACTED BY CLOSURE OR REALIGNMENT.—Notwithstanding any other provision of law, the Secretary may waive any annual premium or aggregate limitation on pay for an employee of the Veterans Health Administration for the calendar year during which—

''(1) the official duty station of the employee is closed; or

''(2) the office, facility, activity, or organization of the employee is realigned.

''(b) EMPLOYEES PROVIDING CARE TO VETERANS EXPOSED TO OPEN BURN PITS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may waive any annual premium or aggregate limitation on pay for an employee of the Department whose primary duties include providing expanded care for veterans exposed to open burn pits.

''(2) OPEN BURN PIT DEFINED.—In this subsection, the term 'open burn pit' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(c) COORDINATION WITH OFFICE OF PERSONNEL MANAGEMENT.—In implementing this section, the Secretary shall coordinate with the Director of the Office of Personnel Management.

''(d) REPORTS.—

''(1) IN GENERAL.—For each quarter that the Secretary waives a limitation under this section, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Office of Personnel Management a report on the waiver or waivers.

''(2) CONTENTS.—Each report submitted under paragraph (1) with respect to a waiver or waivers shall include the following:

''(A) Where the waiver or waivers were used, including in which component of the Department and, as the case may be, which medical center of the Department.

''(B) For how many employees the waiver or waivers were used, disaggregated by component of the Department and, if applicable, medical center of the Department.

''(C) The average amount by which each payment exceeded the pay limitation that was waived, disaggregated by component of the Department and, if applicable, medical center of the Department.

''(e) EMPLOYEE DEFINED.—In this section, the term 'employee' means any employee regardless of the authority under which the employee was hired.

''(f) TERMINATION.—This section shall terminate on September 30, 2027.''.

SEC. 908. ELIMINATION OF LIMITATION ON AWARDS AND BONUS FOR EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 705(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 703 note) is amended by striking paragraph (3).

(b) APPLICABILITY.—Subsection (a) shall take effect on the date of the enactment of this Act and apply as if such subsection had been enacted on September 30, 2021.

SEC. 909. ADDITIONAL AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS RELATING TO RECRUITMENT AND RETENTION OF PERSONNEL.

Subchapter I of chapter 7 is amended by inserting after section 705 the following new section:

''§ 706. Additional authority relating to recruitment and retention of personnel

''(a) RECRUITMENT AND RELOCATION BONUSES.—The Secretary may pay a recruitment or relocation bonus under section 5753(e) of title 5 without regard to any requirements for certification or approval under that section.

''(b) RETENTION BONUSES.—(1) The Secretary may pay a retention bonus under section 5754(f) of title 5 without regard to any requirement for certification or approval under that subsection.

''(2) The Secretary may pay a retention bonus as specified in subsection (e)(2) of section 5754 of title 5 and may pay the bonus as a single lump-sum payment at the beginning of the full period of service required by an agreement under subsection (d) of such section.

''(c) MERIT AWARDS.—The Secretary may grant a cash award under section 4502(b) of title 5 without regard to any requirement for certification or approval under that section.

''(d) INCENTIVES FOR CRITICAL SKILLS.—(1) Subject to the provisions of this paragraph, the Secretary may provide a critical skill incentive to an employee in a case in which the Secretary determines—

''(A) the employee possesses a high-demand skill or skill that is at a shortage;

''(B) such skill is directly related to the duties and responsibilities of the employee's position; and

''(C) employment of an individual with such skill in such position serves a critical mission-related need of the Department.

''(2) An incentive provided to an employee under paragraph (1) may not to exceed 25 percent of the basic pay of the employee.

''(3) Provision of an incentive under paragraph (1) shall be contingent on the employee entering into a written agreement to complete a period of employment with the Department.

''(4) An incentive provided under paragraph (1) shall not be considered basic pay for any purpose.

''(5) The Secretary may prescribe conditions, including with respect to eligibility, and limitations on provision of incentive under paragraph (1).

''(6) Incentive provided under paragraph (1) shall not be included in the calculation of total amount of compensation under section 7431(e)(4) of this title.

''(e) STUDENT LOAN REPAYMENTS.—(1) Subject to the provisions of this subsection, the Secretary may repay a student loan pursuant to section 5379(b) of title 5.

''(2) Paragraph (2) of such section shall not apply to payment under this subsection.

''(3) Payment under this subsection shall be made subject to such terms, limitations, or conditions as may be mutually agreed to by the Secretary and the employee concerned, except that the amount paid by the Secretary under this subsection may not exceed—

''(A) $40,000 for any employee in any calendar year; or

''(B) a total of $100,000 in the case of any employee.

''(f) EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES; COMPETITIVE SERVICE.—(1) Subject to paragraph (2) of this subsection, the Secretary may expedite hiring for college graduates under section 3115 of title 5 without regard to subsection (e) of such section or any regulations prescribed by the Office of Personnel Management for administration of such subsection.

''(2) The number of employees the Secretary may appoint under section 3115 of title 5 may not exceed the number equal to 25 percent of individuals that the Secretary appointed during the previous fiscal year to a position in the competitive service classified in a professional or administrative occupational category, at the GS–11 level, or an equivalent level, or below, under a competitive examining procedure.

''(g) EXPEDITED HIRING AUTHORITY FOR POST-SECONDARY STUDENTS; COMPETITIVE SERVICE.—(1) Subject to paragraph (2) of this subsection, the Secretary may expedite hiring of post-secondary students under section 3116 of title 5, without regard to subsection (d) of such section or any regulations prescribed by the Office of Personnel Management for administration of such subsection.

''(2) The number of employees the Secretary may appoint under section 3116 of title 5 may not exceed the number equal to 25 percent of the number of students that the Secretary appointed during the previous fiscal year to a position at the GS–11 level, or an equivalent level, or below.

''(h) PAY AUTHORITY FOR CRITICAL POSITIONS.—(1) Subject to the provisions of this subsection, the Secretary may authorize the fixing of the rate of pay for a critical position in the Department consistent with the authorities and requirements of section 5377 of title 5 that apply to the Office of Personnel Management.

''(2) The Secretary may fix the rate of pay for a critical position under this subsection in excess of the limitation set forth by section 5377(d)(2) of such title.

''(3) Basic pay may not be fixed under this subsection at a rate greater than the rate payable for the Vice President of the United States established under section 104 of title 3, except upon written approval of the President.

''(4) Notwithstanding section 5377(f) of title 5, the Secretary may authorize the exercise of authority under this subsection with respect to up to 200 positions at any time.

''(i) RATES OF SPECIAL PAY.—(1) The Secretary may establish a rate for special pay under section 5305(a)(1) of title 5.

''(2) In applying such section to the Secretary's authority under paragraph (1)—

''(A) '50 percent' shall be substituted for '30 percent'; and

''(B) 'level II of the Executive Schedule' shall be substituted for 'level IV of the Executive Schedule'.

''(j) WAIVER OF LIMITATIONS ON CERTAIN PAYMENTS UNDER PAY COMPARABILITY SYSTEM.—The Secretary may waive the limitation in section 5307 of title 5 for an employee or a payment.

''(k) TERMINATION.—The authorities under this section shall terminate on September 30, 2027.''.

SA 5052. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, strike lines 17 through 20 and insert the following:

SEC. 201. SHORT TITLE.

This title may be cited as the ''Toxic Exposure in the American Military Act'' or the ''TEAM Act''.

SA 5053. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, strike lines 5 through 7 and insert the following:

SEC. 301. SHORT TITLE.

This title may be cited as the ''Veterans Burn Pits Exposure Recognition Act''.

SA 5054. Mr. TESTER submitted an amendment intended to be proposed by

him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(a) SHORT TITLE.—This section may be cited as the ''Fair Care for Vietnam Veterans Act''.

SA 5055. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—OTHER MATTERS

SEC. 1101. OFFSET OF COSTS USING UNOBLIGATED FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021.

Effective on the date of the enactment of this Act, of the unobligated balances made available under the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), or an amendment made by such Act, there is rescinded, on a pro rata basis, $270,000,000,000.

SA 5056. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.

The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State by not later than September 30, 2024.

SA 5057. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Expansion of Dental Care for Veterans

SEC. 121. PILOT PROGRAM TO FURNISH DENTAL CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS IN THE SAME MANNER AS ANY OTHER MEDICAL SERVICE.

(a) IN GENERAL.—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of furnishing dental care in the same manner as medical services furnished by the Department, notwithstanding the limitations on the provision of dental care under sections 1710(c) and 1712 of title 38, United States Code.

(b) MEDICAL SERVICES DEFINED.—In this section, the term ''medical services'' has the meaning given that term in section 1701(6) of title 38, United States Code

SEC. 122. PILOT PROGRAM ON EXPANSION OF FURNISHING BY DEPARTMENT OF VETERANS AFFAIRS OF DENTAL CARE TO CERTAIN ENROLLED VETERANS.

(a) IN GENERAL.—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall furnish dental care to all covered veterans who are not eligible for dental services and treatment and related dental appliances under the laws administered by the Secretary as of the date of the enactment of this Act.

(b) DURATION.—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(c) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program at the following locations:

(A) Each medical center of the Department with an established dental clinic.

(B) Not fewer than four military medical treatment facilities of the Department of Defense with the capacity to furnish dental care, which shall be selected in consultation with the Secretary of Defense.

(C) Not fewer than four community-based outpatient clinics with space available for the furnishing of dental care under the pilot program.

(D) Not fewer than four Federally Qualified Health Centers.

(E) Not fewer than four facilities of the Indian Health Service with established dental clinics, which shall be selected in consultation with the Secretary of Health and Human Services.

(2) CONSIDERATIONS.—In selecting locations for the pilot program, the Secretary shall consider the feasibility and advisability of selecting locations in each of the following:

(A) Rural areas.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas representing different geographic locations, such as census tracts established by the Bureau of the Census.

(3) MOBILE DENTAL CLINICS.—In carrying out the pilot program, the Secretary shall test the efficacy of mobile dental clinics to service rural areas that do not have a population base to warrant a full-time clinic but where there are covered veterans in need of dental care.

(4) HOME BASED DENTAL CARE.—In carrying out the pilot program, the Secretary shall test the efficacy of portable dental care units to service rural veteran in their homes, as the Secretary considers medically appropriate.

(d) SERVICES.—

(1) SCOPE.—The dental care furnished to covered veterans under the pilot program shall be consistent with the dental services and treatment furnished by the Secretary to veterans with service-connected disabilities rated 100 percent disabling under the laws administered by the Secretary.

(2) DENTAL THERAPISTS AND TELE-DENTISTRY.—

(A) IN GENERAL.—In carrying out the pilot program, The Secretary shall test the efficacy of the use of dental therapists and tele-dentistry to service the dental care needs of covered veterans.

(B) USE OF TELE-DENTISTRY.—When providing tele-dentistry under subparagraph (A), the Secretary shall use Federal employees to the maximum extent possible.

(e) VOLUNTARY PARTICIPATION.—The participation of a covered veteran in the pilot program shall be at the election of the veteran.

(f) ADMINISTRATION.—

(1) NOTICE TO COVERED VETERANS.—In carrying out the pilot program, the Secretary shall inform all covered veterans of the services and treatment available under the pilot program.

(2) COPAYMENTS.—The Secretary may collect copayments for dental care furnished under the pilot program in accordance with authorities on the collection of copayments for medical care of veterans under chapter 17 of title 38, United States Code.

(3) CONTRACTS.—

(A) IN GENERAL.—Subject to subparagraph (C), in carrying out the pilot program, the Secretary may enter into contracts with appropriate entities for the provision of dental care under the pilot program.

(B) PERFORMANCE STANDARDS AND METRICS.—Each contract entered into under subparagraph (A) shall specify performance standards and metrics and processes for ensuring compliance of the contractor concerned with such performance standards.

(C) LIMITATION.—The Secretary may only enter into contracts under subparagraph (A) if the Secretary determines that the Department does not employ, and cannot recruit and retain, qualified dentists, dental hygienists, and oral surgeons in the applicable location.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 90 days before the completion of the pilot program, and not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(2) CONTENTS.—Each report under paragraph (1) shall include the following:

(A) A description of the implementation and operation of the pilot program.

(B) The number of covered veterans receiving dental care under the pilot program and a description of the dental care furnished to such veterans.

(C) An analysis of the costs and benefits of the pilot program, including a comparison of costs and benefits by location type.

(D) An assessment of the impact of the pilot program on appointments for care, prescriptions, hospitalizations, emergency room visits, wellness, employability, and satisfaction of patients, and perceived quality of life of covered veterans.

(E) An analysis and assessment of the efficacy of mobile clinics and home based dental care to service the dental needs of covered veterans under the pilot program.

(F) An analysis and assessment of the efficacy of dental therapists and tele-dentistry to service the dental needs of covered veterans under the pilot program, to include a cost benefit analysis of such services.

(G) The findings and conclusions of the Secretary with respect to the pilot program.

(H) A comparison of the costs for private sector dental care with cost of furnishing dental care from the Department, broken down by each locality included in the pilot program.

(I) Such recommendations as the Secretary considers appropriate for the expansion of dental care to all veterans eligible for health care from the Department.

(h) DEFINITIONS.—In this section:

(1) COVERED VETERAN.—The term ''covered veteran'' means a veteran enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38,

United States Code, pursuant to paragraph (1) or (2) of such section.

(2) FEDERALLY QUALIFIED HEALTH CENTER.—The term ''Federally Qualified Health Center'' means a federally-qualified health center as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B)).

SEC. 123. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State.

(b) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 124. PROGRAM ON EDUCATION TO PROMOTE DENTAL HEALTH IN VETERANS.

(a) PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a program of education to promote dental health for veterans who are enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

(b) ELEMENTS.—The program required by subsection (a) shall provide education for veterans on the following:

(1) The association between dental health and overall health and well-being.

(2) Proper techniques for dental care.

(3) Signs and symptoms of commonly occurring dental conditions.

(4) Treatment options for commonly occurring dental issues.

(5) Options for obtaining access to dental care, including information on eligibility for dental care through the Department.

(6) Available and accessible options for obtaining low or no-cost dental care, including through dental schools and Federally Qualified Health Centers.

(7) Such other matters relating to dental health as the Secretary considers appropriate.

(c) DELIVERY OF EDUCATIONAL MATERIALS.—

(1) IN GENERAL.—The Secretary shall provide educational materials to veterans under the program required by subsection (a) through a variety of mechanisms, including the following:

(A) The availability and distribution of print materials at facilities of the Department (including at medical centers, clinics, Vet Centers, and readjustment counseling centers) and to providers (including members of Patient Aligned Care Teams).

(B) The availability and distribution of materials over the Internet, including through webinars, My HealtheVet, and VA.gov.

(C) Presentations by the dental program office of the Department of information, including both small group and large group presentations, and distribution of such information to all locations in which the program is being carried out.

(2) SELECTION OF MECHANISMS.—In selecting mechanisms under paragraph (1), the Secretary shall select mechanisms designed to maximize the number of veterans who receive education under the program.

(d) CONSTRUCTION.—Nothing in this section shall be construed to alter or revise the eligibility of any veteran for dental care under the laws administered by the Secretary.

(e) DEFINITIONS.—In this section

(1) FEDERALLY QUALIFIED HEALTH CENTER.—The term ''Federally Qualified Health Center'' means a federally-qualified health center as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B)).'

(2) VET CENTER.—The term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

(f) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 125. STUDENT LOAN REPAYMENT PROGRAM TO INCENTIVIZE DENTAL TRAINING AND ENSURE THE DENTAL WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PROGRAM REQUIRED.—The Secretary of Veterans Affairs, to ensure that the Department of Veterans Affairs has sufficient staff to provide dental service to veterans, shall implement a loan reimbursement program for qualified dentists, dental therapists, dental hygienists, and oral surgeons who agree—

(1) to be appointed by the Secretary as a dentist, dental therapist, dental hygienist, or oral surgeon, as the case may be, under section 7401 of title 38, United States Code; and

(2) to serve as a dentist, dental therapist, dental hygienist, or oral surgeon, as the case may be, of the Department pursuant to such appointment at a dental clinic of the Department for a period of not less than five years.

(b) MAXIMUM AMOUNT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may reimburse not more than—

(A) $75,000 for each dentist participating in the program under subsection (a);

(B) $20,000 for each dental therapist participating in such program;

(C) $10,000 for each dental hygienist participating in such program; and

(D) $20,000 for each credentialed doctor of medicine in dentistry serving as an oral surgeon and participating in such program.

(2) DUAL ELIGIBILITY.—The Secretary may reimburse an individual serving in multiple positions described in subparagraphs (A) through (D) of paragraph (1) not more than $95,000.

(c) SELECTION OF LOCATIONS.—The Secretary shall monitor demand among veterans for dental care and require participants in the program under subsection (a) to choose from dental clinics of the Department with the greatest need for dentists, dental hygienists, or oral surgeons, as the case may be, according to facility enrollment and patient demand.

SEC. 126. EDUCATIONAL AND TRAINING PARTNERSHIPS FOR DENTISTS, DENTAL THERAPISTS, DENTAL HYGIENISTS AND ORAL SURGEONS.

The Secretary of Veterans Affairs shall enter into educational and training partnerships with dental schools to provide training and employment opportunities for dentists, dental therapists, dental hygienists, and oral surgeons.

SEC. 127. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated for the Department of Veterans Affairs for fiscal year 2023 such sums as may be necessary to carry out this subtitle.

(b) AVAILABILITY.—The amount authorized to be appropriated under subsection (a) shall be available for obligation for the eight-year period beginning on the date that is one year after the date of the enactment of this Act.

SA 5058. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. EXPANSION OF HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES WHO ARE NOT ON ACTIVE ORDERS.

(a) EXPANSION OF CARE.—

(1) IN GENERAL.—Section 1789 of title 38, United States Code, is amended to read as follows:

''§ 1789. Health care for members of the reserve components of the Armed Forces

''(a) IN GENERAL.—The Secretary (subject to subsection (c)) shall furnish hospital care and medical services to any member of the reserve components of the Armed Forces during any period in which the member is not entitled to health care furnished by the Secretary of Defense.

''(b) MENTAL HEALTH CARE.—The Secretary may furnish mental health services to members of the reserve components of the Armed Forces.

''(c) LIMITATION.—The requirement in subsection (a) shall be effective in any fiscal year only to the extent and in the amount provided in advance in appropriations Acts for such purpose.

''(d) CONSULTATION WITH SECRETARY OF DEFENSE.—The Secretary shall carry out this section in consultation with the Secretary of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VIII of chapter 17 of such title is amended by striking the item relating to section 1789 and inserting the following new item:

''1789. Health care for members of the reserve components of the Armed Forces.''.

(b) ENROLLMENT IN PATIENT ENROLLMENT SYSTEM.—

(1) PRIORITY FOR ENROLLMENT.—Section 1705(a) of title 38, United States Code, is amended—

(A) in the matter preceding paragraph (1), by striking ''enrollment of veterans'' and inserting ''enrollment of individuals under such system''; and

(B) in paragraph (7)—

(i) by striking ''Veterans'' and inserting ''(A) Veterans''; and

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

''(B) Members of the reserve components of the Armed Forces for purposes of furnishing hospital care and medical services under section 1789(a) of this title.''.

(2) INITIAL ENROLLMENT.—The Secretary of Veterans Affairs shall enroll all members of the reserve components of the Armed Forces in the patient enrollment system by not later than December 31, 2022.

(3) ONGOING ENROLLMENT.—After December 31, 2022, the Secretary shall automatically enroll in the patient enrollment system all new members of the reserve components of the Armed Forces upon those members joining the reserve components.

(4) CONSULTATION WITH SECRETARY OF DEFENSE.—The Secretary shall carry out this subsection and the amendments made by this subsection in consultation with the Secretary of Defense.

(5) PATIENT ENROLLMENT SYSTEM DEFINED.—In this subsection, the term ''patient enrollment system'' means the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

SA 5059. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN)

and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. MODIFICATION OF DETERMINATION OF ELIGIBILITY OF VETERANS FOR TREATMENT AS A LOW-INCOME FAMILY FOR PURPOSES OF ENROLLMENT IN THE PATIENT ENROLLMENT SYSTEM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) AREAS OF RESIDENCE.—The Secretary of Veterans Affairs shall modify the areas in which veterans reside as specified for purposes of determining whether veterans qualify for treatment as low-income families for enrollment in the patient enrollment system of the Department of Veterans Affairs under section 1705(a)(7) of title 38, United States Code, to meet the requirements as follows:

(1) Any area so specified shall be within only one State.

(2) Any area so specified shall be coextensive with one or more counties (or similar political subdivisions) in the State concerned.

(b) VARIABLE INCOME THRESHOLDS.—The Secretary shall modify the thresholds for income as specified for purposes of determining whether veterans qualify for treatment as low-income families for enrollment in the patient enrollment system referred to in subsection (a) to meet the requirements as follows:

(1) There shall be one income threshold for each State, equal to 100 percent of the highest income threshold among—

(A) the counties or metropolitan statistical areas within such State; and

(B) any metropolitan statistical area that encompasses territory of such State and one or more other States.

(2) The calculation of the highest income threshold of a county or metropolitan statistical area shall be consistent with the calculation used for purposes of section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(3) The timing and methodology for implementing any modifications in geographic income thresholds pursuant to paragraph (1) shall be determined by the Secretary in such a manner as to permit the Department to build capacity for enrolling such additional veterans in the patient enrollment system of the Department as become eligible for enrollment as a result of such modifications, except that all required modifications shall be completed not later than five years after date of the enactment of this Act.

(c) METROPOLITAN STATISTICAL AREA.—In this section, the term ''metropolitan statistical area'' has the meaning given that term by the Office of Management and Budget.

SEC. 122. GUARANTEE OF HEALTH CARE BENEFITS FOR ENROLLED VETERANS.

The Secretary of Veterans Affairs shall ensure that all veterans, once enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code, remain enrolled in such system and may continue receiving health care furnished by the Department if they choose, subject to such cost-sharing requirements as may apply to the veteran under existing provisions of law.

SA 5060. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. OFFSET THROUGH TEMPORARY REDUCTION IN FOREIGN ASSISTANCE PROGRAMS.

During the 10-year period beginning on October 1, 2022, no Federal funds may be expended by the United States Agency for International Development other than funds that have been appropriated for Israel.

SA 5061. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 58, strike line 19 and all that follows through page 61, line 11, and insert the following:

(c) EFFECTIVE DATES AND APPLICABILITY.—

(1) IN GENERAL.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and shall apply as follows:

(A) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

(i) terminally ill;

(ii) homeless;

(iii) under extreme financial hardship;

(iv) more than 85 years old; or

(v) capable of demonstrating other sufficient cause.

(B) On October 1, 2022, for everyone not described in subparagraph (A).

(2) RETROACTIVE APPLICATION.—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(L) of title 38, United States Code, as added by subsection (b) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in paragraph (1)(A) of this subsection.

SA 5062. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 58, strike line 5 and all that follows through page 61, line 11.

SA 5063. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 117, strike line 22 and all that follows through page 121, line 12.

SA 5064. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. MODIFICATION TO STANDARDS FOR ACCESS TO HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Section 1703B of title 38, United States Code, is amended—

(1) by striking subsections (a) through (e) and inserting the following new subsections:

''(a) THRESHOLD ELIGIBILITY STANDARDS FOR ACCESS TO COMMUNITY CARE.—(1) A covered veteran may elect to receive non-Department hospital care, medical services, or extended care services through the Veterans Community Care Program under section 1703 of this title pursuant to subsection (d)(1)(D) of such section using the following eligibility access standards:

''(A) With respect to primary care, mental health care, or non-institutional extended care services, if the Department cannot schedule an appointment for the covered veteran with a health care provider of the Department—

''(i) within 30 minutes average driving time from the residence of the veteran; and

''(ii) within 20 days of the date of request for such an appointment unless a later date has been agreed to by the veteran in consultation with the health care provider.

''(B) With respect to specialty care or specialty services, if the Department cannot schedule an appointment for the covered veteran with a health care provider of the Department—

''(i) within 60 minutes average driving time from the residence of the veteran; and

''(ii) within 28 days of the date of request for such an appointment unless a later date has been agreed to by the veteran in consultation with the health care provider.

''(2) For the purposes of determining the eligibility of a covered veteran for care or services under paragraph (1), the Secretary shall not take into consideration the availability of telehealth appointments from the Department when determining whether the Department is able to furnish such care or services in a manner that complies with the eligibility access standards under such paragraph.

''(b) ACCESS TO CARE STANDARDS FOR COMMUNITY CARE.—(1) Subject to subsection (c), the Secretary shall meet the following access to care standards when furnishing non-Department hospital care, medical services, or extended care services to a covered veteran through the Veterans Community Care Program under section 1703 of this title:

''(A) With respect to an appointment for primary care, mental health care, or non-institutional extended care services—

''(i) within 30 minutes average driving time from the residence of the veteran unless a longer driving time has been agreed to by the veteran; and

''(ii) within 20 days of the date of request for such an appointment unless a later date has been agreed to by the veteran.

''(B) With respect to an appointment for specialty care or specialty services—

''(i) within 60 minutes average driving time from the residence of the veteran unless a

longer driving time has been agreed to by the veteran; and

''(ii) within 28 days of the date of request for such an appointment unless a later date has been agreed to by the veteran.

''(2) The Secretary shall ensure that—

''(A) health care providers specified under section 1703(c) of this title are able to comply with the applicable access to care standards under paragraph (1) for such providers; and

''(B) meeting such standards is reflected in the contractual requirements of third-party administrators.

''(c) WAIVERS TO ACCESS TO CARE STANDARDS FOR COMMUNITY CARE PROVIDERS.—(1) A third-party administrator may request a waiver to the requirement to meet the access to care standards under subsection (b) if—

''(A)(i) the scarcity of available providers or facilities in the region precludes the third-party administrator from meeting those access standards; or

''(ii) the landscape of providers or facilities has changed and certain providers or facilities are not available such that the third-party administrator is not able to meet those access standards; and

''(B) to address the scarcity of available providers or the change in the provider or facility landscape, as the case may be, the third-party administrator has contracted with other providers or facilities that may not meet those access standards, but are the currently available providers or facilities most accessible to veterans within the region of responsibility of the third-party administrator.

''(2) Any waiver requested by a third-party administrator under paragraph (1) must be requested in writing and submitted to the Office of Community Care of the Department for approval by that office.

''(3) As part of any waiver request under paragraph (1), a third-party administrator must include conclusive evidence and documentation that the access to care standards under subsection (b) cannot be met because of scarcity of available providers or changes to the landscape of providers or facilities.

''(4) In evaluating a waiver request under paragraph (1), the Secretary shall consider the following:

''(A) The number and geographic distribution of eligible health care providers available within the geographic area and specialty referenced in the waiver request.

''(B) The prevailing market conditions within the geographic area and specialty referenced in the waiver request, which shall include the number and distribution of health care providers contracting with other health care plans (including commercial plans and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)) operating in the geographic area and specialty referenced in the waiver request.

''(C) Whether the service area is comprised of highly rural, rural, or urban areas or some combination of such areas.

''(D) How significantly the waiver request differs from the access to care standards under subsection (b).

''(E) The rates offered to providers in the geographic area covered by the waiver.

''(5) The Secretary shall not consider inability to contract as a valid sole rationale for granting a waiver under paragraph (1).

''(d) CALCULATION OF DRIVING TIMES AND WAIT TIMES.—(1) For purposes of calculating average driving time from the residence of the veteran under subsections (a) and (b), the Secretary shall use geographic information system software.

''(2) For purposes of calculating the wait time for a veteran to schedule an appointment with the Department under subsection (a), the Secretary shall measure from the date of request for the appointment unless a later date has been agreed to by the veteran in consultation with a health care provider of the Department to the first next available appointment date in the clinic schedule relevant to the requested medical service.

''(e) PERIODIC REVIEW OF ACCESS STANDARDS.—Not later than three years after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, and not less frequently than once every three years thereafter, the Secretary shall—

''(1) conduct a review of the eligibility access standards under subsection (a) and the access to care standards under subsection (b) in consultation with—

''(A) such Federal entities as the Secretary considers appropriate, including the Department of Defense, the Department of Health and Human Services, and the Centers for Medicare & Medicaid Services;

''(B) entities in the private sector; and

''(C) other entities that are not part of the Federal Government; and

''(2) submit to the appropriate committees of Congress a report on—

''(A) the findings of the Secretary with respect to the review conducted under paragraph (1); and

''(B) such recommendations as the Secretary may have with respect to the eligibility access standards under subsection (a) and the access to care standards under subsection (b).'';

(2) in subsection (f), by striking ''The Secretary'' and inserting ''COMPLIANCE BY COMMUNITY CARE PROVIDERS.—The Secretary'';

(3) by striking subsection (g) and inserting the following new subsection (g):

''(g) PUBLICATION OF ACCESS STANDARDS.—The Secretary shall publish in the Federal Register and on a publicly available internet website of the Department—

''(1) the eligibility access standards established under subsection (a); and

''(2) the access to care standards established under subsection (b).'';

(4) in subsection (h)(1), by striking ''(1) Consistent with'' and inserting ''REQUESTS FOR DETERMINATIONS.—(1) Consistent with''; and

(5) in subsection (i)—

(A) by striking ''In this section'' and inserting ''DEFINITIONS.—In this section''; and

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

''(3) The term 'inability to contract', with respect to a third-party administrator, means the inability of the third-party administrator to successfully negotiate and establish a community care network contract with a provider or facility.

''(4) The term 'third-party administrator' means an entity that manages a provider network and performs administrative services related to such network within the Veterans Community Care Program under section 1703 of this title.''.

(b) PREVENTION OF SUSPENSION OF VETERANS COMMUNITY CARE PROGRAM.—Section 1703(a) of such title is amended by adding at the end the following new paragraph:

''(4) Nothing in this section shall be construed to authorize the Secretary to suspend the program established under paragraph (1).''.

(c) ESTABLISHMENT OF REQUIREMENTS FOR DOCUMENTATION OF POSTPONEMENT OF APPOINTMENT DATE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a process and requirements for facilities of the Department of Veterans Affairs to document the agreement of a veteran to postpone an appointment as specified under section 1703B of title 38, United States Code, as amended by subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have eight requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a closed briefing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 3 p.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON CONSERVATION, CLIMATE, FORESTRY, AND NATURAL RESOURCES

The Subcommittee on Conservation, Climate, Forestry, and Natural Resources of the Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON TOURISM, TRADE, AND EXPORT PROMOTION

The Subcommittee on Tourism, Trade, and Export Promotion of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 3 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to my first session summer interns for the month of June; that is Harold Monroe, Gracelyn Gohr, Charlee Korthuis, Dustin Lozano,

Calvin Ureda, Jenna Walker, and Braxton Zink.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I ask unanimous consent that Clara Smith, an intern with Senator BOOZMAN's staff, be granted floor privileges until July 29, 2022.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I ask unanimous consent that Karen Fletcher, a detail with Senator BOOZMAN's staff, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Ms. HASSAN. Mr. President, I ask unanimous consent that following leader remarks tomorrow, June 8, all postcloture time on the motion to proceed to H.R. 3967 be expired and that if the motion to proceed is agreed to, that following reporting of the measure, Senator TESTER or his designee be recognized to offer substitute amendment No. 5051; further, that after Senator SCHUMER yields the floor following Senator TESTER's offering of his amendment and any remarks he may make, the Senate proceed to executive session to consider Executive Calendar No. 670, Lisa Gomez, to be an Assistant Secretary of Labor, and that at 11:30 a.m. the Senate vote on the confirmation of the Gomez and Morrison nominations in the order listed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2022 AS ''MENTAL HEALTH AWARENESS MONTH''

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 662, submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 662) expressing support for the designation of May 2022 as ''Mental Health Awareness Month''.

There being no objection, the Senate proceeded to consider the resolution.

Ms. HASSAN. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 662) was agreed to.

Ms. HASSAN. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

AMENDING THE POST-KATRINA EMERGENCY MANAGEMENT REFORM ACT OF 2006

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 364, S. 3499.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3499) to amend the Post-Katrina Emergency Management Reform Act of 2006 to repeal certain obsolete requirements, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Ms. HASSAN. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3499) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3499

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

SECTION 1. REPEAL OF OBSOLETE DHS CONTRACTING REQUIREMENTS.

The Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394) is amended by striking section 692 (6 U.S.C. 792).

APPOINTMENT

The PRESIDING OFFICER. The Chair, pursuant to Public Law 115–123, on behalf of the Majority Leader of the Senate, reappoints the following individual as a member of the Commission on Social Impact Partnerships: Carol B. Kellermann of New York.

ORDERS FOR WEDNESDAY, JUNE 8, 2022

Ms. HASSAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Wednesday, June 8; and that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to H.R. 3967, as provided under the previous order; further, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

Ms. HASSAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 6:59 p.m., recessed until Wednesday, June 8, 2022, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

TENNESSEE VALLEY AUTHORITY

WILLIAM J. RENICK, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2027, VICE JEFFREY SMITH, TERM EXPIRED.

ADAM WADE WHITE, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2027, VICE A. D. FRAZIER, TERM EXPIRED.

DEPARTMENT OF THE TREASURY

RICHARD K. DELMAR, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF THE TREASURY, VICE ERIC M. THORSON.

DEPARTMENT OF STATE

DANIEL N. ROSENBLUM, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KAZAKHSTAN.

KATHLEEN ANN KAVALEC, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA.

NATHANIEL FICK, OF MAINE, TO BE AMBASSADOR AT LARGE FOR CYBERSPACE AND DIGITAL POLICY. (NEW POSITION)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

KARLA ANN GILBRIDE, OF MARYLAND, TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM OF FOUR YEARS, VICE SHARON FAST GUSTAFSON.

DEPARTMENT OF DEFENSE

TERRENCE EDWARDS, OF MARYLAND, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE, VICE SUSAN S. GIBSON.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

RICHARD E. DIZINNO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 29, 2023, VICE JANE NITZE, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. TONY D. BAUERNFEIND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JAMES B. HECKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. ANTHONY J. COTTON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL J. DEEGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARK W. SIEKMAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. STUART B. MUNSCH

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARC A. DAIGLE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PHILIP J. BOTWINIK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ARTHUR R. MOSEL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BINHMINH T. NGUYEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL R. HANNEKEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C. , SECTIONS 624 AND 7064:

To be lieutenant colonel

ROBERT J. BELTON
WILLIAM A. BRECKENRIDGE
MATTHEW S. CANADA
ROBERT A. CARGEL III
BRYANT J. CASTEEL
DANIEL A. CHASE
HWA S. CHUNG
TIMOTHY S. CRAWLEY
KEVIN M. DAUL
DAVID S. DENNIS
JOHNNIE W. ELDER
BENJAMIN F. ELLINGTON
JONATHAN P. ENTREKIN
BILL E. KIM
ERIC L. LIGHT
MATTHEW D. MADISON
DAVID MVONDO
WILLIAM M. OLIVER
MARK J. OLSON
JOEL S. PANZER
ERIC D. PARK
COLT L. RANDLES
PHILLIP P. RITTERMEYER
WILLIAM J. SHEETS
RONALDO O. SILVA
STEVEN D. SMITH
JOHN C. SNEED
MICHAEL D. TURPIN, JR.
GEORGE A. TYGER
RICKIE E. WAMBLES, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHNATHAN D. REED

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CYNTHIA L. KANE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEVEN D. SIDERI, JR.

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be colonel

ANDREW S. MENSCHNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

PAUL A. KARSTEN III
ERIC J. PEREZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID A. BEAUMONT
MICHAEL F. BICKNESE
JONATHAN J. BRIGGS
WILLIAM F. CARRIGG
RICHARD L. COLVIN III
BRIAN C. FRAUSTO
CHRISTINE V. JACKSON
STEPHEN N. PERANTEAU
CEASAR A. RAMOS
NICOL R. STROUD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WENDY M. DELACRUZ
STEPHANIE K. FLOWERS
DANIEL C. GROLLER
MICHELLE L. HAINES
ALEXANDER L. JEHLE
JEREMY E. PARR
DANIEL S. ROBINSON
ERIC S. SCHLIEBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CRAIG E. FRANK
EDWARD M. GUTIERREZ
DORIAN C. HATCHER
ERICA M. MITCHELL
DAVID A. PHEASANT

CONFIRMATIONS

Executive nominations confirmed by the Senate June 7, 2022:

DEPARTMENT OF DEFENSE

ALEX WAGNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

DEPARTMENT OF AGRICULTURE

CHAVONDA J. JACOBS–YOUNG, OF GEORGIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS.

DEPARTMENT OF ENERGY

SHALANDA H. BAKER, OF TEXAS, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY.

DEPARTMENT OF HOMELAND SECURITY

KENNETH L. WAINSTEIN, OF VIRGINIA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 7, 2022 withdrawing from further Senate consideration the following nomination:

BINIAM GEBRE, OF VIRGINIA, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE MICHAEL ERIC WOOTEN, WHICH WAS SENT TO THE SENATE ON AUGUST 9, 2021.

EXTENSIONS OF REMARKS

HONORING ST. PAUL POLICE CHIEF TODD AXTELL ON THE OCCASION OF HIS RETIREMENT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Ms. MCCOLLUM. Madam Speaker, I rise to honor Chief Todd Axtell, upon his retirement on June 1 after more than 30 years of service to the City of Saint Paul Police Department including six years as Chief of Police. A dedicated and respected public servant, his leadership carried the department through many tumultuous times as he worked to build trust and transparency between the police and the Saint Paul community.

Chief Axtell grew up in Northfield, Minnesota, and after pursuing a law enforcement degree landed a job with the Saint Paul Police Department in 1989. Throughout his time with the department, he worked in all three patrol districts, the gang unit, narcotics and special investigations. After 26 years with the department, Axtell was appointed Chief of Police by then Saint Paul Mayor Chris Coleman in June of 2016.

As Chief, and throughout his prior leadership positions in the department, he worked toward three priorities—community engagement, diversifying the police department and addressing gun violence. He launched the Law Enforcement Career Path Academy to recruit a more diverse group of young people who would normally face obstacles to becoming a police officer, and started the Community Outreach Stabilization unit which pairs social workers with specially trained officers to work with people who are mentally ill, homeless or chemically dependent. He has been a consistent advocate for his officers but also held them to a high standard, overseeing increased training and transparency programs, and always being quick to acknowledge and respond to cases of misconduct.

Well known for his desire to get to know the community he served, Chief Axtell is spoken of highly by the city's religious leaders, elected officials, and many local community groups representing the diverse population of Saint Paul. He has been a steadfast partner to many, and our community has benefited greatly from his steady leadership. Madam Speaker, please join me in rising to pay tribute to Chief Todd Axtell as he retires from the Saint Paul Police Department after more than three decades of public service, and in honor of his ongoing commitment to improving public safety.

TRIBUTE TO STEVE WAGNER, CASA FEDERAL LEGISLATIVE COMMITTEE CHAIR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. CARBAJAL. Madam Speaker, I rise today in recognition of Steve Wagner, General Manager of the Goleta Sanitary District. Steve is currently completing his term as the California Association of Sanitation Agencies' Federal Legislative Committee Chair.

While Steve has been a member of the CASA Federal Legislative Committee for many years, his committee leadership during the past two years helped guide the group through unprecedented times due to the COVID–19 pandemic and our successful support for the Infrastructure Investment and Jobs Act that will lead our Nation's investment in water infrastructure. Steve's tenure saw the successful implementation of CASA' s federal policy priorities that included the introduction of legislation to eliminate nondeteriorating single use wet wipes that contribute to plastic pollution in our environment, working to ensure that the polluter pays principle is preserved when PFAS contamination cleanups are initiated, and supporting commonsense approaches to climate change, such as water recycling assistance.

During his time as Chair, the Federal Legislative Committee fulfilled its responsibilities to establish CASA's' position on federal legislation that could impact its members, and keep policymakers informed on these and other vital public health matters. Of special note, in 2022 Steve oversaw the return of the annual Washington D.C. policy forum that was disrupted in 2021 due to pandemic restrictions. Steve performed the duties of Chair while also fulfilling his responsibilities as General Manager and Principal Engineer for the Goleta Sanitary District. As General Manager, Steve oversees the entirety of the District's 132 miles of wastewater collection services, as well as the District's role as the regional treatment facility for Goleta Valley.

Madam Speaker, Steve Wagner leaves CASA and Federal Legislative Committee in a strong place, well prepared to continue to respond to federal 'legislative and regulatory actions on behalf of CASA and the tens of millions of Californians that rely on CASA agencies to deliver water quality and public health improvements. I respectfully ask that you join me in expressing immense gratitude to Steve Wagner for his extraordinary leadership of the California Association of Sanitation Agencies' Federal Legislative Committee.

RECOGNIZING BARRY SCHNEIDER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise to pay tribute to Barry Schneider, on the occasion of his retirement as longtime board member and former Chair of Manhattan Community Board 8 (CB8) after 30 years of dedicated leadership and service.

Mr. Schneider first began his history of community engagement after learning of plans to convert a vacant lot on 63rd Street to a parking facility. Mr. Schneider joined with fellow residents to oppose the plan and express the negative impacts it would have on the area especially on the congestion at what was already a busy intersection. This group became the East Sixties Neighborhood Association, Inc. (ESNA). ESNA was successful in its efforts, and the lot was instead converted into a community garden.

Seeking to have a larger impact on more community issues after the success of ESNA, Mr. Schneider was appointed to CB8 in 1992. Throughout his time on CB8, Mr. Schneider was an advocate for community accessibility. Mr. Schneider instituted CB8's attendance at District Street Fairs in order to promote familiarity and open communication between CB8 and members of the public.

Mr. Schneider carried his dedication into the work he performed on many of CB8's Committees and Task Forces. Mr. Schneider co-chaired both the Transportation Committee and the Parks and Waterfront Committee, as well as serving as co-chair of a joint committee between CB8 and Manhattan Community Board 6 to address issues affecting both communities. Mr. Schneider presided as chair of the Metropolitan Museum of Art Task Force, the Park Avenue Armory Task Force, and the Second Avenue Subway Task Force.

During the construction of the Second Avenue Subway, Mr. Schneider acted as a voice for the community. After attending meetings with the Metropolitan Transit Authority (MTA) and seeing concerns go unaddressed, Mr. Schneider advocated for a new meeting format that would focus on communities being heard, listened to, and respected. The new format created meetings where the MTA would be present at individual tables for the proposed neighborhood sites, allowing for direct, local communication with those neighborhoods. The format was effective, with community members being able to express the unique needs of their neighborhood and the MTA responding accordingly directly aiding the successful completion of the Second Avenue Subway and its opening in 2017.

Mr. Schneider served as Chair of CB8 from 1998 to 2000 and focused a lot of energy on ensuring that all interactions at the Board were respectful especially when issues heightened passions. He supported frequent interaction between members of CB8 and the public,

while maintaining that discussion should be carried out with polite conduct and consideration of others. He is known for his Civility sign, which he frequently hung on lecterns to facilitate respectful and productive discussion. He sought to encourage individuals to speak who normally would not, increase engagement, and promote kindness.

Madam Speaker, I ask my colleagues to join me in recognizing the accomplishments and contributions of Barry Schneider. His dedication and leadership have helped shape a vibrant community for Roosevelt Island and Manhattan's Upper East Side. His presence on Community Board 8 will be missed, and he leaves a lasting impact with his devoted service to his community.

CONGRATULATING ST. ELIZABETH'S BASEBALL TEAM FOR WINNING THE 2022 CLASS I STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. LUETKEMEYER. Madam Speaker, I rise today to ask my colleagues to join me in congratulating the St. Elizabeth Hornets baseball team for winning the Class I State title.

As the father of three St. Elizabeth graduates and a graduate myself, I couldn't be prouder of this program. This is the baseball team's second state title in three seasons. These great players and coaches should be commended for their hard work throughout this past year and for bringing home the state title to their school and community.

Madam Speaker, I ask you to join me in recognizing the St. Elizabeth Hornets baseball team for a job well done.

HONORING ROSEMONT BAPTIST CHURCH

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. BARR. Madam Speaker, I rise today to honor the Rosemont Baptist Church in Lexington, Kentucky on their 75th anniversary.

The church was founded in 1947. At that time, it was the entry point to south Lexington. There weren't any houses or other buildings in the area when the church was built. The neighborhood grew up around the church.

As the congregation gathers to celebrate the 75th anniversary, I recognize the impact that this congregation has made on the Lexington community over the years. The church has reached thousands of people with food, financial assistance, and spiritual sustenance.

I congratulate Senior Pastor Eddie Benton and all the members of Rosemont Baptist Church in Lexington on their 75th anniversary and wish them many more years of successful ministry, serving God and reaching out to the community.

HONORING RHETT ROBINSON

HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. ALLEN. Madam Speaker, I rise today to congratulate my constituent, Rhett Robinson, upon his acceptance to the United States Merchant Marine Academy.

As a future midshipman, he will be joining the ranks of the world's most elite naval force, guided by the motto: ''Acta Non Verba.''

The service and sacrifice of America's military personnel have safeguarded our nation since its inception, defending our way of life from Lexington to Normandy.

A vital part of our Nation's maritime operations, the Merchant Marine's duties are dynamic—transporting cargo and passengers during peacetime and serving as an auxiliary to the United States Navy during times of war.

I was glad to sponsor Rhett's nomination, as his dynamism reflects the mission of the branch which he will soon serve. I am confident that his talents will distinguish him among his peers during his time at the Academy and thereafter.

I congratulate Rhett, and know that he will make this Nation proud.

IN RECOGNITION OF HELEN HILTON RAISER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Ms. SPEIER. Madam Speaker, I rise today to recognize a remarkable philanthropist and community leader, Helen Hilton Raiser. Through sheer will and determination she helped restore a wasteland into a major new public attraction in the City by the Bay: Francisco Park, a new 4.5 acre jewel at the corner of Hyde and Francisco Streets. Helen contributed in countless ways by fundraising, assisting in design and promoting her vision for this new park during its development.

In addition to Helen, credit goes to hundreds of neighbors and the leadership of the Francisco Park Conservancy, including board president Leslie Alspach and all of the original and successor board members. $27.5 million was raised by these leaders and Helen as they sought to tum a long-neglected area into a new destination in San Francisco.

For 80 years this site was a deserted reservoir hosting poison oak, raccoons, and an occasional coyote, but otherwise inhospitable to visitors. The reservoir was San Francisco's first, built in 1860 and it was crucial during the 1906 earthquake and fire. However, it was abandoned in 1940 after a newer facility was built a short distance away. This old reservoir remained an eyesore for decades, only to begin its renaissance after neighbors organized in 2011, and after the San Francisco Recreation and Parks department assumed formal responsibility for the location in 2014.

What makes Francisco Park so special is that numerous community meetings over many years led to a special place that will serve both residents and likely hundreds of thousands of visitors, annually. The park is adjacent to the Hyde Street cable car and visitors from around the globe will probably disembark and enjoy the inspirational views from this place of urban greenery. There is also a children's playground, a fenced dog run with artificial turf, and a community garden. A ''heart of San Francisco'' sculpture is on display, donated by Helen Hilton Raiser. It was created by the artist Laura Lineback. Early settlers and the harbor of what was then known as Yerba Buena were located nearby, so history is at the fingertips of visitors. Interpretive signage offers visitors important historical facts about the site, educational lessons about water conservation, a description of views from the location, and other features that make the park as much a classroom as it is recreational open space.

While I rise to highlight this park, Ms. Raiser and her neighbors, I also note Helen's long history of philanthropy and activism. She is well known as a leader at the San Francisco Museum of Modern Art and as a major benefactor, over decades, of community groups from the peninsula through San Francisco.

It was my good fortune to meet her decades ago as she led her campaign against handguns and gun violence. She personally led a 1982 effort on the California ballot to sharply reduce the number of handguns in California, and was a board member of Handgun Control, Inc. We became personal friends after that effort. Locally, she was a major volunteer with the Girl Scouts of America, the Volunteer Center of San Mateo County, at Mills-Peninsula Hospital, numerous school associations and she served on the Board of Directors of the Junior Statesman Foundation as well as the Family Service Agency of San Mateo County. She has been a major advocate for affordable housing through the nonprofit Human Investment Project. In recognition of her outstanding leadership, Helen Hilton Raiser was inducted into the San Mateo County Women's Hall of Fame in 1987.

Madam Speaker and members, we have known great adversity in these past years as a scourge of nature visited our streets and our homes. We watched as nations yielded to the pressure of the pestilence, and as national and personal economies crumbled under the weight of our times. At moments such as these, it is important to remember that the makers of history are not always those whose names are in the headlines. They are often neighborhood activists, intent upon improving our country one park, one block or one school at a time. Throughout her life, whether via art or philanthropy, in schools or hospitals, in the halls of Congress or the state capitol, Helen Hilton Raiser is one of those makers of history. Let me express my gratitude for her friendship and leadership. There is nothing truer to our purpose as a nation than civic virtue, and Helen Hilton Raiser is its embodiment.

MUTUALLY BENEFICIAL ALLIANCE OF INDIA AND AMERICA

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. WILSON of South Carolina. Madam Speaker, the strong and vibrant relationship

between India, the world's largest democracy, and the United States, the world's oldest democracy, has demonstrated our shared values for Rule of Law.

I grew up with an appreciation of the people of India, because my father, First Lieutenant Hugh Wilson, served there in the U.S. Army Air Corps Flying Tigers in 1944, where he recognized the industriousness of the citizens of India.

I am particularly grateful for the prosperous Indian-American community in South Carolina and look forward to its continued growth and achievements. In 2014 in New York at Madison Square Garden, I helped welcome Prime Minister Narendra Modi, in 2016 in Washington, I was on the Escort Committee for the Prime Minister's address to Congress, in 2019 in New Delhi at the Red Fort, I attended Indian Independence Day, and in 2019 at the Howdy Modi program in Houston at the Astrodome, I joined President Donald Trump to recognize the Prime Minister.

South Carolina's first female governor in 340 years was appropriately Nikki Randhawa Haley, who served with distinction. The Indian American community, of all immigrant groups in the United States, has achieved the highest per capita income level.

I appreciate the visits with India's Consul General Dr. Swati V. Kulkarni of Atlanta and Mr. KV Kumar, President and CEO of the Indian American International Chamber of Commerce to discuss the bilateral relationship between India and the United States. Bilateral trade in goods between the two countries crossed the $100 billion mark in 2021, making it the largest volume of goods trade in a calendar year in India-U.S. economic history. This also represents an almost 45 percent jump from 2020, which is the single biggest jump of all the U.S. trade partners. Working together, Indian industry can build dynamic military manufacturing to be independent of foreign suppliers.

The talks with Consul General also covered conversation on mass murder by war criminal Putin in Ukraine, its implications, and current regional developments.

To take U.S. and India ties forward and to realize the full spirit of our strategic partnership, USA and the Republic of India need to cooperate more closely in the Indo-Pacific. Certainly, there are issues of mutual concern with regard to China's malign goals in the region, and the partnership to counter these authoritarian aspirations should be robust.

Throughout her service as India's Consul General, Dr. Kulkarni has been an exemplary representative of the Republic of India. She was proactive across the southeast promoting the shared values of India and America. She will be greatly missed upon her departure from her post, as she continues her productive service for the people of India.

In the current contest of democracy with Rule of Law opposed by authoritarians with Rule of Gun, it is more important for cooperation to establish peace through strength.

STANDING WITH THE PEOPLE OF BANGLADESH

HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. RASKIN. Madam Speaker, I rise today in solidarity with the people of Bangladesh. I want to voice my support for human rights defenders, members of minority groups, and civil society in Bangladesh at this moment when the Bangladeshi government is persisting in threatening the basic human rights and civil liberties of its people. The Bangladeshi government, led by Sheikh Hasina of the Awami League, has earned widespread criticism for its deteriorating human rights record, and for its failure to protect the most vulnerable people living in Bangladesh-indigenous people, women, religious minorities, activists, and refugees.

Amnesty International tracks human rights abuses in Bangladesh and has noted their acceleration during the pandemic. Under the draconian Digital Security Act of 2018, Bangladeshi journalists and other human rights defenders are routinely persecuted for reporting on corruption or criticizing any of the government's policies. COVID–19 policies against public gatherings have been used to prevent political meetings, and to quell public protests against the government. Violence against women and indigenous activists has also intensified during the pandemic.

The Bangladeshi government employs a joint task force composed of members of police, military, and border guards called the Rapid Action Battalion, and it has consistently failed to address the excesses of these and other security forces. The Rapid Action Battalion and other Bangladeshi law enforcement entities are alleged to be responsible for more than 600 disappearances since 2009 and nearly 600 extrajudicial killings since 2018. These incidents reportedly target opposition party members, journalists, and human rights activists.

Last August, the Tom Lantos Human Rights Commission, of which I am a member, hosted a briefing on the deeply disturbing uptick in enforced disappearances in Bangladesh. Representatives from Human Rights Watch and the Asian Human Rights Commission participated, as did Bangladeshi photojournalist and activist Shahidul Alam who had been unlawfully arrested after posting criticism of the Bangladeshi Government on Facebook, and the sister of disappeared opposition leader Sajedul Islam Sumon. These violent and illegal forced disappearances have chilling effects on free speech, political opposition, and civil society.

On International Human Rights Day last year, the U.S. Department of the Treasury announced sanctions on the Rapid Action Battalion, citing how their actions undermine the rule of law and respect for human rights and fundamental freedoms. The United Nations reported that since the sanctions against the Rapid Action Battalion officials were announced in December, the Bangladeshi government has responded by launching a retaliatory campaign of intimidation and harassment. The homes of at least 10 relatives of people forcibly disappeared are reported to have been raided at night, and some relatives were forced to sign statements saying that their loved ones had not in fact been forcibly disappeared,

Today, I ask my colleagues to join me in standing with the people of Bangladesh, especially those bravest and most vulnerable, and urging the Bangladeshi government to take immediate action to respect the civil rights and safety of all the people of Bangladesh.

IN RECOGNITION OF ROBERT HUNGERSCHAFER

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. LARSEN of Washington. Madam Speaker, I rise to honor Robert A. Hungerschafer from Bellingham, Washington.

Robert is a dedicated volunteer who has served his community with selflessness and compassion by donating blood, plasma and platelets.

His contributions are staggering.

Robert has made 1,100 voluntary donations, potentially saving more than 7,900 lives.

He has donated more than 300 gallons of blood, plasma and platelets and traveled over 74,000 miles to help save lives.

But Robert is more than a donor.

He also volunteers by documenting the lives of Washington state servicemembers who lost their lives in World War I.

Robert's donations help save the lives of people he will never meet. This selflessness is essential to building stronger communities and is a reminder that everyone can play a part in improving the lives of their neighbors.

It is my honor to recognize Robert A. Hungerschafer for his service to his community, Washington state and the United States.

TRIBUTE TO BARBARA LEVENSON—CALIFORNIA'S 24TH CONGRESSIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. CARBAJAL. Madam Speaker, each year, through the Women of the Year Award, my office extends special recognition to women on the Central Coast who have made a difference in our community. I would like to recognize one outstanding Women of the Year Award recipient, Barbara Levenson, of Pismo Beach, California.

After 27 years as a pharmacist at Atascadero State Hospital, Barbara Levenson retired to focus on community service. But even before retirement, Barbara was recognized by the Tribune as an Unsung Hero for her dedication to serving humane causes. This is illustrated by her work with the Wellness Kitchen in Atascadero, where food was prepared for residents with special dietary needs due to health conditions. She was also a member of the Flying Samaritans, a team of medical professionals that flies to different areas of the world to provide free medical services to the needy.

Post retirement, Barbara remains committed to providing support and care to those who need it most and gives her time and energy to a range of organizations nurturing a healthy, welcoming community. She is a member of the San Luis Obispo NAACP, for which she has served as secretary, and is also a member of the SLO County Diversity Coalition.

Barbara served as a Long-Term Care Ombudsman in San Luis Obispo County for eight years, assisting residents of long-term care facilities and their families to resolve problems related to the health, safety, welfare, and rights of those in Long Term Care facilities. She is now the chair of the San Luis Obispo County Behavioral Health Board that evaluates the community's behavioral health needs, services, and facilities and advises the Board of Supervisors and the Behavioral Health Administrator.

As a volunteer, Barbara serves organizations that encourage growth and opportunity. For the San Luis Obispo Community Foundation, she reviews scholarship applications and even created an endowment in the name of her brother, John Renner, supporting students who identify at LGBTQ+. Barbara is also a member of the Central Coast Circle of Friendship Bridge which provides microfinance, education, and health services to build opportunities. In alignment with United Nations Millennium Development goals, the Central Coast Circle empowers Guatemalan women to build a better future. Lastly, Barbara is an avid reader and South County book club member, who volunteers with the Arroyo Grande Library, organizing donated books for the annual book sale.

I am honored to recognize Barbara, one of our community's ''quiet heroes,'' for her commitment to improving the lives of so many. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Barbara Levenson, for her incredible service to her community.

CELEBRATING THE 57TH ANNIVERSARY OF HEAD START

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. MCNERNEY. Madam Speaker, I ask my colleagues to join me in recognizing Head Start, a crucial program that celebrated its 57th anniversary this year.

Since 1965, Head Start has promoted school readiness for children in economically disadvantaged families by offering educational, nutritional, health, and social services. Head Start has served more than 39 million children and their families in urban and rural areas in all 50 states, the District of Columbia, Puerto Rico and the U.S. territories, including American Indian, Alaska Native, migrant and seasonal communities.

Head Start works with and for the communities they serve to improve the lives of children from birth. Growing from an eight-week demonstration project, Head Start now includes full-day and year-round services, which more than one million children and their families benefit from each year. A key tenet of the program is that it be culturally responsive to the communities it serves, and that the communities have an investment in its success.

The early education services and essential support offered by Head Start provides children the tools they need for future success. I ask my colleagues to join me in recognizing Head Start and its staff for their invaluable contributions over the past 57 years to building opportunities so that every child can thrive.

RECOGNIZING THE SERVICE OF FRANK SMITH

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. SMITH of Nebraska. Madam Speaker, I rise today to celebrate and honor the service of a great Nebraskan, Mr. Frank Smith who recently celebrated his 100th birthday. Mr. Smith (no relation) was recently recognized by the Gage County Board of Supervisors for his service to Nebraskans and our country. I am honored to have the opportunity to join my fellow Nebraskans in thanking Mr. Smith for his service.

On May 5th, he turned 100. A member of the Greatest Generation, he was born in Omaha and raised in Beatrice. He studied agriculture at the University of Nebraska-Lincoln, and he enlisted in the Army on June 10, 1942. He served during World War II and was awarded the World War II campaign medal with three Bronze Stars and the Good Conduct medal. He was honorably discharged as a corporal. Corporal Frank Smith, USA, Retired, enlisted because he loves our great country, and his volunteerism has continued in the years following his military service.

Upon returning from tours in Africa and Italy with a heavy weapons company, he went on to work in farming, then as a prison chaplain. When asked about his patriotic dedication, he said, ''My government's important to me, although it's not always so good as it should be, but it's mine.''

At 100 years old, he continues to volunteer with Blue Rivers Area Agency on Aging, delivering meals to fellow senior citizens every day. To put it simply, his life story is extraordinary. It would be easy for someone who has done and given as much as Frank to sit back and relax, but he continues serving others.

I thank Mr. Smith for all his service and sacrifice.

CELEBRATING THE 50TH ANNIVERSARY OF THE MINNESOTA HUMANITIES CENTER

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Ms. MCCOLLUM. Madam Speaker, I rise today in recognition of the Minnesota Humanities Center as they celebrate their 50th anniversary of ''sparking change'' in our communities using the power of the humanities to explore, interpret, and engage. The Minnesota Humanities Center (MHC) is a collaborative non-profit working with individuals, organizations and communities to bring humanities programming to all Minnesotans, and is rooted in the belief that the humanities have the power to connect, bridge differences, interpret the complexities of the world and positively shape our future.

Founded by the National Endowment for the Humanities in 1971, MHC was one of the very first humanities councils in the nation. In their first few decades they focused on a range of education initiatives that explored Minnesota's people and their history, and used televised or in-person programs to enhance the way that educators taught about these subjects in their classrooms. As MHC continued to grow they expanded by creating traveling exhibits and public events, bringing in international speakers and publishing books. Their burgeoning programming in the 1990s eventually led to the opening of their full-service event center in the former wing of Gillette Children's Hospital in Saint Paul in 1996. This center on the east side of Saint Paul is still the home of the Minnesota Humanities Center today, and houses a full-service meeting and event center, 15 administrative offices and 15 overnight guest rooms.

As MHC moved into the 21st century, their programming continued to expand and shift to serve the needs of Minnesotans. They began to focus on providing culturally responsive and linguistically relevant literacy initiatives in White and Green Hmong, Somali, Dakota and Ojibwe, and they broadened partnerships with school districts while engaging new audiences in a deeper understanding of history, culture and identity. One example of this programming is a documentary they co-produced with Twin Cities Public Television called ''Iron Range: Minnesota Building America'' that highlights the history and future of the Iron Range in northern Minnesota and won an Emmy Award for Best Cultural Documentary in 2009. Another example of their important work is their Veteran's Voices program which began in 2013 and honors Minnesota Veterans by celebrating their written and spoken stories about their experiences serving their country.

Grant-making is also central to the work of MHC. For 50 years they have worked hard to champion the work of individuals, nonprofits, schools and other collectives across Minnesota through their own competitive grants and by administering grant funds appropriated by the Minnesota Legislature. In the last year, MHC distributed over $4.7 million through 180 grants across Minnesota, and through the CARES Act were awarded an additional $538,500 to support COVID–19 relief efforts. I was proud to vote in favor of those funds, and I continue to support funding for the National Endowment for the Humanities through my role as Vice-Chair of the Interior-Environment Appropriations Subcommittee.

Led today by CEO Kevin Lindsey, MHC continues to be a beacon for learning and positive change in Minnesota, seeking to fulfill their vision of a just society that is connected, curious, and compassionate as they look to their next 50 years of service to the community. Madam Speaker, please join me in recognizing the Minnesota Humanities Center and their excellent humanities programming as they celebrate their 50th anniversary.

TRIBUTE TO SIGRID WRIGHT—CALIFORNIA'S 24TH CONGRESSIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. CARBAJAL. Madam Speaker, each year, through the Women of the Year Award, my office extends special recognition to women on the Central Coast who have made a difference in our community. I would like to recognize one outstanding Women of the Year Award recipient, Sigrid Wright of Santa Barbara, California.

A longtime resident of Santa Barbara, Sigrid Wright has been a leader in environmental non-profits and climate change advocacy on the Central Coast for more than 25 years. With the many daunting challenges of the growing climate crisis, her leadership has guided the community in facing those challenges.

Sigrid was named as CEO/executive director of the Community Environmental Council (CEC) in 2015, becoming the first woman to lead the 45-year-old non-profit. Driven by the environmental destruction seen along Santa Barbara's coastline due to the 1969 oil spill, Sigrid has championed CEC's mission to move the Santa Barbara region away from dependence on fossil fuels in one generation—Fossil Free by '33. As CEO, Sigrid has spearheaded CEC's climate goals by educating and activating the Santa Barbara community around sustainable practices, advocating for environmentally sound policies and laws, and building partnerships with other organizations to open new pathways for sustainable transportation, energy, and food systems.

In her longstanding commitment to resolving the climate crisis, Sigrid co-founded the Central Coast Climate Justice Network as well as the Central Coast Climate Collaborative, devoted to advancing social, economic, and environmental justice. Sigrid's efforts to effect real change in climate advocacy have already been recognized by her community. In 2020, California Assemblymember Monique Limón named CEC Non-Profit of the Year. Community initiatives sparked by Sigrid and CEC have included Santa Barbara's first ever wind farm which is expected to power 53,000 family homes with clean, sustainable electricity.

Where Sigrid sees a need, she takes action to fill it. She strategizes and addresses each of the root causes of climate change in her role as leader of CEC. Her influence over Santa Barbara's local food justice movement has led to produce and prepared food being redirected to impoverished peoples and families in need rather than end up at a landfill. Sigrid's quest to reduce consumption and waste has helped expand the Rethink the Drink program, providing access to thousands of hydration stations across Santa Barbara County and environmental education for participating schools. She gives so much of her time, energy, and resources to serve our community. She is a worthy candidate for this honor and a role model for community leaders of all kinds.

I am honored to recognize Sigrid for her continued commitment to environmental and climate change advocacy on the Central Coast. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Sigrid Wright, for her incredible service to her community.

HONORING MATALIE MILES

HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. ALLEN. Madam Speaker, I rise today to congratulate my constituent, Matalie Miles, upon her acceptance to the United States Military Academy at West Point.

As a future cadet, she will be joining the ranks of the world's most fearsome fighting force—the United States Army—guided by duty, honor, and country.

The service and sacrifice of America's military personnel have safeguarded our Nation since its inception, defending our way of life from Lexington to Normandy.

And throughout our history, American soldiers have demonstrated tremendous courage and strength, beating back tyranny to the ends of the earth.

I was glad to sponsor Matalie's nomination and I am confident that her talents will distinguish her among her peers both during her time at West Point and thereafter.

I congratulate Matalie, and know that she will make this Nation proud.

IN RECOGNITION OF DR. CURTIS L. JONES, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor, commend, and extend my congratulations to a gifted educator, dedicated community leader, and great team builder, Dr. Curtis L. Jones, Jr. Dr. Jones retired from his role as Superintendent of the Bibb County, Georgia School District, and a retirement celebration was held on Friday, May 27, 2022, at The Macon Coliseum located at 200 Coliseum Drive in Macon, Georgia.

Born to the union of Reverend Curtis L. Jones and Mrs. Roberta Prescott Jones, Dr. Jones earned his bachelor's degree at the United States Military Academy at West Point and went on to complete a distinguished military career in the U.S. Army, retiring as a Lieutenant Colonel. He earned a Master of Business Administration from Albany State University in Albany, Georgia, an Education Specialist Degree from Lincoln Memorial University, and a doctorate in Educational Leadership from Nova Southeastern University.

For nearly two decades, Dr. Jones has been an effective and trusted leader in multiple roles in public education administration in the state of Georgia. He established an impressive career beginning as a JROTC instructor with the Griffin-Spalding County School System in Griffin, Georgia, moving to the positions of High School Principal, Assistant Superintendent, and thereafter, Superintendent of Schools.

On April 6, 2015, he became Superintendent of the Bibb County School District in Macon, Georgia, and worked tirelessly with teachers, administrators, and other support staff to transform the students of Bibb County into scholars, leaders, and good citizens. While leading the Bibb County School District, Dr. Jones has worked to enhance literacy and classroom learning through the development of a District Literacy Plan, which led to student growth on the Georgia Milestones Assessments. He led two voter-approved Education Special Purpose Local Option Sales Tax (ESPLOST) campaigns, which funded the opening of six new school buildings and countless school renovation projects. His commitment to equity motivated him to secure major technology improvements assuring that every child has equal access to high-quality technology resources. During his tenure as Superintendent, the Bibb County School District has made great gains in improving its graduation rate from 58.9 percent in 2014 to 80.67 percent in 2021.

Under his exceptional leadership, the District has received Georgia's College Board Linking Award for having more than 80 percent of juniors and seniors utilizing Khan Academy for SAT preparation (2017); the Digital School District Survey Award for Large Student Population Districts category, and along with its Board of Education has been named both a Distinguished and Exemplary Board by the Georgia School Boards Association (2018). Bibb County was featured in The District Management Journal, in an article titled ''Raising Achievement and Addressing Equity at Bibb County Schools'' and as a case study with K–12 Insight for its work in improving stakeholder communications through its use of the Let's Talk! platform. In addition to these achievements, seven schools have achieved Leader in Me Lighthouse School status (2022), and the District has achieved accreditation from AdvancED, (now Cognia), with two schools—Skyview and Carter Elementary Schools, being recognized as National Elementary and Secondary Education Act Title I Schools of Distinction.

Dr. Jones' leadership has made a tremendous impact on the many educators and administrators in the District, as numerous leaders and staff members have been recognized at the state and national levels, and have been invited to serve as leading panelists and make presentations on how Bibb has demonstrated success.

Winston Churchill once said: ''You make your living by what you get, you make your life by what you give.'' Dr. Curtis L. Jones, Jr. has given so much to the Bibb County School District, its educators, its administrators, and most importantly, its students. He has cast a wide net in his service as an educator, and Bibb County, our state, and our nation are better because of his work.

In addition to his work for the Bibb County School District, Dr. Jones is engaged in numerous professional and community organizations including the Rotary Club of Macon and the Kiwanis Club of Macon. He serves on several community boards including those for the Greater Macon Chamber of Commerce and the United Way of Central Georgia. He is a past governing board member for The School Superintendents Association (AASA) and past president of the Georgia School Superintendents Association (GSSA).

For his work in educational leadership and administration, Dr. Jones has received several

awards and commendations including the President's Award from the Georgia School Superintendents Association (2021); the Bill Barr Leadership Award (2016); the AdvancED Excellence in Education Award (2018); and the 2019 Georgia Superintendent of the Year award. He was named one of four finalists for 2019 National Superintendent of the Year by The School Superintendents Association (AASA) and the 2019 National Superintendent of the Year at AASA's National Conference on Education.

Dr. Jones has accomplished much in his life, but none of this would have been possible without the Grace of God and the love and support of his wife, Evelyn, their three children, and grandchildren. Their support has, no doubt, been the wind beneath his wings.

Madam Speaker, I ask my colleagues in the House of Representatives to join my wife, Vivian, and me along with the more than 730,000 people of the Second Congressional District, in honoring, commending, and extending our sincerest appreciation and best wishes to Dr. Curtis L. Jones, Jr. upon the occasion of his retirement from an outstanding career in Elementary and Secondary Education Administration and his continued service to humanity.

RECOGNIZING KATERINA NAFPLIOTI PANAGOPOULOS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise to pay tribute to Katerina Nafplioti Panagopoulos for her outstanding career and accomplishments. Through her many endeavors and initiatives, Ms. Panagopoulos has shown unwavering dedication to the Greek community.

Ms. Panagopoulos was born in Athens, Greece and studied at both the Evangelical School of Nea Smyrni and the Foreign Literature Department of the Paul Valery University, in Montpellier, France. She holds an honorary Doctor of Philosophy from Amity University. Ms. Panagopoulos founded the successful business Studio Alta Moda in Athens and has since made great accomplishments in the sectors of tourism and commerce.

Outside of her work as an accomplished businesswoman, Ms. Panagopoulos has served the world of sports extensively. Since 1998, she has acted as the National Ambassador of Greece in the Council of Europe for Sports, Tolerance and Fair Play and has presided as president of the Panhellenic Women's Sports Association ''KALLIPATIRA'' since 2005. In 2013, Ms. Panagopoulos signed the Memorandum of Cooperation with the Association of Greek Olympians (SEO) and the Hellenic Paralympic Committee as the President of KALLIPATIRA. Since that time, her work has involved supporting Olympic and Paralympic Champions and Winners, the construction of more than 25 athletic venues throughout Greece, and providing athletic and medical equipment as well as financial support to athletic associations. The International Olympic Committee honored Ms. Panagopoulos in 2012, when she became the first Greek recipient of the Woman and Sports Award.

Ms. Panagopoulos has served as Ambassador of the Greek State regarding matters of promotion of the international role of Greece globally, the creation of new investments and the Hellenic Diaspora since 2019. She is the Special Advisor to the Prime Minister of Greece for Hellenic Diaspora since 2018, and President of the International Center for Science and Hellenic Values.

In collaboration with the Hellenic Ministry of Foreign Affairs, Ms. Panagopoulos founded an initiative to organize a series of lectures in the most important centers of the Greek Diaspora in the United States. She frequently participates in conferences and working groups, and lectures in schools and foundations nationwide.

Madam Speaker, I ask my colleagues to join me in recognizing Katerina Nafplioti Panagopoulos for her outstanding accomplishments and commitment to representing Hellenic culture in the United States and around the world.

CONGRATULATING RUSSELLVILLE'S BASEBALL TEAM FOR WINNING THE 2022 CLASS II STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. LUETKEMEYER. Madam Speaker, I rise today to ask my colleagues to join me in congratulating the Russellville Indians baseball team for winning the Class II State Title.

This is Russellville High School's first state title in the history of their baseball program. These players and coaches should be commended for their hard work throughout this past year and for bringing home the state title to their school and community.

Madam Speaker, I ask you to join me in recognizing the Russellville Indians baseball team for a job well done.

CELEBRATING THE 25TH ANNIVERSARY OF PRIME TIMERS OF THE NATIONAL CAPITAL AREA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to join me in celebrating the 25th anniversary of Prime Timers of the National Capital Area.

Prime Timers of the National Capital Area was founded on December 17, 1996, as a chapter of Prime Timers Worldwide, an international non-profit organization that celebrates all human diversity and whose vision is to ''Bring together mature gay and bisexual men for friendship, social activities, support and personal growth.''

The mission of Prime Timers of the National Capital Area is to provide opportunities for older gay and bisexual men to come together in a safe and supportive environment regardless of race, nationality, sexual orientation, physical ability, ethnicity, religion or political affiliation. The chapter promotes healthy aging through supportive relationships and personal enrichment through service to others.

Madam Speaker, again, I ask the House of Representatives to join me in honoring Prime Timers of the National Capital Area for its 25 years of dedicated service, which has advanced the welfare not only of the LGBTQ community in the District of Columbia, but of the entire population of the District of Columbia.

RECOGNIZING THE 140TH ANNIVERSARY OF SLEDER'S FAMILY TAVERN

HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. BERGMAN. Madam Speaker, it is my honor to recognize the 140th Anniversary of Sleder's Family Tavern of Traverse City, Michigan. Through almost a century and a half of service and steadfast devotion to their community, Sleder's Family Tavern has become a local landmark and an indispensable part of Michigan's First District.

Established in 1882, Sleder's Family Tavern's continuous dedication to the local community has landed the business the title of the oldest active restaurant in Michigan. The tavern was started by local wheelwright, Vencil Sleder, who came to the United States as a Bohemian immigrant and built the tavern with the help of his fellow neighbors. The original construction of the tavern was made up of wooden slabs from sawmills and took approximately three years to build since many of the builders were only available on weekends.

Sleder's Family Tavern was owned and operated by the Sleder family for three generations, until it was sold to Bob and Sylvia Classens around the business's 100th anniversary in 1975. The Tavern was then sold to Deb and Brian Cairns in May 1992, who eventually transferred ownership to their son and daughter-in-law, Ryan and Megan Cox, on December 31, 2019. Throughout the years, the business has only had minor renovations and additions, and much of the original building has been preserved with the help of the community. Today, the Sleder's Family Tavern is located in the heart of downtown Traverse City, and continues to serve locals for their food and beverage needs.

Madam Speaker, it's my honor to recognize Sleder's Family Tavern for nearly a century and a half of success and service to Northern Michigan. Michiganders can take great pride in knowing the First District is home to such dedicated citizens. On behalf of my constituents, I wish them all the best in their future endeavors.

HONORING THE SERVICE OF GENERAL JOSEPH M. MARTIN, VICE CHIEF OF STAFF OF THE ARMY

HON. MARK E. GREEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. GREEN of Tennessee. Madam Speaker, I rise today to honor the service of General

Joseph M. Martin to the United States Army and the American people.

General Joseph M. Martin has served our nation honorably for over thirty-five years. A native of Dearborn, Michigan, General Martin graduated from the United States Military Academy in 1986 and commissioned as an Armor officer. General Martin successfully led and commanded soldiers during peacetime and combat at all levels of leadership including platoon, company, battalion, brigade, and division.

General Martin's record of exemplary combat leadership includes Bravo Company, 4th Battalion, 37th Armor Regiment, 1st Infantry Division during Operation Desert Storm, 1st Battalion, 67th Armor Regiment, 4th Infantry Division during Operation Iraqi Freedom, 2nd Brigade, 1st Infantry Division in Northwest Baghdad, Iraq, and the 1st Infantry Division in Operation Inherent Resolve. General Martin also commanded the Combined Joint Forces Land Component Command during the Battle of Mosul, leading a multi-national force retaking the city from Islamic State militants over a seven-month long fight. In total, General Martin has led soldiers on a total of five combat deployments to Iraq across different conflicts and considers himself to always be a ''Big Red One'' soldier from his many years in America's 1st Division.

General Martin is not just an exceptional combat leader, but has also dedicated years to developing soldiers and the Army's future leaders. Serving first as an observer controller and later as the commanding general of the National Training Center in Fort Irwin, California, General Martin trained and certified Army units in a highly realistic combat training environment that replicated the type of battlefield seen by U.S. soldiers over the last thirty years. He has also served as an instructor at the U.S. Armor Center, training officers and developing policy and procedures to increase warfighting proficiency. As the Army's Vice Chief of Staff, General Martin has focused on the Army's modernization efforts, building capabilities for future conflicts during a critical time for our national security.

General Martin and his family have also served their communities throughout his distinguished career. He was recognized by the University of Louisville, where he earned a Master of Education in Occupational Training and Development in 1997, as their Alumnus of the Year for 2021.

General Martin's lifetime of service and leadership to his fellow soldiers is commendable, speaking not only to his patriotism, but also to his selfless character. The Army is more prepared to face the strategic threats to our national security today because of his decades of dedication to the mission. The American people owe him a debt of gratitude.

HONORING GEORGE WASHINGTON GARRETT

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. BARR. Madam Speaker, I rise to honor the life of a patriotic American, George Washington Garrett, as he approaches his 100th birthday. Mr. Garrett lives in Montgomery County, Kentucky.

Mr. Garrett was born on June 7, 1922, in Mt. Sterling, KY. He was inducted into the United States Army on January 29, 1943. Mr. Garrett served in Normandy, Northern France, Ardennes, Rhineland, and Central Europe as part of the 989th Quartermaster Service Co. For his brave service to our nation, Mr. Garrett was awarded the World War II Victory Medal and the European African Middle Eastern Service Ribbon with five Bronze Stars. Following the war's end, he was honorably discharged on November 19, 1945.

On Veterans Day in 2020, Mr. Garrett was presented with a Quilt of Valor Award from the Quilts of Valor Foundation in appreciation of his service.

It is my honor to recognize Mr. Garrett, celebrate his 100th birthday and thank him for his service and sacrifice to our nation during World War II. As a part of ''The Greatest Generation'', Mr. Garrett and his fellow soldiers fought to preserve the freedoms that we enjoy today, and we can never thank them enough. I am forever grateful for Americans like George Washington Garrett.

CELEBRATING LEON VALDRY ON HIS 90TH BIRTHDAY

HON. TROY A. CARTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. CARTER of Louisiana. Madam Speaker, I rise today to recognize Mr. Leon E. Valdry, on his 90th birthday.

Mr. Leon E. Valdry, a native of Bueche, Louisiana (a country community in Baton Rouge Louisiana), born June 7, 1932, celebrated his 90th birthday on Saturday June 4, 2022. The function was held in Louisiana at the Valdry Center for Philanthropy located on the beautiful campus of Southern University.

Mr. Valdry came from humble beginnings but has established himself as a real estate icon currently living in Beverly Hills, California. He is a philanthropist and the largest donor to his beloved alma mater Southern University in which he graduated 1957 in engineering. In 2019, Southern University opened the doors to the Valdry Center School of Philanthropy an academically based research center focused on Philanthropies named after him and his brother. It is the only HBCU Philanthropy Center in the country.

Leon Valdry believes that consistent financial support from alumni is critical to Southern University's growth and longevity. ''As alumni, it is imperative that we give back to the University. Every graduate regardless of the amount they are able to give, should make a financial contribution annually,'' said Valdry. On March 21, 2015, Leon Valdry made a unrestricted gift of $100,000 to the Southern University System Foundation's 1880 Society. Valdry is a long-time supporter of the Southern University College of Business and a member of the 1880 Society, P.B.S. Pinchback Circle. The P.B.S. Pinchback Circle requires an annual cash contribution of no less than $25,000 to the Society. He is still a member.

Philanthropy for Valdry has been a way of life for more than 50 years. The training he received while he was a student at Southern University, provided Valdry with an opportunity to secure his first job with the Litho Art Company in Los Angeles, California. Since that time, he has made a name for himself in real estate development throughout Louisiana and California. His real estate ventures consist of residential, commercial, and industrial properties. Valdry is a resident of Beverly Hills, California and is President/CEO of Holly Park Plaza in Inglewood, California, which is one of the largest shopping centers in the city of Los Angeles.

The Valdry Center for Philanthropy at Southern Universiy acknowledges the sizable contributions that Leon, Warren, and Virginia Valdry have made to their alma mater, and the need to support excellence in education at HBCUs by endeavoring to create a culture of philanthropy, promote racial equity, and provide a trained workforce to help direct volunteer action and charitable resources toward communities in need.

He is a member of the Democratic Party and has made contributions throughout the years. Mr. Valdry looks forward to attending any upcoming Democratic functions in Beverly Hills. He has blessed both communities in Louisiana and Beverly Hills by assisting young adults/students with their academic journey. He is a devout Catholic and is a member of the Usher Team at Good Shepherd Catholic Church in Beverly Hills California. He is also an Army Veteran. President Biden joined in the celebration, celebrating Mr. Valdry for his love, kindness, generosity, and time to humanity.

A huge Congratulations and Birthday Wishes to Louisiana's native Son.

HONORING ZEAL SABALLA

HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. ALLEN. Madam Speaker, I rise today to congratulate my constituent, Zeal Saballa, upon his acceptance to the United States Merchant Marine Academy.

As a future midshipman, he will be joining the ranks of the world's most elite naval force, guided by the motto: ''Acta Non Verba.''

The service and sacrifice of America's military personnel have safeguarded our Nation since its inception, defending our way of life from Lexington to Normandy.

A vital part of our nation's maritime operations, the Merchant Marine's duties are dynamic—transporting cargo and passengers during peacetime and serving as an auxiliary to the United States Navy during times of war.

I was glad to sponsor Zeal's nomination, as his dynamism reflects the mission of the branch which he will soon serve. I am confident that his talents will distinguish him among his peers during his time at the Academy and thereafter.

I congratulate Zeal, and know that he will make this Nation proud.

IN RECOGNITION OF THE RETIREMENT OF SHEILA CANZIAN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Ms. SPEIER. Madam Speaker, I rise today to recognize Sheila Canzian upon her retirement after 52 years of public service to the people of San Mateo. Sheila is the marathon runner of parks and recreation directors, having started as a summer playground leader and moved her way steadily upward over decades of service.

She grew up in San Mateo and was hired in 1970. About 79,000 residents were served by the parks of San Mateo at the time. Today, San Mateo has nearly 104,000 residents and the recreational amenities of the city have grown to meet the needs of this increased population. She manages over 35 parks, six community centers, the Marina Lagoon, Poplar Creek Golf Course, and numerous other amenities that make San Mateo a youthful and fun place to live on the peninsula. Sheila was instrumental in the development of the city's shoreline parks along the bayfront, the senior center, and the rebranding of Poplar Creek Golf Course.

While all parks in San Mateo have their own character, the crown jewel is the site of the old Kohl Mansion, affectionately known as Central Park. During the year, families enjoy the winter ice rink, modem and accessible playground equipment, and a stunning Japanese Garden that draws visitors from around the world. If you love Central Park, recognize that Sheila is the heart that allows Central Park to live. The rose garden and train are beloved and allow families to exercise together while enjoying amenities unusual in a city the size of San Mateo. The community recreation center has witnessed countless public events and is a gathering place for San Mateo's seniors. In dogged pursuit of keeping Central Park in fine fiddle, and even when city finances were strained, Sheila did a remarkable job of managing countless koi fish, hundreds of trees and numerous city managers. The koi and the trees were quick learners.

If 52 years of professional service do not prove the point, in 2021 Sheila was voted into the American Academy of Parks and Recreation Administration, a nationwide body dedicated to recognizing distinguished professionals. The California Parks and Recreation Society has inducted her into its Hall of Fame, and she once served as its President and Secretary. She serves on the board of the San Mateo Police Activities League, the San Mateo Parks Foundation, and on numerous community boards. As children are her professional focus, she also gives to the community as a board member of Peninsula Family Service and the Mills-Peninsula Hospital Foundation. She is a second-generation native of San Mateo and earned her BA from the University of San Francisco and an MPA from Notre Dame de Namur University.

No recitation of her love of community would be complete without mentioning her heartfelt support of the city's special relationship with the 101st Airborne Division and the sister city relationship San Mateo enjoys with Toyonaka, Japan. In recent years, my staff remembers attending a meeting where the city's little league team took at least 30 minutes to explain to the city council the special time that the young people of San Mateo had as they played against, and with, their youthful counterparts in Toyonaka. Organizers par excellence of this opportunity were Sheila Canzian and her colleagues at the San Mateo Parks and Recreation Department.

Along with City Clerk Patricia Olds and community member Linda Patterson, Sheila Canzian organizes all events that honor Alpha Company, 1st Battalion, 327th Infantry Regiment, 1st Brigade, of the 101st Airborne Division. The efforts of Sheila and hundreds of other San Mateo residents over the years since 1967 have boosted the morale of our troops and paid homage to their sacrifice for liberty on behalf of us all.

Madam Speaker, it is my honor to recognize Sheila Canzian. If ever there was a case for pursuing a life of public service, I ask that we look at the public spaces nurtured by Sheila. The painter Claude Monet had his garden, and he built his life's work around its beauty. Sheila Canzian had a city, and her joyful work will be with us for generations yet to come.

DOLLY TRAVIS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize Dolly Anderson Travis of Lakewood, Colorado who will turn 100 years old on June 18, 2022.

Dolly Anderson Travis was born June 18, 1922 in Hazleton, Pennsylvania. Dolly's great-grandparents immigrated from Austria and Slovakia. Dolly's parents having only a grade school education valued education as a means to success in the United States and made it a priority for both her and her brother, Jan. When Dolly was 11 or so, her parents paid for a few piano lessons which they felt would provide a creative outlet for her and her brother. They both quickly discovered a prodigious talent for music. Within a year, Dolly and Jan were playing instrumental accompaniment for singers on Hazleton's radio station WAZL and at other public events. While at Julliard in the early 1940s, Dolly was recruited to participate in numerous musical and entertainment events sponsored by the United Service Organization, started in 1941 to entertain soldiers, sailors and airmen departing for oversees deployment during WWII. She subsequently played in many swing-era bands in New York City, where she played the piano, accordion, guitar and saxophone.

Dolly married a sailor from Brooklyn, New York in the early 1950s and moved to Denver, where she fell in love with the mountains and the great outdoors. She was fond of western, cowboy music and culture, and started a family in Thornton, a Denver suburb, where her son Mark and daughter June would grow up.

Dolly loves to shop for unique items and collectibles from the many indoor malls that dot the Denver landscape. Villa Italia mall in Lakewood, a suburb of Denver, was one of her favorites, offering a large variety of merchandise at so many price points. She particularly enjoyed the grilled cheese sandwiches that Woolworth offered in their restaurants in the early days of the mall and throughout their Denver locations. She enjoyed taking her children to the Sinclair dinosaur exhibit in Villa Italia's parking lot, featuring lifelike recreations of dinosaurs which Sinclair would host in Denver and other cities during the 1960s.

Dolly still plays the piano, walks without assistance, and is addicted to blueberry and cherry pies. Dolly has an unfinished concerto she's been composing for years, loves reading the funnies, and enjoys perusing tabloids and gossip magazines while hanging out at the local Starbucks.

Celebrating 100 years of age is a tremendous milestone and should be celebrated. It is my privilege to wish Dolly a very happy birthday and wish her all the best in the future.

BUCHANAN HIGH SCHOOL CENTENNIAL CELEBRATION

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. UPTON. Madam Speaker, Buchanan High School has produced more than 10,000 hardworking, bright individuals over the last hundred years who have gone on to better our community for generations to come.

One hundred years ago Buchanan High School opened its doors for the very first time here. Twenty-five classrooms, an auditorium, a gymnasium and two offices were quickly filled with learning, listening and friendship. Over time this building has grown to accommodate increased enrollment and the ever-changing field of education.

I would like to personally thank each and every educator, administrator and staff member who made virtual learning possible for our students during the pandemic and laid the groundwork for us to return to in-person learning. It truly is good to be back to some normalcy, but we must not forget the difficulties we faced not too long ago. The dedicated folks here at Buchanan High School made sure that every student had access to the internet and a dedicated laptop to learn, making sure that no student was left behind. Under the leadership of many principals, first Floyd Early when Buchanan High School opened its doors and a century later under Stacey DeMaio, Buchanan High School has continued to ''Develop responsible, resilient, creative citizens capable of succeeding in a global society.''

I am eager to see the accomplishments Buchanan High School will achieve over these next one hundred years and the progress made both here in this building and by alumni across the world.

And lastly, Go Bucks.

RECOGNIZING 96-YEAR-OLD WAR HERO JOHN THOMAS WILLETT, A SURVIVOR OF THE USS ''LSM-169'' SHIP THAT HAD TO BE EVACUATED AFTER HITTING AN ENEMY MINE DURING WWII

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. HIGGINS of New York. Madam Speaker, I rise today to honor John Thomas Willett, a Buffalo native who barely survived when the ship he was serving on hit an enemy mine while he was serving our great nation as a Seaman First Class in the U.S. Navy during World War II.

Mr. Willett was born in Buffalo, New York in 1926 where he attended high school before enlisting in the United States Navy in 1943 at the age of 17. He spent most of his service in the Asiatic Pacific Theater during World War II. He was stationed on the USS *LSM–169* where he participated in numerous battles including the Battle of Corregidor, Luzon and Manila Bay-Bicol Operations where he achieved the rank of Seaman First Class.

On February 15, 1945 the USS *LSM–169* struck a mine off the coast of the Mariveles Harbor in the Philippines. A massive explosion caused fires on the ship but Seaman First Class Willett was on the other side of the ship and miraculously survived. The USS *LCS–48* and the USS *PC–1133* came to the rescue and saved as many service members as possible. Unfortunately, some service members lost their lives. Although he survived, after being pulled from the water and helping to rescue others, Seaman First Class Willett suffered shrapnel wounds and hearing loss due to the explosion but continued his service until he was honorably discharged from the Navy on April 14, 1946.

Upon returning home and graduating high school, John worked at Buffalo's grain elevators while attending college at night on the GI bill and got married. He enlisted in the Marine Corps Reserves on February 9, 1951 and spent the next few months training at Camp Pendleton in California during the Korean conflict. He officially was discharged from military service on September 1st of the same year he returned home to Buffalo to be with his wife and four children. He is still married to his wife of 73 years, Mildred and his family eventually grew to 12 children, 31 grandchildren and 16 great grandchildren. He worked in the Aerospace industry for almost 40 years, retiring from MOOG to pursue woodworking, athletics and volunteer work including Meals on Wheels, Habitat for Humanity, to name just a few.

I am proud to recognize the bravery of World War II Veteran John Thomas Willett.

CONGRATULATING ANDREW LISTER FOR RECEIVING THE GOLDEN APPLE AWARD FOR EXCELLENCE IN TEACHING

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mrs. BUSTOS. Madam Speaker, I rise today to recognize Andrew Lister, a teacher from Orion High School, for receiving the Golden Apple Award for Excellence in Teaching from the Golden Apple Foundation.

The Golden Apple Award for Excellence in Teaching recognizes and honors our most outstanding teachers for the positive and lasting impact they have on our students' lives and our community as a whole. Mr. Lister is one of 10 award recipients in Illinois—selected out of 400 nominations of 9 through 12 grade teachers. I'm so glad to see Mr. Lister recognized for inspiring students at Orion High School and his overall contributions to the Orion community.

It is because of committed and honorable educators such as Mr. Lister that I am especially proud to serve Illinois' 17th Congressional District. Madam Speaker, I would like to again formally congratulate Andrew Lister for receiving the Golden Apple Award for Excellence in Teaching.

HONORING JEAN MORALES-RAMOS

HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. ALLEN. Madam Speaker, I rise today to congratulate my constituent, Jean Morales-Ramos, upon his acceptance to the United States Naval Academy.

As a future midshipman, he will be joining the ranks of the world's most elite naval force, guided by the motto: ''Semper Fortis''.

The service and sacrifice of America's military personnel have safeguarded our Nation since its inception, defending our way of life from Lexington to Normandy.

And throughout our history, American servicemembers have demonstrated tremendous courage and strength, beating back tyranny to the ends of the earth.

I was glad to sponsor Jean's nomination and I am confident that his talents will distinguish him among his peers during his time at the Academy and thereafter.

I congratulate Jean, and know he will make this Nation proud.

RECOGNIZING GAME WARDEN AARON KAMMANN

HON. MATTHEW M. ROSENDALE, SR.

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. ROSENDALE. Madam Speaker, I want to recognize the outstanding work of Montana Department of Fish, Wildlife & Parks' Region 3 Gallatin District Game Warden, Mr. Aaron Kammann from Bozeman, Montana.

Montana's game wardens have a responsibility to provide protection for Montana's diverse and highly treasured natural resources, and Warden Kammann's actions exemplify proper stewardship of the Treasure State and commitment to Montana values and outdoor traditions.

In addition, Mr. Kammann regularly brings confiscated and damaged wild game to a local food bank, FoodArk, which processes and distributes meat to those in need. His work ethic embodies the core principles of duty, selflessness, and resourcefulness, and Montana is grateful for his public service.

I thank Aaron for serving the people of Montana.

RECOGNIZING CORPORAL PATRICK DANIEL McKEE

HON. BRIAN K. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. FITZPATRICK. Madam Speaker, I rise today to recognize an outstanding constituent from my district, Patrick Daniel McKee. After 29 years of service with the Plumstead Township Police Department, Corporal McKee is retiring. Born and raised in Plumstead, Patrick graduated Central Bucks East High School and then began working in the auto repair field, finding such success that he owned and operated his own repair and service station. In December 1992, Patrick decided to attend the Montgomery County Community College Police Academy. By April 1993, he was hired by his hometown police department in Plumstead Township as a full-time, sworn police officer. Throughout his time with the department, he served as a Detective and attended numerous training programs related to investigations, including the highly regarded FBI Intercounty Detective Training Program in 1998. By 2004, Patrick was promoted to the rank of Corporal and given the responsibility of overseeing a squad of patrol officers. Patrick also served as one of the department's Firearms Instructors and armorer, training law enforcement officers in the proper use and safe handling of firearms.

Throughout Corporal McKee's career, his commitment to service has not gone unnoticed. Members of the community writing to the department have expressed thanks for Patrick's gracious, friendly, and respectful demeanor both in and out of uniform. He has also received letters of commendation from the Bucks County District Attorneys' Office and the Commonwealth of Pennsylvania Board of Probation and Parole, to name just a couple. Patrick has proven himself to be an officer committed to protecting and defending his hometown and his neighbors.

We are incredibly grateful for the positive impact that Corporal Patrick Daniel McKee has had throughout his long career of public service, and we wish him countless blessings during his retirement.

INTRODUCTION OF THE VETERANS LEGAL SUPPORT ACT OF 2022

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Ms. NORTON. Madam Speaker, today, I introduce the Veterans Legal Support Act of 2022, which would allow the U.S. Department of Veterans Affairs (VA) to provide support to law school clinical programs that provide pro bono legal and support services to veterans, including assistance with disability claims and appeals and foreclosures. There are already at least 22 law schools that have clinics devoted to veterans' legal needs, including the

William & Mary Law School Veterans Benefits Clinic, which serves as a national model for this idea and was the first recipient of a ''best practice'' certification from the VA. There are many other law schools, such as the University of the District of Columbia's David A. Clarke School of Law, that are interested in starting their own VA-certified clinics. More needs to be done to sustain and increase the number of these programs.

I was a tenured professor of law and continued to teach a seminar after being elected to Congress. I saw the expert assistance that clinical programs provide their clients.

I urge my colleagues to support this bill, a concrete measure that would assist our veterans, who put their lives on the line for this country.

EDINBURGH BICENTENNIAL

HON. GREG PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. PENCE. Madam Speaker, I rise to recognize and celebrate the city of Edinburgh on the occasion of its grand Bicentennial.

Edinburgh was the first settlement in Johnson County and was established March 3 1822. Edinburgh's history runs rich and deep, even boasting Johnson County's oldest and first store. Standing alongside this historical store is the Edinburgh Post Office which has been in operation since 1823.

Edinburgh represents the true spirit of America with businesses, communities, and our very own Camp Atterbury. Business thrives here where there were once railroads and mills, and where the hardwood veneer industry still stands. Another famous business finds its home here, founded in 1989, Not Just Popcorn, which has been recognized not only nationally, but globally.

I would like to honor this great city. From its storied history to its present day standing here in Indiana, may Edinburgh be celebrated on this Bicentennial year.

HONORING THE SERVICE OF ISRAEL'S CONSUL GENERAL TO THE PACIFIC NORTHWEST SHLOMI KOFMAN

HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. KHANNA. Madam Speaker, today I rise to congratulate Israel's Consul General to the Pacific Northwest Shlomi Kofman on the conclusion of his term of service, and his return on August 1, 2022, to Israel for his next assignment.

Consul General Kofman is the diplomatic representative of the State of Israel to the states of California (Northern region), Oregon, Washington, Alaska, Idaho and Montana.

During his tenure, he actively promoted friendly relationships with government representatives from this region, including Members of Congress, and he has never hesitated to reach out to me to address questions for my constituents or serve as a resource on issues related to Israel and the Israeli community in my district.

Shlomi Kofman began his appointment as Israel's Consul General to the Pacific Northwest in August 2017.

He most recently served as a Policy Advisor to the Deputy Foreign Ministers based in Jerusalem, Israel.

Over the course of his 24-year diplomatic career, Kofman has served as Israel's Deputy Consul General in New York City, Chief of Staff to Ambassadors in Washington D.C., Deputy Ambassador in Thailand and Deputy Consul General in Shanghai.

His past domestic Foreign Ministry positions include Director of North American Economic Affairs, Policy Advisor to the Deputy Foreign Minister, Diplomatic Advisor & Director of the International Department in the Parliament and Ministry of National Infrastructure, and the Head of the Northeast Asia sector.

Prior to joining the Foreign Ministry, Kofman worked in the High-Tech Industry, representing the Israeli company Orbot in South Korea, as well as a consultant to a leading Israeli company, ECI.

Kofman holds a Bachelor of Arts in International Relations & East Asian studies from the Hebrew University in Jerusalem and a master's degree from Webster University—Shanghai University of Finance & Economics. He also holds an Associate's engineering degree.

Shlomi was born in Tbilisi, the capitol of the Soviet Republic of Georgia and made Aliya (immigrated) to Israel at the age of nine, after being refused for three years by Russian authorities.

During his tenure as Consul General serving in the Pacific Northwest, Shlomi Kofman has broadened the relationship between Israel and the states under his jurisdiction.

His advocacy and leadership led to a first-of-its-kind economic analysis that quantified the deeply interconnected California-Israel relationship, which amounts to billions of dollars in business activity and trade, and hundreds of thousands of Israelis living and working in California.

In a time where we witness increases in antisemitism, Holocaust denial, and violence against Jews, he has prioritized Holocaust education and policies to combat antisemitism and anti-Israel sentiment.

He has been a strong advocate for expanding cooperation between governments and businesses in the areas of agriculture, energy, innovation, water management, and emergency services mutual aid.

In 2020, during the height of the wildfire catastrophe in California, Israel, for the first time ever, sent a delegation of firefighters to assist in fighting the fires. This was not only a gesture of solidarity and friendship but also a reaffirmation of values that both the United States and Israel share-which is to stand together with allies in times of need.

In that spirit, he convened high-level summits with policymakers to promote the sharing of COVID–19 strategies.

He has strengthened Israel's connections with businesses, local communities, universities, and other academic institutions here in the United States.

Shlomi Kofman worked to increase the number of delegations of Americans visiting Israel to further study firsthand that country as well as organize diverse international delegations to visit the United States.

These important exchanges focused on expanding understand of diverse communities throughout the world, including people of color, women in leadership, the LGBTQ+ community, labor leaders, and citizen activists from Arab countries.

In addition, I personally have benefitted from my meetings with Consul General Kofman, where we shared honest conversations about the issues of the day. We discussed the common ties of entrepreneurship between Silicon Valley and Israel, and how such cooperation can benefit other regions of the world. I hope to continue that dialogue with his successor.

As Shlomi Kofman concludes his tenure in San Francisco, I am grateful that he built a legacy of friendship, cooperation, and a strong willingness to work with people from all backgrounds and perspectives.

The United States has greatly benefitted from the services of Consul General Shlomi Kofman.

HONORING HARRIS GELBERG, M.D. FOR HIS SERVICE TO THE SANTA BARBARA COMMUNITY

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. CARBAJAL. Madam Speaker, Harris Gelberg, M.D. has been a Santa Barbara resident since 1978. He has served the community as a cardiologist for over 44 years, caring for thousands of Santa Barbara residents.

He has demonstrated extraordinary dedication to his patients, many of whom he cared for over several decades, answering their calls at night, on the weekends, and over the holidays. He took the extra time to not only treat his patients' heart conditions, but he coordinated their overall health care to help them remain healthy, active, and vibrant. He served as Chief of the Medical Staff of Cottage Hospital and mentored numerous physicians. Despite his busy medical practice, he is devoted to Bernice, his spouse since 1971, their children, Grant and Laura, and their grandchildren, Sam, Jonah, Theo, and Eli. After years of service to the community, he has retired from the practice of medicine.

This U.S. Congress honors Harris Gelberg, M.D. for his years of dedicated service to the people of Santa Barbara and commends him for his tireless efforts to improve the health and well-being of so many residents of our community.

IN RECOGNITION OF AN INSTALLATION AT THE NEW YORK HISTORICAL SOCIETY HONORING EDITH ''EDIE'' WINDSOR

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise to pay tribute to Edith ''Edie'' Windsor for her invaluable contributions to the LGBTQ+ rights movement and in recognition of a new installation at the New York Historical Society—Edith Windsor: Champion

of Marriage Equality. This past September, the New York Historical Society held a ceremonial groundbreaking for the American LGBTQ+ Museum, New York's first museum dedicated to LGBTQ+ history and culture, which is set to open in 2024. This new installation honoring Ms. Windsor was made possible through the contribution of artifacts from her archive by her widow, Judith Kasen-Windsor.

Edie Windsor first became involved in the fight for equality after the 1969 Stonewall Riots and quickly emerged as a leader. Her historic challenge to the unconstitutional Defense of Marriage Act (DOMA) compelled the federal government to recognize valid marriages between same sex couples and paved the way for marriage equality in the United States.

Ms. Windsor grew up during the Great Depression, the youngest of three children in a Russian Jewish immigrant family. She received her undergraduate degree from Temple University and a master's degree in mathematics from New York University. The following year she began to work at IBM and was steadily promoted to the top technical position during her 16 years at the company.

In 1963, Edie Windsor met her first wife, Thea Spyer. Two years later the couple began dating. They became engaged in 1967 despite the lack of legal recognition of same sex couples anywhere in the United States. After the 1969 Stonewall Rebellion, Ms. Windsor and Ms. Spyer became more involved in supporting and advocating for rights for the City's LGBTQ+ community. Ms. Windsor volunteered with the LGBTQ+ Community Center, the East End Gay Organization, Gay & Lesbian Advocates & Defenders, and the 1994 Gay Games in New York. She also served on the board of Services & Advocacy for the LGBT GLBT Elders (SAGE) and help found Old Queers Acting Up, a social justice skit comedy and improvisation group.

In 2009, Thea Spyer passed away, leaving the entirety of her estate to her wife, Edie. Due to DOMA, Edie Windsor was prohibited from claiming the estate tax exemption for surviving spouses and was faced with a nearly half million-dollar tax liability. In 2010, Ms. Windsor sued the federal government for a full tax refund in a series of court cases that made it all the way to the Supreme Court in 2013. In 2013, Edie Windsor's suit was upheld by the Supreme Court ruling finding DOMA unconstitutional. This validation of her decades long partnership with Ms. Spyer was not only a vindication for Ms. Windsor but for countless LGBTQ+ couples around the Nation. Two years later, the Supreme Court made marriage a constitutional right guaranteed to all Americans. In 2016, Ms. Windsor found love again, marrying Judith Kasen-Windsor. Ms. Windsor's passing in the fall of 2017 marked the end of a truly heroic life spent championing equality.

Madam Speaker, I ask my colleagues to join me in recognizing the extraordinary gumption and the incomparable advocacy of Ms. Windsor on behalf of the entire LGBTQ+ community throughout her long and accomplished life.

HONORING BRYCE DAVIS

HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2022

Mr. ALLEN. Madam Speaker, I rise today to congratulate my constituent, Bryce Davis, upon his acceptance to the United States Military Academy at West Point.

As a future cadet, he will be joining the ranks of the world's most fearsome fighting force—the United States Army—guided by duty, honor, and country.

The service and sacrifice of America's military personnel have safeguarded our Nation since its inception, defending our way of life from Lexington to Normandy.

And throughout our history, American soldiers have demonstrated tremendous courage and strength, beating back tyranny to the ends of the earth.

I was glad to sponsor Bryce's nomination and I am confident that his talents will distinguish him among his peers both during his time at West Point and thereafter.

I congratulate Bryce, and know that he will make this Nation proud.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S2795–S2840

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 4353–4356, S.J. Res. 52, and S. Res. 661–662. **Page S2814**

Measures Passed:

Mental Health Awareness Month: Senate agreed to S. Res. 662, expressing support for the designation of May 2022 as ''Mental Health Awareness Month''. **Page S2839**

Post-Katrina Emergency Management Reform Act: Senate passed S. 3499, to amend the Post-Katrina Emergency Management Reform Act of 2006 to repeal certain obsolete requirements. **Page S2839**

Measures Considered:

Honoring Our Pact Act—Agreement: Senate resumed consideration of the motion to proceed to consideration of H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances. **Pages S2801–09**

During consideration of this measure today, Senate also took the following action:

By 86 yeas to 12 nays (Vote No. 215), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S2801**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:00 a.m., on Wednesday, June 8, 2022, post-cloture; that all post-cloture time on the motion to proceed to consideration of the bill be expired, and that if the motion to proceed is agreed to, Senator Tester, or his designee, be recognized to offer substitute Amendment No. 5051; provided further that after Senator Schumer yield the floor following Senator Tester's offering of his amendment and any remarks he may make, Senate resume consideration of the nomination of Lisa M. Gomez, of New Jersey, to be an Assistant Secretary of Labor; and that at 11:30 a.m., Senate vote on confirmation of the nominations of Lisa M. Gomez and Nina Morrison, of New York, to be United States District Judge for the Eastern District of New York, in the order listed. **Page S2839**

Appointments:

Social Impact Partnerships: The Chair, pursuant to Public Law 115–123, on behalf of the Majority Leader, reappointed the following individual as a member of the Commission on Social Impact Partnerships: Carol B. Kellerman of New York. **Page S2839**

Nominations Confirmed: Senate confirmed the following nominations:

By 76 yeas to 21 nays (Vote No. EX. 214), Alex Wagner, of the District of Columbia, to be an Assistant Secretary of the Air Force. **Pages S2795–S2801**

By 95 yeas to 4 nays (Vote No. EX. 216), Chavonda J. Jacobs-Young, of Georgia, to be Under Secretary of Agriculture for Research, Education, and Economics. **Page S2809**

By 63 yeas to 35 nays (Vote No. EX. 217), Kenneth L. Wainstein, of Virginia, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security. **Page S2809**

By 54 yeas to 45 nays (Vote No. EX. 218), Shalanda H. Baker, of Texas, to be Director of the Office of Minority Economic Impact, Department of Energy. **Pages S2810–11**

Nominations Received: Senate received the following nominations:

William J. Renick, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2027.

Adam Wade White, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2027.

Richard K. Delmar, of Virginia, to be Inspector General, Department of the Treasury.

Daniel N. Rosenblum, of Maryland, to be Ambassador to the Republic of Kazakhstan.

Kathleen Ann Kavalec, of California, to be Ambassador to Romania.

Nathaniel Fick, of Maine, to be Ambassador at Large for Cyberspace and Digital Policy.

Karla Ann Gilbride, of Maryland, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years.

Terrence Edwards, of Maryland, to be Inspector General of the National Reconnaissance Office.

Richard E. DiZinno, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for the remainder of the term expiring January 29, 2023.

3 Air Force nominations in the rank of general.

2 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy, and Space Force. **Page S2839**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Biniam Gebre, of Virginia, to be Administrator for Federal Procurement Policy, which was sent to the Senate on August 9, 2021. **Page S2840**

Messages from the House: **Pages S2813–14**

Executive Communications: **Pages S2813–14**

Additional Cosponsors: **Pages S2814–15**

Statements on Introduced Bills/Resolutions: **Pages S2815–17**

Additional Statements: **Pages S2812–13**

Amendments Submitted: **Pages S2817–38**

Authorities for Committees to Meet: **Page S2838**

Privileges of the Floor: **Pages S2838–39**

Record Votes: Five record votes were taken today. (Total—218) **Pages S2801, S2809–10**

Recess: Senate convened at 10 a.m. and recessed at 6:59 p.m., until 10 a.m. on Wednesday, June 8, 2022. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2839.)

Committee Meetings

(Committees not listed did not meet)

WESTERN WATER CRISIS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Conservation, Climate, Forestry, and Natural Resources concluded a hearing to examine the western water crisis, focusing on confronting persistent drought and building resilience on our forests and farmland, after receiving testimony from Earl Lewis, Kansas Department of Agriculture Division of Water Resources, Manhattan, on behalf of the Western States Water Council; Andrew Mueller, Colorado River Water Conservation District, Glenwood Springs; Courtney Schultz, Colorado State University Department of Forest and Rangeland Stewardship, Fort Collins; Tom Willis, T and O Farms, Liberal, Kansas; and Ellen Herbert, Ducks Unlimited, Inc., Memphis, Tennessee.

APPROPRIATIONS: NATIONAL GUARD AND RESERVE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates and justification for fiscal year 2023 for the National Guard and Reserve, after receiving testimony from General Daniel R. Hokanson, Chief of the National Guard Bureau, Lieutenant General Jody J. Daniels, Chief of Army Reserve, Vice Admiral John B. Mustin, Chief of Navy Reserve, Lieutenant General David G. Bellon, Commander, Marine Forces Reserve, and Lieutenant General Richard W. Scobee, Chief of Air Force Reserve, all of the Department of Defense.

APPROPRIATIONS: DEPARTMENT OF EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2023 for the Department of Education, after receiving testimony from Miguel Cardona, Secretary of Education.

REVIVING CONVENTIONS AND TOURISM

Committee on Commerce, Science, and Transportation: Subcommittee on Tourism, Trade, and Export Promotion concluded a hearing to examine reviving conventions and tourism through international travel, after receiving testimony from Suzanne Neufang, Global Business Travel Association, Alexandria, Virginia; Tori Emerson Barnes, U.S. Travel Association, Washington, D.C.; and Ralph Cutie, Miami International Airport, Miami, Florida.

ENERGY AND PUBLIC LANDS LEGISLATION

Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining concluded a hearing to examine S. 387, to protect, for current and future generations, the watershed, ecosystem, and cultural heritage of the Grand Canyon region in the State of Arizona, to provide for a study relating to the uranium stockpile in the United States, S. 1264, to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing permits and leases, S. 1412, to provide for the conveyance of certain Federal land in Carson City, Nevada, S. 1750, to redesignate land within certain wilderness study areas in the State of Wyoming, S. 2254, to amend the Wild and Scenic Rivers Act to designate certain streams in the greater Yellowstone ecosystem and Smith River system in the State of Montana as components of the Wild and Scenic Rivers System, S. 2568, to establish the Open Access Evapotranspiration (OpenET) Data Program, S. 2708, to provide for greater consultation between the Federal Government and the governing bodies and community users of land grant-mercedes in New Mexico, to provide for a process for recognition of the historic-traditional uses of land grant-mercedes, S. 2980, to authorize the voluntary donation of grazing permits and leases in the State of New Mexico, S. 2996, to provide for the distribution of certain outer Continental Shelf revenues to the State of Alaska, S. 3046, to codify the authority of the Secretary of Agriculture and the Secretary of the Interior to conduct certain landscape-scale forest restoration projects, S. 3129, to amend the Wild and Scenic Rivers Act to designate certain segments of the Gila River system in the State of New Mexico as components of the National Wild and Scenic Rivers System, to provide for the transfer of administrative jurisdiction over certain Federal land in the State of New Mexico, S. 3144, to establish the Sutton Mountain National Monument, to authorize certain land exchanges in the State of Oregon, to convey certain Bureau of Land Management land in the State of Oregon to the city of Mitchell, Oregon, and Wheeler County, Oregon, for conservation, economic, and community development purposes, S. 3269, to provide for the recognition of certain Alaska Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 3370, to release the reversionary interest of the United States in certain non-Federal land in Salt Lake City, Utah, S. 3404, to provide the consent of Congress to an amendment to the Constitution of the State of New Mexico, S. 3644, to require the collection of certain data relating to Bureau of Land Management land acquisitions, S. 3709, to require the Secretary of Agriculture to carry out vegetation management projects and timber production projects on certain National Forest System land in the States of Montana, South Dakota, and Wyoming, S. 3997, to amend the Land Between the Lakes Protection Act of 1998 to clarify the administration of the Land Between the Lakes National Recreation Area, S. 4062, to amend the Federal Land Policy and Management Act of 1976 to authorize the sale of certain Federal land to States and units of local government to address housing shortages, S. 4080, to modify the boundary of the Berryessa Snow Mountain National Monument to include certain Federal land in Lake County, California, and S. 4227, to streamline the oil and gas permitting process and to recognize fee ownership for certain oil and gas drilling or spacing units, after receiving testimony from Nada Wolff Culver, Deputy Director, Policy and Programs, Bureau of Land Management, Department of the Interior; Christopher French, Deputy Chief, National Forest System, Department of Agriculture, Forest Service; Jake Garfield, Utah Public Lands Policy Coordinating Office, Millcreek; Sean McKenna, Desert Research Institute, Reno, Nevada; and Jerimiah Rieman, Wyoming County Commissioners Association, Cheyenne.

PRESIDENT'S BUDGET

Committee on Finance: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2023, after receiving testimony from Janet L. Yellen, Secretary the Treasury.

WORLD THREAT ASSESSMENT

Committee on Foreign Relations: Committee received a closed briefing on around the world threat assessment from Brett M. Holmgren, Assistant Secretary of State for Intelligence and Research.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Amanda Bennett, of the District of Columbia, to be Chief Executive Officer of the United States Agency for Global Media, after the nominee testified and answered questions in her own behalf.

RANSOMWARE ATTACKS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine ransomware attacks and ransom payments enabled by cryptocurrency, focusing on rising threats, after receiving testimony from Megan H. Stifel, Institute for Security and Technology, Issaquah, Washington; Bill Siegel, Coveware Inc., Westport, Connecticut; and Jacqueline Koven, Chainalysis Inc., New York, New York.

DOMESTIC TERRORISM THREAT

Committee on the Judiciary: Committee concluded a hearing to examine domestic terrorism threat after the Buffalo attack, after receiving testimony from Justin E. Herdman, former United States Attorney for the Northern District of Ohio, Cleveland; Robert A. Pape, University of Chicago, Chicago, Illinois; Michael German, New York University Law School Brennan Center for Justice, and Jonathan Turley, The George Washington University Law School, both of Washington, D.C.; and Garnell Whitfield, Jr., Buffalo, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 25 public bills, H.R. 7951–7975; and 7 resolutions, H. Res. 1151–1157, were introduced. **Pages H5331–33**

Additional Cosponsors: **Pages H5334–35**

Reports Filed: A report was filed on June 6, 2022 as follows:

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, with an amendment (H. Rept. 117–346, Part 1).

Reports were filed today as follows:

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, with an amendment (H. Rept. 117–347);

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, with an amendment (H. Rept. 117–348);

H.R. 166, 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 (H. Rept. 117–349);

H.R. 2123, 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 (H. Rept. 117–350);

H.R. 7003, to amend the Federal Credit Union Act to permit credit unions to serve certain underserved areas, and for other purposes, with an amendment (H. Rept. 117–351);

H.R. 7733, 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 (H. Rept. 117–352);

H.R. 3648, 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 (H. Rept. 117–353);

H.R. 4330, 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 (H. Rept. 117–354);

H.R. 2516, 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 (H. Rept. 117–355);

H. Res. 1153, 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 (H. Rept. 117–356);

H.R. 7606, to establish the Office of the Special Investigator for Competition Matters within the Department of Agriculture, with an amendment (H. Rept. 117–357); and

H.R. 301, 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 (H. Rept. 117–358).
Page H5331

Speaker: Read a letter from the Speaker wherein she appointed Representative Panetta to act as Speaker pro tempore for today. **Page H5237**

Private Calendar: On the call of the Private calendar, the House passed H.R. 187, for the relief of Victoria Galindo Lopez. **Pages H5237–38**

Private Calendar: On the call of the Private calendar, the House passed H.R. 680, for the relief of Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar. **Page H5238**

Private Calendar: On the call of the Private calendar, the House passed H.R. 681, for the relief of Rebecca Trimble. **Page H5238**

Private Calendar: On the call of the Private calendar, the House passed H.R. 739, for the relief of Median El-Moustrah. **Pages H5238–39**

Private Calendar: On the call of the Private calendar, the House passed H.R. 785, for the relief of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso. **Page H5239**

Recess: The House recessed at 2:24 p.m. and reconvened at 3:01 p.m. **Page H5241**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Improving Access to Workers' Compensation for Injured Federal Workers Act: H.R. 6087, amended, 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, by a ⅔ yea-and-nay vote of 325 yeas to 83 nays, Roll No. 233; **Pages H5242–49, H5321–22**

Bankruptcy Threshold Adjustment and Technical Corrections Act: S. 3823, to amend title 11, United States Code, to modify the eligibility requirements for a debtor under chapter 13, by a ⅔ yea-and-nay vote of 392 yeas to 21 nays, Roll No. 234; and **Pages H5260–62, H5322–23**

Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby: H. Con. Res. 88, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
Pages H5296–98

Moment of Silence: The House observed a moment of silence in remembrance of the victims of the recent shooting at Robb Elementary School in Uvalde, Texas. **Page H5322**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed.

PPP and Bank Fraud Enforcement Harmonization Act of 2022: H.R. 7352, to amend the Small Business Act to extend the statute of limitation for fraud by borrowers under the Paycheck Protection Program; **Pages H5249–50**

COVID–19 EIDL Fraud Statute of Limitations Act of 2022: 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; **Pages H5250–52**

Hubzone Price Evaluation Preference Clarification Act: 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; **Pages H5252–53**

Small Business Workforce Pipeline Act of 2022: H.R. 7622, to amend the Small Business Act to include requirements relating to apprenticeship program assistance for small business development centers; **Pages H5253–55**

Supporting Small Business and Career and Technical Education Act of 2022: 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; **Pages H5255–56**

Women-Owned Small Business Program Transparency Act: H.R. 7670, to amend the Small Business Act to require a report on small business concerns owned and controlled by women;
Pages H5256–58

Strengthening Subcontracting for Small Businesses Act of 2022: H.R. 7694, to amend the Small Business Act to modify the requirements relating to the evaluation of the subcontracting plans of certain offerors; **Pages H5258–60**

Water Resources Development Act of 2022: H.R. 7776, amended, 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 **Pages H5262–96**

Supporting American Printed Circuit Boards Act of 2022: H.R. 7677, to provide incentives for the domestic production of printed circuit boards.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H5321–22 and H5323.

Adjournment: The House met at 2 p.m. and adjourned at 8:26 p.m.

Committee Meetings

FEDERAL EXTREME RISK PROTECTION ORDER ACT OF 2021

Committee on Rules: Full Committee held a hearing on H.R. 2377, the "Federal Extreme Risk Protection Order Act of 2021"; and H.R. 7910, the "Protecting Our Kids Act". The Committee granted, by record vote of 7–4, a rule providing for consideration of H.R. 2377, the "Federal Extreme Risk Protection Order Act of 2021", and H.R. 7910, the "Protecting Our Kids Act". The rule provides for consideration of H.R. 2377, the "Federal Extreme Risk Protection Order Act of 2021", under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–46, modified by the amendment printed in the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit. The rule provides for consideration of H.R. 7910, the "Protecting Our Kids Act", under a closed rule. The rule provides two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–48 shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides that the Chair shall put the question on retaining each title of the bill, as amended, in the order specified by the Chair; provides that the yeas and nays be considered as ordered on each of the questions; and provides that the Chair shall then put the question on engrossment and third reading of the text comprising those portions of the bill retained. The rule provides one motion to recommit. The rule directs the Clerk, in the engrossment of H.R. 7910, to make technical and conforming changes in the event a portion of the bill is not retained. The rule provides that House Resolution 1151 and House Resolution 1152 are hereby adopted. The rule provides that House Resolution 188 is amended by striking "June 10, 2022" each place it appears and inserting "June 17, 2022". Testimony was heard from Chairman Nadler and Representative Massie.

CYBERSECURITY AND RISK MANAGEMENT AT VA: ADDRESSING ONGOING CHALLENGES AND MOVING FORWARD

Committee on Veterans' Affairs: Subcommittee on Technology Modernization held a hearing entitled "Cybersecurity and Risk Management at VA: Addressing Ongoing Challenges and Moving Forward". Testimony was heard from Senator Rosen; Kurt Delbene, Assistant Secretary for Information and Technology and Chief Information Officer, Department of Veterans Affairs; and Michael Bowman, Director, Information Technology and Security Audits Division, Office of Inspector General, Department of Veterans Affairs.

Joint Meetings

EUROPEAN ENERGY SECURITY

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine European energy security post-Russia, after receiving testimony from Yuriy Vitrenko, Naftogaz Ukraine; Constanze Stelzenmuller, Brookings Institution; and Benjamin Schmitt, Harvard University.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D590)*

H.R. 4426, to amend the Homeland Security Act of 2002 to ensure that the needs of children are considered in homeland security planning. Signed on June 6, 2022. (Public Law 117–130)

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 8, 2022

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: business meeting to consider the nominations of Michael S. Barr, of Michigan, to be a Member, and to be Vice Chairman for Supervision of the Board of Governors, and Jaime E. Lizarraga, of Virginia, and Mark Toshiro Uyeda, of California, both to be a Member, all of the Securities and Exchange Commission, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Robin Meredith Cohn Hutcheson, of Utah, to be Administrator of the Federal Motor Carrier Safety Administration, Department of Transportation, Michael Cottman Morgan, of Wisconsin, to be an Assistant Secretary of Commerce, and Sean Burton, of California, to be a Member of the Board

of Directors of the Metropolitan Washington Airports Authority, 10 a.m., SR–253.

Committee on Environment and Public Works: to hold hearings to examine the nominations of Annie Caputo, of Virginia, and Bradley R. Crowell, of Nevada, both to be a Member of the Nuclear Regulatory Commission, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the path forward on U.S.-Syria policy, focusing on strategy and accountability, 10 a.m., SD–419/VTC.

Committee on the Judiciary: to hold hearings to examine the nominations of Carlton W. Reeves, of Mississippi, to be a Member, and to be Chair, and Laura E. Mate, of Iowa, Claire McCusker Murray, of Maryland, Luis Felipe Restrepo, of Pennsylvania, Claria Horn Boom, of Kentucky, John Gleeson, of New York, and Candice C. Wong, of the District of Columbia, each to be a Member, all of the United States Sentencing Commission, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the small business workforce challenge, focusing on causes, impacts, and solutions, 2:30 p.m., SR–428A.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SVC–217.

House

Committee on Agriculture, Subcommittee on Nutrition, Oversight, and Department Operations, hearing entitled ''A 2022 Review of the Farm Bill: Stakeholder Perspectives on SNAP'', 10:15 a.m., 1300 Longworth and Zoom.

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, budget hearing on the Arts and Humanities, 9:30 a.m., Zoom.

Subcommittee on State, Foreign Operations, and Related Programs, budget hearing on the United Nations, 10 a.m., 2359 Rayburn and Zoom.

Committee on Armed Services, Subcommittee on Cyber, Innovative Technologies, and Information Systems, markup on H.R. 7900, the ''National Defense Authorization Act for Fiscal Year 2023'', 10 a.m., 2118 Rayburn and Webex.

Subcommittee on Strategic Forces, markup on H.R. 7900, the ''National Defense Authorization Act for Fiscal Year 2023'', 12 p.m., 2118 Rayburn and Webex.

Seapower and Projection Forces, markup on H.R. 7900, the ''National Defense Authorization Act for Fiscal Year 2023'', 2 p.m., 2118 Rayburn and Webex.

Subcommittee on Military Personnel, markup on H.R. 7900, the ''National Defense Authorization Act for Fiscal Year 2023'', 3:30 p.m., 2118 Rayburn and Webex.

Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation, hearing entitled ''Resourcing U.S. Priorities in the Indo-Pacific FY23 Budget Hearing'', 10 a.m., 2172 Rayburn and Webex.

Subcommittee on International Development, International Organizations, and Global Corporate Social Impact, hearing entitled ''The FY23 Budget Request: United Nations and International Organizations'', 2 p.m., 2172 Rayburn and Webex.

Committee on Natural Resources, Full Committee, markup on H.R. 263, the ''Big Cat Public Safety Act''; H.R. 3081, to make certain irrigation districts eligible for Pick-Sloan Missouri Basin Program pumping power, and for other purposes; H.R. 5444, the ''Truth and Healing Commission on Indian Boarding School Policies Act''; H.R. 6063, to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes; H.R. 6181, the ''Samish Indian Nation Land Reaffirmation Act''; H.R. 6337, the ''Biking on Long-Distance Trails Act''; H.R. 6707, the ''Advancing Equality for Wabanaki Nations Act''; H.R. 6734, the ''Keep America's Refuges Operational Act of 2022''; H.R. 7002, the ''Gateway Solidarity Act''; H.R. 7025, the ''Advancing Human Rights-Centered International Conservation Act of 2022''; H.R. 7075, the ''Ukrainian Independence Park Act of 2022''; H.R. 7612, the ''Desalination Research Advancement Act''; S. 314, the ''Klamath Tribe Judgment Fund Repeal Act''; S. 559, to amend the Grand Ronde Reservation Act, and for other purposes; and S. 789, the ''RESPECT Act'', 10 a.m., 1324 Longworth and Webex.

Committee on Oversight and Reform, Full Committee, hearing entitled ''The Urgent Need to Address the Gun Violence Epidemic'', 10 a.m., 2154 Rayburn and Zoom.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''Detecting and Quantifying Methane Emissions from the Oil and Gas Sector'', 10 a.m., 2318 Rayburn and Zoom.

Committee on Small Business, Full Committee, hearing entitled ''Military to Main Street: Serving Veteran Entrepreneurship'', 10 a.m., 2360 Rayburn and Zoom.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing entitled ''Addressing the Roadway Safety Crisis: Building Safer Roads for All'', 10 a.m., 2167 Rayburn and Zoom.

Committee on Ways and Means, Full Committee, hearing entitled ''The President's Proposed Fiscal Year 2023 Budget with Treasury Secretary Janet Yellen'', 10 a.m., 1100 Longworth and Webex.

Permanent Select Committee on Intelligence, Full Committee, hearing entitled ''Compartmented Posture Hearing'', 10 a.m., HVC–304.

Select Committee on the Modernization of Congress, Full Committee, hearing entitled ''Pathways to Congressional Service'', 10 a.m., 210 Cannon.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED SEVENTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through May 31, 2022

	Senate	*House*	*Total*
Days in session	79	71	..
Time in session	478 hrs., 41′	275 hrs., 25′	..
Congressional Record:			
Pages of proceedings	2,767	5,229	..
Extensions of Remarks	..	E569	..
Public bills enacted into law	22	26	48
Private bills enacted into law	..	..	..
Bills in conference	1	1	..
Bills through conference	..	..	..
Measures passed, total	228	214	442
Senate bills	52	36	..
House bills	37	154	..
Senate joint resolutions	4	..	..
House joint resolutions	1	1	..
Senate concurrent resolutions	5	2	..
House concurrent resolutions	3	4	..
Simple resolutions	126	37	..
Measures reported, total	*102	115	217
Senate bills	71	..	..
House bills	16	99	..
Senate joint resolutions	1	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	..	..
Simple resolutions	13	16	..
Special reports	3	3	..
Conference reports	..	..	..
Measures pending on calendar	242	27	..
Measures introduced, total	1,119	1,915	3,034
Bills	911	1,576	..
Joint resolutions	15	20	..
Concurrent resolutions	16	28	..
Simple resolutions	177	291	..
Quorum calls	..	1	..
Yea-and-nay votes	212	231	..
Recorded votes	..	..	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 65 written reports have been filed in the Senate, 118 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through May 31, 2022

Civilian nominees, totaling 504 (including 181 nominees carried over from the First Session), disposed of as follows:	
Confirmed	210
Unconfirmed	273
Withdrawn	21
Returned to White House	0
Other Civilian nominees, totaling 906 (including 291 nominees carried over from the First Session), disposed of as follows:	
Confirmed	677
Unconfirmed	229
Air Force nominees, totaling 4,075 (including 5 nominees carried over from the First Session), disposed of as follows:	
Confirmed	3,964
Unconfirmed	111
Army nominees, totaling 4,869 (including 1,992 nominees carried over from the First Session), disposed of as follows:	
Confirmed	3,750
Unconfirmed	1,119
Navy nominees, totaling 634 (including 1 nominees carried over from the First Session), disposed of as follows:	
Confirmed	179
Unconfirmed	455
Marine Corps nominees, totaling 422 (including 321 nominees carried over from the First Session), disposed of as follows:	
Confirmed	417
Unconfirmed	5
Space Force nominees, totaling 392 (including 2 nominees carried over from the First Session), disposed of as follows:	
Confirmed	392

Summary

Total nominees carried over from the First Session	2,793
Total nominees received this Session	9,009
Total confirmed	9,589
Total unconfirmed	2,192
Total withdrawn	21
Total returned to the White House	0

Next Meeting of the **SENATE**

10 a.m., Wednesday, June 8

Senate Chamber

Program for Wednesday: Senate will continue consideration of the motion to proceed to consideration of H.R. 3967, Honoring our PACT Act, post-cloture.

At 11:30 a.m., Senate will vote on confirmation of the nominations of Lisa M. Gomez, of New Jersey, to be an Assistant Secretary of Labor, and Nina Morrison, of New York, to be United States District Judge for the Eastern District of New York.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, June 8

House Chamber

Program for Wednesday: Consideration of H.R. 7910—Protecting Our Kids Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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