

THE COMMITTEE ON ENERGY AND COMMERCE

ONE HUNDRED SEVENTEENTH CONGRESS

(Ratio 32-26)

FRANK PALLONE, JR., New Jersey, *Chairman*

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 30, 2022.

HON. CHERYL L. JOHNSON
Clerk, House of Representatives
Washington, DC

DEAR MADAM CLERK: Pursuant to clause 1(d) of Rule XI of the Rules of the House of Representatives, I present herewith a report on the activities of the Committee on Energy and Commerce for the 117th Congress, including the Committee's review and study of legislation within its jurisdiction and the oversight activities undertaken by the Committee.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

[Original letter attached]

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JURISDICTION

The jurisdiction of the Committee on Energy and Commerce, as prescribed by clause 1(f) of Rule X of the Rules of the House of Representatives, is as follows:

- (1) Biomedical research and development.
- (2) Consumer affairs and consumer protection.
- (3) Health and health facilities (except health care supported by payroll deductions).
- (4) Interstate energy compacts.
- (5) Interstate and foreign commerce generally.
- (6) Exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.
- (7) Conservation of energy resources.
- (8) Energy information generally.
- (9) The generation and marketing of power (except by Federally chartered or Federal regional power marketing authorities); reliability and interstate transmission of, and ratemaking for, all power; and siting of generation facilities (except the installation of interconnections between Government waterpower projects).
- (10) General management of the Department of Energy and management and all functions of the Federal Energy Regulatory Commission.
- (11) National energy policy generally.
- (12) Public health and quarantine.
- (13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.
- (14) Regulation of interstate and foreign communications.
- (15) Travel and tourism.

The committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy.

In addition, clause 3(e) of Rule X of the Rules of the House of Representatives provides that the Committee on Energy and Commerce shall review and study on a continuing basis laws, programs, and Government activities relating to nuclear and other energy and nonmilitary nuclear energy research and development including the disposal of nuclear waste.

RULES FOR THE COMMITTEE ON ENERGY AND COMMERCE
U.S. HOUSE OF REPRESENTATIVES, 117TH CONGRESS
(Adopted January 28, 2021)

Rule 1. General Provisions

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Energy and Commerce (the “Committee”) and its subcommittees so far as is applicable.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

Rule 2. Business Meetings/Markups

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chair of the Committee may, at his or her discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings. The chair may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chair.

(c) Notice. The date, time, place, and subject matter of any meeting of the Committee (other than a hearing) shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. In no event shall such meeting commence earlier than the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which members have notice thereof.

(d) Agenda. The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) Availability of Texts. No bill, recommendation, or other matter shall be considered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) Waiver. The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chair with the concurrence of the ranking member, as the case may be.

Rule 3. Hearings

(a) Notice. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) Memorandum. Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) Witnesses. (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chair. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chair of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of any Federal grants or contracts or foreign government contracts and payments related to the subject matter of the hearing received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness. The disclosure shall include (i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and (ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(d) Questioning. (1) The right to interrogate the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. The chair shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee or relevant subcommittee, as the case may be.

(2) The chair, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side. The chair with the concurrence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(3) Each member may submit to the chair of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The chair shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record. After consultation with the ranking minority member, the chair is authorized to close the hearing record no earlier than 120 days from the date the questions were transmitted to the appropriate witness.

Rule 4. Vice Chair; Presiding Member

The chair shall designate a member of the majority party to serve as vice chair of the Committee, and shall designate a majority member of each subcommittee to serve as vice chair of each subcommittee. The vice chair of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chair. If the chair and vice chair of the Committee or subcommittee are not present at any meeting or hearing, the most senior ranking member of the majority party who is present shall preside at the meeting or hearing.

Rule 5. Open Proceedings

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

Rule 6. Quorum

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee or subcommittee in question. A majority of the members of the Committee or subcommittee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

Rule 7. Official Committee Records

(a)(1) Documents reflecting the proceedings of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House not more than 24 hours after each meeting has adjourned, including a record showing those present at each meeting; and a record of the vote on any question on which a record vote is demanded, including a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(2) Record Votes. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum.

(b) Postponement of Votes. In accordance with clause 2(h)(4) of Rule XI of the Rules of the House, the chair of the Committee or a subcommittee, after consultation with the ranking minority member of the Committee or subcommittee, may (A) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and (B) resume proceedings on a postponed question at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(c) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chair shall notify the ranking minority member of any decision, pursuant to clause 3 (b)(3) or clause 4 of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chair shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

Rule 8. Subcommittees

(a) Establishment. There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

(b) Powers and Duties. Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairs shall set hearing and meeting dates only with the approval of the chair of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(c) Ratio of Subcommittees. The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chair shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

(d) Selection of Subcommittee Members. Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(e) Ex Officio Members. The chair and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

Rule 9. Opening Statements

(a) Written Statements. All written opening statements at hearings and business meetings conducted by the committee shall be made part of the permanent record.

(b) Length. (1) At full committee hearings, the chair and ranking minority member shall be limited to 5 minutes each for an opening statement, and may designate another member to give an opening statement of not more than 5 minutes. At subcommittee hearings, the subcommittee chair and ranking minority member of the subcommittee shall be limited to 5 minutes each for an opening statement. In addition, the full committee chair and ranking minority member shall each be allocated 5 minutes for an opening statement for themselves or their designees at subcommittee hearings.

(2) At any business meeting of the Committee, statements shall be limited to 5 minutes each for the chair and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. The chair may further limit opening statements for Members (including, at the discretion of the chairman, the chairman and ranking minority member) to one minute.

Rule 10. Reference of Legislation and Other Matters

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless: (1) action is taken by the full Committee within those two weeks, or (2) by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matters within the jurisdiction of more than one subcommittee, the chair of the Committee may, in his or her discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chair, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

Rule 11. Managing Legislation on the House Floor

The chair, in his or her discretion, shall designate which member shall manage legislation reported by the Committee to the House.

Rule 12. Committee Professional and Clerical Staff Appointments

(a) Delegation of Staff. Whenever the chair of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chair and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he or she may delegate such staff member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairs and with the approval of the subcommittee chair or chairs involved.

(b) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chair of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chair of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chair of the Committee considers advisable.

(d) Sufficient Staff. The chair shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) Fair Treatment of Minority Members in Appointment of Committee Staff. The chair shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Contracts for Temporary or Intermittent Services. Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chair and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chair or chairs, and such ranking minority member or members, approve such contract.

Rule 13. Supervision, Duties of Staff

(a) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chair who, in consultation with the chair of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as they determine is appropriate.

(b) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

Rule 14. Committee Budget

(a) Administration of Committee Budget. The chairman of the Committee, in consultation with the ranking minority member, shall for the 117th Congress attempt to

ensure that the Committee receives necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight.

(b) Monthly Expenditures Report. Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

Rule 15. Broadcasting of Committee Hearings

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chair of the Committee, the subcommittee chair, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

Rule 16. Subpoena Power

The power to authorize and issue subpoenas is delegated to the chair of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The chair shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the chair shall consult with the ranking minority member at least 72 hours in advance of a subpoena being issued under such authority. The chair shall report to the members of the Committee on the issuance of a subpoena as soon as practicable but in no event later than one week after issuance of such subpoena.

Rule 17. Travel of Members and Staff

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chair. Travel may be authorized by the chair for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations that involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given, there shall be submitted to the chair in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party staff members for the purpose set out in (a), the prior approval, not only of the chair but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chair only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

Rule 18. Website

The chair shall maintain an official Committee website for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members

of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities, including communicating information about the activities of the minority members of the Committee to Committee members and other members of the House.

Rule 19. Conferences

The chair of the Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chair considers it appropriate.

MEMBERSHIP AND ORGANIZATION

ONE HUNDRED SEVENTEENTH CONGRESS

COMMITTEE ON ENERGY AND COMMERCE

ONE HUNDRED SEVENTEENTH CONGRESS

(Ratio 32-26)

FRANK PALLONE, JR., New Jersey, *Chairman*

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DIANA DEGETTE, Colorado
MICHAEL F. DOYLE, Pennsylvania
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G. K. BUTTERFIELD, North Carolina
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SCOTT H. PETERS, California
DEBBIE DINGELL, Michigan
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ANN M. KUSTER, New Hampshire
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LIZZE FLETCHER, Texas

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FRED UPTON, Michigan
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STEVE SCALISE, Louisiana
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JEFF DUNCAN, South Carolina
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NEAL P. DUNN, Florida
JOHN R. CURTIS, Utah
DEBBIE LESKO, Arizona
GREG PENCE, Indiana
DAN CRENSHAW, Texas
JOHN JOYCE, Pennsylvania
KELLY ARMSTRONG, North Dakota

SUBCOMMITTEE MEMBERSHIPS AND JURISDICTION
SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY
(Ratio 18-14)

MICHAEL F. DOYLE, Pennsylvania, *Chairman*

JERRY McNERNEY, California
YVETTE D. CLARKE, New York
MARC A. VEASEY, Texas
A. DONALD McEACHIN, Virginia
DARREN SOTO, Florida
TOM O'HALLERAN, Arizona
KATHLEEN M. RICE, New York
ANNA G. ESHOO, California
G. K. BUTTERFIELD, North Carolina
DORIS O. MATSUI, California, *Vice Chair*
PETER WELCH, Vermont
KURT SCHRADER, Oregon
TONY CÁRDENAS, California
ROBIN L. KELLY, Illinois
ANGIE CRAIG, Minnesota
LIZZIE FLETCHER, Texas
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

ROBERT E. LATTA, Ohio, *Ranking Member*
STEVE SCALISE, Louisiana
BRETT GUTHRIE, Kentucky
ADAM KINZINGER, Illinois
GUS M. BILIRAKIS, Florida
BILL JOHNSON, Ohio
BILLY LONG, Missouri
RICHARD HUDSON, North Carolina
MARKWAYNE MULLIN, Oklahoma
TIM WALBERG, Michigan
EARL L. "BUDDY" CARTER, Georgia
JEFF DUNCAN, South Carolina
JOHN CURTIS, Utah
CATHY McMORRIS RODGERS, Washington
(*Ex Officio*)

Jurisdiction: electronic communications, both interstate and foreign, including voice, video, audio and data, whether transmitted by wire or wirelessly, and whether transmitted by telecommunications, commercial or private mobile service, broadcast, cable, satellite, microwave, or other mode; technology generally; emergency and public safety communications; cybersecurity, privacy, and data security; the Federal Communications Commission, the National Telecommunications and Information Administration, the Emergency Communications Division in the Department of Homeland Security; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON CONSUMER PROTECTION AND COMMERCE
(Ratio 14-10)

JANICE D. SCHAKOWSKY, Illinois, *Chairwoman*

BOBBY L. RUSH, Illinois
KATHY CASTOR, Florida
LORI TRAHAN, Massachusetts
JERRY McNERNEY, California
YVETTE D. CLARKE, New York
TONY CÁRDENAS, California, *Vice Chair*
DEBBIE DINGELL, Michigan
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GUS M. BILIRAKIS, Florida, *Ranking Member*
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DEBBIE LESKO, Arizona
GREG PENCE, Indiana
KELLY ARMSTRONG, North Dakota
CATHY McMORRIS RODGERS, Washington
(*Ex Officio*)

Jurisdiction: interstate and foreign commerce, including all trade matters within the jurisdiction of the full committee; regulation of commercial practices (the Federal Trade Commission), including sports-related matters; consumer affairs and consumer protection, including privacy matters; data security; consumer product safety (the Consumer Protection Safety Commission); product liability; motor vehicle safety; and regulation of travel, tourism, and time.

SUBCOMMITTEE ON ENERGY

(Ratio 19-15)

BOBBY L. RUSH, Illinois, *Chairman*

SCOTT H. PETERS, California
MICHAEL F. DOYLE, Pennsylvania
JERRY MCNERNEY, California, *Vice Chair*
PAUL TONKO, New York
MARC A. VEASEY, Texas
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DAVID B. MCKINLEY, West Virginia
ADAM KINZINGER, Illinois
H. MORGAN GRIFFITH, Virginia
BILL JOHNSON, Ohio
LARRY BUCSHON, Indiana
TIM WALBERG, Michigan
JEFF DUNCAN, South Carolina
GARY PALMER, Alabama
DEBBIE LESKO, Arizona
GREG PENCE, Indiana
KELLY ARMSTRONG, North Dakota
CATHY McMORRIS RODGERS, Washington
(*Ex Officio*)

Jurisdiction: national energy policy; fossil energy; renewable energy; nuclear energy; nuclear facilities; the Department of Energy; the Nuclear Regulatory Commission; the Federal Energy Regulatory Commission; synthetic and alternative fuels; energy conservation; energy information; utility issues; interstate energy compacts; energy generation, marketing, reliability, transmission, siting, exploration, production, efficiency, cybersecurity, and ratemaking for all generated power; pipelines; all laws, programs, and government activities affecting energy matters, including all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON ENVIRONMENT AND CLIMATE CHANGE

(Ratio 14-10)

PAUL TONKO, New York, *Chairman*

DIANA DEGETTE, Colorado
JANICE D. SCHAKOWSKY, Illinois
JOHN P. SARBANES, Maryland
YVETTE D. CLARKE, New York
RAUL RUIZ, California, *Vice Chair*
SCOTT PETERS, California
DEBBIE DINGELL, Michigan
NANETTE DIAZ BARRAGÁN, California
A. DONALD McEACHIN, Virginia
LISA BLUNT ROCHESTER, Delaware
DARREN SOTO, Florida
TOM O'HALLERAN, Arizona
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

DAVID B. MCKINLEY, West Virginia, *Ranking Member*
BILL JOHNSON, Ohio
MARKWAYNE MULLIN, Oklahoma
RICHARD HUDSON, North Carolina
EARL L. "BUDDY" CARTER, Georgia
JEFF DUNCAN, South Carolina
GARY PALMER, Alabama
JOHN CURTIS, Utah
DAN CRENSHAW, Texas
CATHY McMORRIS RODGERS, Washington
(*Ex Officio*)

Jurisdiction: the Clean Air Act and air emissions; all matters related to soil, air, and water contamination, including Superfund and the Resource Conservation and Recovery Act; the regulation of solid, hazardous, and nuclear wastes, including mining, nuclear, oil, gas, and coal combustion waste; emergency environmental response; industrial plant security, including cybersecurity; the regulation of drinking water (Safe Drinking Water Act), including underground injection of fluids (e.g., deep well injection or hydrofracking); toxic substances (Toxic Substances Control Act); noise; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON HEALTH

(Ratio 19-15)

ANNA G. ESHOO, California, *Chairwoman*

G. K. BUTTERFIELD, North Carolina
DORIS O. MATSUI, California
KATHY CASTOR, Florida
JOHN P. SARBANES, Maryland, *Vice Chair*
PETER WELCH, Vermont
KURT SCHRADER, Oregon
TONY CÁRDENAS, California
RAUL RUIZ, California
DEBBIE DINGELL, Michigan
ANN M. KUSTER, New Hampshire
ROBIN L. KELLY, Illinois
NANETTE DIAZ BARRAGÁN, California
LISA BLUNT ROCHESTER, Delaware
ANGIE CRAIG, Minnesota
KIM SCHRIER, Washington
LORI TRAHAN, Massachusetts
LIZZE FLETCHER, Texas
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

BRETT GUTHRIE, Kentucky, *Ranking Member*
FRED UPTON, Michigan
MICHAEL C. BURGESS, Texas
H. MORGAN GRIFFITH, Virginia
GUS M. BILIRAKIS, Florida
BILLY LONG, Missouri
LARRY BUCSHON, Indiana
MARKWAYNE MULLIN, Oklahoma
RICHARD HUDSON, North Carolina
EARL L. "BUDDY" CARTER, Georgia
NEAL DUNN, Florida
JOHN CURTIS, Utah
DAN CRENSHAW, Texas
JOHN JOYCE, Pennsylvania
CATHY McMORRIS RODGERS, Washington
(*Ex Officio*)

Jurisdiction: public health and quarantine; hospital construction; mental health; biomedical research and development; health information technology, privacy, and cybersecurity; public health insurance (Medicare, Medicaid) and private health insurance; medical malpractice and medical malpractice insurance; the regulation of food, drugs, devices, cosmetics, and tobacco (the Food and Drug Administration); drug abuse; the Department of Health and Human Services; the National Institutes of Health; the Centers for Disease Control; Indian Health Service; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

(Ratio 11-8)

DIANA DEGETTE, Colorado, *Chair*

ANN M. KUSTER, New Hampshire
KATHLEEN M. RICE, New York
JANICE D. SCHAKOWSKY, Illinois
PAUL TONKO, New York
RAUL RUIZ, California
SCOTT H. PETERS, California, *Vice Chair*
KIM SCHRIER, Washington
LORI TRAHAN, Massachusetts
TOM O'HALLERAN, Arizona
FRANK PALLONE, JR., New Jersey
(*Ex Officio*)

H. MORGAN GRIFFITH, Virginia, *Ranking Member*
MICHAEL C. BURGESS, Texas
DAVID B. MCKINLEY, West Virginia
BILLY LONG, Missouri
NEAL DUNN, Florida
JOHN JOYCE, Pennsylvania
GARY PALMER, Alabama
CATHY McMORRIS RODGERS, Washington
(*Ex Officio*)

Jurisdiction: responsibility for oversight of agencies, departments, and programs related to the jurisdiction of the full committee, and for conducting investigations.

COMMITTEE STAFF

MAJORITY COMMITTEE STAFF

TIFFANY GUARASCIO, *Staff Director*
JEFF CARROLL, *Staff Director*
WAVERLY L. GORDON, *Deputy Staff Director and General Counsel*
ANDREW W. SOUVALL, *Director of Communications, Outreach, and Member Services*
RICK KESSLER, *Staff Director, Energy and Environment and Senior Policy Advisor*
CHRISTOPHER KNAUER, *Staff Director, Oversight and Investigations*
UNA LEE, *Chief Health Counsel*
KIMBERLEE R. TRZECIAK, *Chief Health Advisor*
TIMOTHY R. ROBINSON, *Chief Counsel*
CHLOE V. RODRIGUEZ, *Clerk*
PERRY H. HAMILTON, *Clerk*
WILLIAM C. BENJAMIN, *Systems Administrator*
ELIZABETH B. ERTEL, *Committee Administrator*
ZACHARY L. KAHAN, *Deputy Director of Outreach and Member Services Coordinator*
ELYSA A. MONTFORT, *Press Secretary*
KAITLYN D. PEEL, *Digital Director*
MACKENZIE KUHL, *Digital Assistant*
LINO PEÑA-MARTINEZ, *Policy Analyst, Energy*
EDWARD L. WALKER, *Technology Director*
JESSICA GRANDBERRY, *Staff Assistant*
FABRIZIO HERRERA, *Staff Assistant*
HANNAH F. ANTON, *Staff Assistant*
GREGORY B. PUGH, *Staff Assistant*
KYLEA ROGERS, *Policy Analyst, Environment and Climate Change*
CAROLINE E. WOOD, *Research Analyst, Oversight and Investigations*
CJ YOUNG, *Deputy Communications Director*
ALIVIA ROBERTS, *Deputy Press Assistant*
CAROLINE RINKER, *Press Assistant*
JAMES JOHNSON, *Policy Coordinator*
TIMIA CRISP, *Professional Staff Member*
SHANA BEAVIN, *Professional Staff Member*
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ANTHONY J. GUTIERREZ, *Professional Staff Member*
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BRENDAN LARKIN, *Policy Coordinator, Environment and Climate Change*
MEDHA SURAMPUDY, *Professional Staff Member*
REBECCA J. TOMILCHIK, *Professional Staff Member, Environment and Climate Change*
J. TULEY WRIGHT, *Senior Energy and Environment Policy Advisor*
JESSECA L. BOYER, *Professional Staff Member, Oversight and Investigations*
KEVIN BARSTOW, *Chief Counsel, Oversight and Investigations*
REBEKAH JONES, *Counsel, Oversight and Investigations*
MOHAMMAD ASLAMI, *Counsel, Oversight and Investigations*
MANMEET DHINDSA, *Counsel, Oversight and Investigations*
PETER RECHTER, *Counsel, Oversight and Investigations*
JUDY HARVEY, *Counsel, Oversight and Investigations*
JON MONGER, *Counsel, Oversight and Investigations*
HARRY SAMUELS, *Counsel, Oversight and Investigations*
WILL MCAULIFFE, *Counsel, Oversight and Investigations*
KEVIN MCALOON, *Professional Staff Member*
AUSTIN J. FLACK, *Junior Professional Staff Member*
BENJAMIN TABOR, *Junior Professional Staff Member*
NIKKI ROY, *Policy Coordinator, Oversight and Investigations*
JACQUELYN L. BOLEN, *Health Counsel*
STEPHEN M. HOLLAND, *Senior Health Counsel*
SAHA KHATERZAI, *Professional Staff Member*
KIMBERLY ESPINOSA, *Professional Staff Member*
JUAN NEGRETE, *Professional Staff Member*
JOE BANEZ, *Professional Staff Member*
AISLING E. McDONOUGH, *Policy Coordinator, Health*

MEGHAN K. MULLON, *Policy Analyst, Health*
LYDIA ABMA, *Policy Analyst, Health*
SAMANTHA N. SATCHELL, *Professional Staff Member*
RICHARD A. VAN BUREN, *Senior Health Counsel*
JENNIFER L. EPPERSON, *Senior Counsel*
ALEX HOEHN-SARIC, *Chief Counsel, Communications and Consumer Protection*
GERALD B. LEVERICH III, *Chief Counsel, Communications and Technology*
AJ BROWN, *Counsel, Communications and Technology*
JOHANNA THOMAS, *Counsel, Communications and Technology*
DANIEL A. MILLER, *Professional Staff Member*
HANK KILGORE, *Policy Coordinator, Communications and Technology*
PHILIP MURPHY, *Policy Coordinator, Communications and Technology*
JOSEPH S. ORLANDO, *Policy Analyst, Communications and Technology*
ELISA R. GOLDMAN, *Senior Counsel*
MICHELE VITERISE, *Counsel, Consumer Protection and Commerce*
DANIEL M. GREENE, *Professional Staff Member*
ANNA YU, *Professional Staff Member*
SYDNEY L. TERRY, *Policy Coordinator, Consumer Protection and Commerce*
KATHERINE DURKIN, *Policy Coordinator, Consumer Protection and Commerce*
EDWARD M. KACZMARSKI, *Policy Analyst, Consumer Protection and Commerce*
DAVID MILLER, *Counsel, Consumer Protection and Commerce*
TYLER O'CONNOR, *Counsel, Energy*
DUSTIN MAGHAMFAR, *Counsel, Air and Climate*
KRIS PITTARD, *Policy Coordinator, Energy*
JOURDAN LEWIS, *Policy Coordinator, Energy*

GOVERNMENT DETAILEES

WAYNE LAUFERT, *Government Publishing Office*
PATRICIA MANGRUM, *Government Publishing Office*
EMILY RYAN, *Government Accountability Office*
LIZ JOHNS, *Government Accountability Office*
MEGAN HOWARD, *Food and Drug Administration*
PARUL DESAI, *Federal Communications Commission*
MICHAEL SCURATO, *Federal Communications Commission*
ELISABETH OLSON, *Federal Energy Regulatory Commission*
CATHERINE GILJOHANN, *Federal Energy Regulatory Commission*
ANNE MARIE HIRSCHBERGER, *Federal Energy Regulatory Commission*
VINCENT AMATRUDO, *Food and Drug Administration*
IAN BARLOW, *Federal Trade Commission*

MINORITY COMMITTEE STAFF

NATE HODSON, *Staff Director*
SARAH BURKE, *Deputy Staff Director*
PETER KIELTY, *General Counsel*
MICHAEL TAGGART, *Policy Director*
OLIVIA SHIELDS, *Director of Communications*
ALEXANDER ARAMANDA, *Professional Staff Member*
KATELYN AREY, *Content Manager & Digital Assistant*
SEAN BREBBIA, *Chief Counsel, Oversight and Investigations*
ANUDEEP BUDDHARAJU, *Senior Counsel, Oversight and Investigations*
MICHAEL CAMERON, *Policy Analyst*
GERALD COURI III, *Deputy Chief Counsel for Environment*
SETH GOLD, *Professional Staff Member*
GRACE GRAHAM, *Chief Counsel, Health*
JACK HERETIK, *Press Secretary*
NOAH JACKSON, *Staff Assistant*
SEAN KELLY, *Press Secretary*
EMILY KING, *Member Services Director*
CHRISTOPHER KREPICH, *Press Secretary*
TIMOTHY KURTH, *Chief Counsel, Consumer Protection and Commerce*
MARY MARTIN, *Chief Counsel, Energy and Environment*
BRANDON MOONEY, *Deputy Chief Counsel, Energy*
CATHERINE O'CONNOR, *Chief Counsel, Communications and Technology*
THERESA NEAL, *Financial and Office Administrator*
CLARE M. PAOLETTA, *Policy Analyst*
BRANNON RAINS, *Professional Staff Member*
MARK RATNER, *Policy Coordinator*
KRISTIN SEUM, *Counsel*
ALAN SLOBODIN, *Chief Investigative Counsel*
PETER SPENCER, *Senior Professional Staff Member*
EVAN VIAU, *Professional Staff Member*
DRAY THORNE, *Director of Information Technology*

GOVERNMENT DETAILEES

DAVID BRODIAN, *Department of Commerce*
DIANE CUTLER, *Department of Health and Human Services, Office of the Inspector General*
ARIELLE ROTH, *Federal Communications Commission*

COMMITTEE ORGANIZATION AND HISTORICAL NOTES

COMMITTEE ORGANIZATION

The Committee on Energy and Commerce organized on January 28, 2021, the Honorable Frank Pallone, Jr. (D-NJ), presiding. The size of the full Committee increased from the 116th Congress, bringing the total number of members on the Committee to 58 (32 Democrats and 26 Republicans). Thirteen members were new to the Committee: Representatives Rice of New York, Craig of Minnesota, Schrier of Washington, Trahan of Massachusetts, Fletcher of Texas, Palmer of Alabama, Dunn of Florida, Curtis of Utah, Lesko of Arizona, Pence of Indiana, Crenshaw of Texas, Joyce of Pennsylvania, and Armstrong of North Dakota. Representative Robin Kelly of Illinois was designated as Vice Chair for the full Committee for the 117th Congress.

In the 117th Congress, there were no changes in the Committee membership following its organization.

During the January 28, 2021, organizational meeting, the Committee adopted the Rules of the Committee for the 117th Congress. The subcommittee jurisdictions, ratios, and memberships were approved, as well. While the jurisdiction of the subcommittees remained the same as in the 116th Congress, three subcommittee ratios were changed: Subcommittee on Communications and Technology (Ratio: 18-14); the Subcommittee on Energy (Ratio: 19-15); and the Subcommittee on Health (Ratio: 19-15). The following members were elected to serve as subcommittee chairs and Chairman Pallone later designated the vice chairs of the six subcommittees:

- *Subcommittee on Communications and Technology*
Michael Doyle of Pennsylvania, *Chairman*
Doris O. Matsui of California, *Vice Chair*
- *Subcommittee on Consumer Protection and Commerce*
Janice D. Schakowsky of Illinois, *Chair*
Tony Cárdenas of California, *Vice Chair*
- *Subcommittee on Energy*
Bobby L. Rush of Illinois, *Chairman*
Jerry McNerney of California, *Vice Chair*
- *Subcommittee on Environment and Climate Change*
Paul Tonko of New York, *Chairman*
Raul Ruiz of California, *Vice Chair*
- *Subcommittee on Health*
Anna G. Eshoo of California, *Chairwoman*
John P. Sarbanes of Maryland, *Vice Chair*
- *Subcommittee on Oversight and Investigations*
Dianna DeGette of Colorado, *Chair*
Scott Peters of California, *Vice Chair*

As the 117th Congress concludes, 14 committee members will not return for the next congress. Among those leaving the House at the end of this Congress is Representative Fred Upton (R-MI), who served as Chairman of the full Committee from 2010 to 2016. Representative Upton was first elected to Congress in 1986 and has served 30 years as a Member of this Committee, most recently as Ranking Member of the Subcommittee on Energy. Representative Upton announced his plan to retire at the end of the 117th Congress in April 2022.

Representative Bobby L. Rush (D-IL), who currently serves as the Chairman of the Subcommittee on Energy, is also retiring at the end of the 117th Congress. Representative Rush was first elected to Congress in 1992 and has served 28 years as a

Member of this Committee. Representative Rush announced his plan to retire in January 2022.

Also leaving the Committee and Congress is Representative Michael F. Doyle (D-PA), who currently serves as the Chairman of the Subcommittee on Communications and Technology. Representative Doyle was first elected to Congress in 1995 and has served 20 years as a Member of this Committee. Representative Doyle announced his plan to retire in October 2021.

Representative David B. McKinley (R-WV), who currently serves as the Ranking Member of the Environment and Climate Change Subcommittee, will also leave the House at the end of this Congress. He was first elected to Congress in 2012 and has served 12 years as a Member of this Committee.

The other Members not returning to the House are Representative G.K. Butterfield (D-NC), Representative Jerry McNerney (D-CA), Representative Peter Welch (D-VT), Representative Kurt Schrader (D-OR), Representative A. Donald McEachin (D-VA), Representative Tom O'Halleran (D-AZ), Representative Kathleen M. Rice (D-NY), Representative Adam Kinzinger (R-IL), Representative Billy Long (R-MO), and Representative Markwayne Mullin (R-OK).

HISTORICAL NOTES

A. DONALD MCEACHIN (1961–2022)

Representative McEachin, a Member of the Committee since 2019, passed away on November 28, 2022, from the secondary effects of colorectal cancer. He represented Richmond and a southeastern portion of Virginia in Congress from 2017 until his passing.

LEGISLATIVE AND OVERSIGHT ACTIVITY OF THE COMMITTEE

Statistical Summary of Committee Activities

Total Bills and Resolutions Referred to Committee.....	2,515*
Public Laws.....	26
Bills and Resolutions Reported to the House.....	75
Hearings Held:	
Days of Hearings.....	97
Full Committee.....	2
Subcommittee on Consumer Protection and Commerce.....	16
Subcommittee on Communications and Technology.....	12
Subcommittee on Energy.....	15
Subcommittee on Environment and Climate Change.....	13
Subcommittee on Health.....	21
Subcommittee on Oversight and Investigations.....	18
Hours of Sitting.....	317:38
Full Committee.....	5:53
Subcommittee on Consumer Protection and Commerce.....	48:50
Subcommittee on Communications and Technology.....	42:21
Subcommittee on Energy.....	52:45
Subcommittee on Environment and Climate Change.....	33:53
Subcommittee on Health.....	82:03
Subcommittee on Oversight and Investigations.....	51:53
Legislative Markups:	
Days of Markups.....	23
Full Committee.....	11
Subcommittee on Consumer Protection and Commerce.....	2
Subcommittee on Communications and Technology.....	2
Subcommittee on Energy.....	0
Subcommittee on Environment and Climate Change.....	1
Subcommittee on Health.....	4
Hours of Sitting.....	118:51
Full Committee.....	96:55
Subcommittee on Consumer Protection and Commerce.....	05:03
Subcommittee on Communications and Technology.....	02:07
Subcommittee on Energy.....	0
Subcommittee on Environment and Climate Change.....	02:40
Subcommittee on Health.....	12:06
Business Meetings:	
Days of Meetings.....	1
Full Committee.....	1
Subcommittee on Oversight and Investigations.....	0
Hours of Sitting.....	01:10
Full Committee.....	01:10
Subcommittee on Oversight and Investigations.....	0

* As of December 29, 2022. (H.R. 9695)

LEGISLATIVE AND OVERSIGHT ACTIVITY OF THE COMMITTEE

SUMMARY

The Energy and Commerce Committee and its six subcommittees were extremely active during the 117th Congress, delivering historic achievements for the American people. Of the 2,515 bills referred to the Committee, 26 measures became law as a result of the Committee's work. The full Committee and its subcommittees held a combined total of 97 hearings and 20 markups.

As the country fought to recover from the unprecedented public health crisis of the coronavirus disease of 2019 (COVID-19) pandemic, the Committee worked expeditiously to enact laws that provided relief to working families and help contain the pandemic. The Committee also worked to modernize our nation's crumbling infrastructure, lower health care and prescription drug costs, make unprecedented investments in climate action, tackle rising inflation, and boost American manufacturing and competitiveness:

- The American Rescue Plan provided the tools and resources necessary to crush the COVID-19 pandemic by ramping up distribution and administration of lifesaving vaccines and implementing a national testing strategy that helped track and contain the virus. The law also provided relief to struggling families by expanding access to affordable health care coverage, providing \$5 billion to help keep Americans' lights on throughout the pandemic, and expanding internet connectivity to students and teachers without home internet access;
- The Inflation Reduction Act is the single-largest investment in climate action in American history that will allow us to meet our aggressive climate goals, create nine million new jobs in the clean energy industry, and lower energy costs for American families by about \$1,800 per year. The law also provides critical relief to America's seniors by empowering Medicare to negotiate lower prescription drug prices, capping annual out-of-pocket costs for seniors at \$2,000, and penalizing companies that unfairly hike prices.
- The Bipartisan Infrastructure Law is modernizing our crumbling infrastructure, revitalizing our economy, creating new good paying jobs, enhancing our economic competitiveness, and combating the worsening climate crisis. The law is making historic investments in the electric grid and electric vehicles, replacing lead water service pipes and ensuring every American's access to safe drinking water, and broadband deployment and affordability; and
- The CHIPS and Science Act is bolstering our economy, lowering costs for consumers, creating tens of thousands of good paying American jobs, and ending our dangerous dependence on foreign manufacturers of critical goods.

The Committee moved major legislation that was included in the final fiscal year

2023 omnibus package that will:

- Make permanent a state option allowing states to continue to provide 12 months of continuous coverage during the postpartum period in Medicaid or the Children's Health Insurance Program (CHIP), require children to be provided with 12 months of continuous coverage in Medicaid and CHIP, extend funding for the Money Follows the Person and Spousal Impoverishment programs through fiscal year 2027, and extend funding for CHIP for two years through fiscal year 2029;
- Provide Puerto Rico with five years of increased Medicaid funding and an enhanced federal matching rate, and provide a permanently increased federal matching rate to American Samoa, Guam, the U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands, providing long-term stability and access to health insurance to low-income individuals in the territories;
- Strengthen the Food and Drug Administration's (FDA) ability to regulate the safety of cosmetics and personal care products;
- Modernize and strengthen FDA's ability to oversee drugs that are approved through the accelerated approval pathway and require FDA to take a series of actions intended to modernize and improve clinical trials, including increasing the diversity and engagement of trial participants;
- Strengthen, expand, and establish more than 30 critical programs that collectively support mental health care and substance use disorder prevention, care, treatment, peer support, and recovery support services;
- Expand patient access to opioid addiction treatment by making it easier for health care providers to dispense buprenorphine for opioid use disorder maintenance or detoxification treatment;
- Provide important new authorities for improving the Strategic National Stockpile to ensure critical pandemic supplies are operational, resilient, and ready to deploy in times of need;
- Establish the Advanced Research Projects Agency – Health (ARPA-H), an advanced research entity that will accelerate innovation in health and medicine by investing in novel, broadly applicable, high-risk, high-reward research projects;
- Curb the onslaught of counterfeit, defective, and unsafe products available to Americans shopping on third-party e-commerce sites;
- Keep dangerous furniture products that can tip over on small children off the market and out of our homes; and
- Enhance our nation's manufacturing industry to promote America's global economic competitiveness and support our domestic travel and tourism industries.

Key accomplishments also included advancing other legislation through the Committee that was enacted into law, including legislation that will:

- Restore commonsense methane pollution standards that had been gutted by the Trump Administration;
- Reauthorize life-saving transplant programs to help patients suffering from blood cancers, disorders, and diseases;

- Prevent misconduct and diversion of controlled substances, including opioids;
- Make communications devices more secure and protected from national security risks;
- Provide funding to help find effective cures and treatments for amyotrophic lateral sclerosis (ALS) and other neurodegenerative diseases;
- Keep dangerous baby products off the market, providing families with the peace of mind they deserve when purchasing new products for their newborns;
- Bolster research into minority health disparities through research endowments at former centers of excellence;
- Establish product safety standards for button cell batteries to protect children from ingesting them;
- Reauthorize for five years the FDA's user fee programs that help fund the agency's review of the safety and efficacy of drugs and medical devices;
- Expand much-needed research on the safety and efficacy of marijuana products that millions of Americans are using for medical purposes;
- Protect survivors of domestic violence, human trafficking, and other related crimes by ensuring that phone contracts cannot be used to perpetuate abuse when survivors and abusers share a phone contract;
- Require the Federal Communications Commission (FCC) to include maternal health outcomes in its health data mapping tools in order to better analyze how to prevent maternal deaths through connectivity; and
- Limit exorbitant correctional facility phone costs so that people in jails and prisons can stay connected with their support system – a well-documented way to produce better outcomes and lower rates of recidivism nationwide.

The Committee also crafted legislation through the Committee that will:

- Strengthen our nation's privacy and data security protections and putting people back in control of their data by creating a strong national standard that will minimize the amount of Americans' information companies are allowed to collect, process, and transfer;
- Restore the Federal Trade Commission's (FTC) longstanding authorities to provide redress to consumers who have been scammed;
- Help the Department of Energy (DOE) respond more effectively and efficiently to both physical and cyber threats to our nation's pipeline and LNG facilities;
- Reauthorize the FCC's expiring spectrum auction authority;
- Restore the authority of the National Telecommunications and Information Administration (NTIA) to manage federal spectrum; and
- Use certain spectrum proceeds to fund the shortfall in the FCC's rip and replace program and to fund Next Generation 9-1-1.

The Committee's oversight and investigative efforts were as robust as its legislative efforts, including:

- Investigating and publishing a staff report on the approval and pricing of

Biogen Inc.'s Alzheimer's drug, Aduhelm, to understand the process by which it was approved, how Biogen set its price, and what impact it will have on patients, future related treatments, Medicare, and the health care system;

- Examining the impact of the Supreme Court's decision overturning the right to abortion and the implications for health care access for all Americans;
- Holding social media platforms accountable for the growing rise of misinformation and disinformation;
- Conducting four oversight hearings on the availability, distribution, supply, and uptake of COVID-19 vaccines;
- Demanding answers from Big Oil executives on their companies' roles in rising gas and energy prices;
- Investigating the Texas power crisis and the need to make our nation's electric grid more reliable and resilient;
- Exploring the Biden Administration's efforts to care for unaccompanied children at the U.S. border;
- Examining how to restore the mission of the Environmental Protection Agency after it was seriously undermined by the Trump Administration;
- Pressing utility companies to explain high customer shutoff rates during the COVID-19 pandemic;
- Reviewing the ongoing mission, governance, and staffing challenges at the Chemical Safety and Hazard Investigation Board; and
- Examining the infant formula shortage, including its causes and what more must be done to ensure access to safe formula across the nation.

FULL COMMITTEE ON ENERGY AND COMMERCE

LEGISLATIVE ACTIVITIES

LIFT AMERICA ACT

H.R. 1848

(H.R. 425, H.R. 806, H.R. 1335, H.R. 1485, H.R. 1555, H.R. 1590, H.R. 1631, H.R. 1672, H.R. 1673, H.R. 1700, H.R. 1721, H.R. 1783, H.R. 1841, H.R. 1879, H.R. 2308, H.R. 2309, H.R. 2721, H.R. 2818, H.R. 3568, H.R. 4663)

To rebuild and modernize the Nation's infrastructure to expand access to broadband and Next Generation 9–1–1, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment, and for other purposes.

Summary

The “Leading Infrastructure For Tomorrow’s America Act,” or LIFT America Act, sets out five years of funding for essential infrastructure improvements, job growth, and greater protections for public health and the environment. The LIFT America Act includes investments in several key areas including: \$40 billion for the deployment of secure and resilient broadband to expand access for communities nationwide while promoting security by design; \$22.56 billion for drinking water infrastructure to protect public health and create jobs, including increased investment in drinking water State Revolving Funds and additional funding to replace lead service lines, address lead in school drinking water, and prepare for the effects of climate change; more than \$17 billion for energy infrastructure, including \$4 billion for modern, secure, efficient, and resilient electric grid infrastructure, \$9 billion for resilient and renewable energy supply, including methane pipeline replacement, and more than \$4 billion for energy efficiency efforts and smart communities; more than \$3 billion for healthcare infrastructure, to revive the successful Hill-Burton hospital infrastructure program, fund medical facilities in Indian Country, support State labs on the frontlines of fighting Zika and other infectious diseases, and expand community based health care facilities; and \$2.7 billion for Brownfields redevelopment to revitalize communities and create jobs by returning valuable land to productive use.

The LIFT America Act will invest in programs with proven records of job creation, including the drinking water State Revolving Fund and the Brownfields Redevelopment program. The legislation requires the use of American made iron and steel for drinking water projects and hospital construction and requires the payment of prevailing wages. The bill will also spur new high-paying technology jobs by supporting deployment of smart buildings, smart grid, and Smart Communities technology.

The LIFT America Act also provides much-needed funding to repair and replace aging infrastructure that will have significant public health benefits, especially for children. The bill includes funding to get lead out of school drinking water, replace polychlorinated biphenyl (PCB)-laden lighting fixtures with safer and more energy efficient alternatives in schools, and reduce diesel emissions from school buses.

H.R. 1848 establishes several programs and incentives to modernize the nation's communications, drinking water, energy, transportation, health care, and other related infrastructure. Title II includes provisions relating to drinking water infrastructure. More specifically, it directs the EPA to establish a grant program for water systems affected by PFAS contamination to pay the capital costs associated with eligible treatment technologies. Title II also includes provisions to extend and increase authorizations for essential drinking water programs and authorizes \$4.5 billion per year from fiscal year 2022 to 2026 to replace lead service lines with priority for replacing lines in disadvantaged and environmental justice communities. Title III includes provisions on clean energy infrastructure. Finally, Title V provides \$2.7 billion for fiscal years 2022 to 2026 for EPA's Brownfields redevelopment grants.

Title I, Subtitle A, Part 1, Section 11102 incorporates H.R. 1783 by amending Public Law 116-260 and requiring the Office of Internet Connectivity and Growth within NTIA to conduct an annual report in consultation with the FCC, Department of Agriculture (DOA), the Department of the Treasury, and such other federal agencies as the Office of Internet Connectivity and Growth considers appropriate. The report shall include the number of households for which cost is a barrier to the adoption of broadband service, the financial circumstances of such households, whether such households are eligible for the emergency broadband benefit, the feasibility of providing additional federal subsidies, how to effectively administer a program to provide additional federal subsidies, how participation in the Lifeline program of the FCC has changed, how competition impacts the price of broadband service, and the extent to which the Universal Service Fund (USF) high-cost programs have enabled access to reasonably comparable telephony and broadband services.

Title I, Subtitle A, Part 1, Section 11103 incorporates H.R. 1783 by authorizing \$26 million in appropriations to the Assistant Secretary for each of the fiscal years 2022 through 2026 for the operations of the Office of Internet Connectivity and Growth.

Title I, Subtitle A, Part 1, Section 11104 incorporates H.R. 1783 by directing the Rural Utilities Services of the DOA with consultation from the FCC to conduct a study to assess the extent to which federal funds for broadband service, including the Universal Service Fund Programs and other federal broadband support programs, have expanded access to and adoption of broadband service by socially disadvantaged individuals as compared to individuals who are not socially disadvantaged individuals.

Title I, Subtitle A, Part 2, Section 11201 incorporates H.R. 1783 and H.R. 1841 which establishes at NTIA the State Digital Equity Capacity Grant Program, the purpose of which is to promote the achievement of digital equity, support digital inclusion activities, and build capacity for efforts by states relating to the adoption of broadband service by residents of those states. The Assistant Secretary shall make grants to states and shall ensure that states have the capacity

to promote the achievement of digital equity and support digital inclusion activities.

Title I, Subtitle A, Part 2, Section 11202 incorporates H.R. 1783 by requiring the Assistant Secretary to begin awarding grants under section 11201(d), and not before that date, the Assistant Secretary shall establish in the Office the Digital Equity Competitive Grant Program the purpose of which is to award grants to support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption of broadband service among covered populations.

Title I, Subtitle A, Part 2, Section 11203 incorporates H.R. 1783 by requiring the Assistant Secretary to submit to the appropriate committees of Congress a report regarding the Digital Equity Competitive Grant Program and conduct evaluations of the activities carried out under the covered programs and outcomes of each such challenge.

Title I, Subtitle A, Part 2, Section 11204 incorporates HR. 1783 and states that no individuals on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that is funded in whole or in part with funds made available for the Digital Equity Competitive Grant Program.

Title I, Subtitle B, Part 1, Section 12101 incorporates H.R. 1721 and H.R. 1783 by authorizing additional appropriations for the Emergency Broadband Benefit program at the FCC.

Title I, Subtitle B, Part 1, Sections 12102, 12103, 12104 incorporate H.R. 1721 and H.R. 1783 by authorizing \$200 million for FY 2022, to remain available through FY 2026, for grants to states to connect to the National Lifeline Eligibility Verifier and encourages cooperation between the FCC and Department of Agriculture to provide an automated connection between the Verifier and the SNAP National Clearinghouse.

Title I, Subtitle B, Part 2, Section 12201 incorporates H.R. 1783 and H.R. 4663 by appropriating \$2 billion in additional funding for the ECF to support distance learning for teachers and students in K-12.

Title I, Subtitle B, Part 3 Sections 12301, 12302, 12303, 12304, 12305, and 12306 incorporate H.R. 1555 and H.R. 1783 by requiring the FCC to issue final rules to promote and incentivize the widespread adoption of broadband consumer labels and requires the FCC to collect information regarding broadband pricing and subscriptions. The FCC must also promulgate regulations to promote and incentivize the widespread adoption of broadband consumer labels and GAO must submit a report to Congress that evaluates the process used by the FCC for establishing, reviewing, and updating the upload and download broadband internet access service speed thresholds.

Title I, Subtitle C, Part 1, Sections 13101 and Section 723 incorporate H.R. 1672 and H.R. 1783 by authorizing \$79.5 billion in appropriations to support broadband infrastructure deployment in unserved, low-tier and mid-tier areas to 100 percent of households in the United States based on the broadband maps produced by the FCC. Projects must be able to deliver speeds of 100 Mbps download and 100 Mbps upload.

Title I, Subtitle C, Part 1, Section 13102 incorporates H.R. 1590 and H.R. 1783 by amending Section 254(b)(3) of the Communications Act of 1934 (47 U.S.C. 254(b)(3)) and inserting “and in Indian country (as defined in section 1151

of title 18, United States Code) and areas with high populations of Indian (as defined in section 19 of the Act of June 18, 1934 (Chapter 576; 48 Stat. 988; 25 U.S.C. 5129)) people” after “high cost areas.”

Title I, Subtitle C, Part 2, Sections 13201, 13202, 13203, 13204, 13205, 13206, 13207, 13208, 13209, 13210, 13211 incorporate H.R. 1700 and H.R. 1783 and require NTIA to make financing available for the construction and deployment of broadband infrastructure through a broadband infrastructure finance and innovation program. Specifically, providing a means for communities and public-private partnerships to apply for low-interest secured loans, lines of credit, or loan guarantees to finance broadband infrastructure investments. The bill requires biennial reports on the financial performance of projects carried out with program assistance. The Assistant Secretary must submit to Congress a report that includes a list of all the letters of interest and applications received under the broadband infrastructure finance and innovation program.

Title I, Subtitle C, Part 3 Section 13301 incorporates H.R. 1673 and H.R. 1783 by requiring the FCC to update its rules to permit Wi-Fi access on school buses as eligible for support under the E-Rate program.

Title I, Subtitle D, Section 14001 incorporates H.R. 1631 and H.R. 1783 by prohibiting state governments from enforcing laws or regulations that inhibit local governments, public-private partnerships, and cooperatives from delivering broadband service.

Title I, Subtitle E, Section 15001 authorizes \$15 billion for the 9-1-1 Implementation and Coordination Office to make grants to eligible entities to upgrade 9-1-1 systems to Next Generation 9-1-1. This section also establishes a Nationwide Next Generation 9-1-1 Security Operations Center to serve as a centralized emergency communications cybersecurity resource.

Legislative History

On March 11, 2021, H.R. 1848 was introduced by Representative Pallone (NJ-06) and 31 original cosponsors, and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure; Natural Resources; Science, Space, and Technology; Ways and Means; Education and Labor; Agriculture; and Oversight and Reform.

On March 22, 2021, the Committee on Energy and Commerce held a legislative hearing on H.R. 1848. The witnesses included the Honorable Ernest J. Moniz, President and Chief Executive Officer, Energy Futures Initiatives, Former Secretary, U.S. Department of Energy; Tom Frieden, M.D., M.P.H., President and CEO, Resolve to Save Lives, *an initiative of* Vital Strategies, Former Director, Centers for Disease Control and Prevention; the Honorable Michael O’Rielly, Former Commissioner, Federal Communications Commission, Principal, MPO’Rielly Consulting, LLC; and the Honorable Tom Wheeler, Visiting Fellow, Brookings Institution, Senior Fellow, Harvard Kennedy School, Former Chairman, Federal Communication Commission.

No further action was taken on H.R. 1848 in the 117th Congress.

OVERSIGHT ACTIVITIES

MEMBER DAY

On July 13, 2021, the Committee on Energy and Commerce held a hearing entitled “Member Day.” The purpose of the hearing was to offer the opportunity for all Members of the House of Representatives to highlight specific legislation or issues of importance to them, their constituents, and districts.

The witnesses appearing before the Committee on Member Day included the following Members of the U.S. House of Representatives: Anthony Gonzalez (OH-16), Fred Keller (PA-12), Joe Neguse (CO-02), Brian Higgins (NY-26), Gregorio Kilili Camacho Sablan (MP-AL), Jennifer Wexton (VA-10), Jenniffer González-Colón (PR-AL), Troy Balderson (OH-12), Doris Matsui (CA-06), and Jim Costa (CA-16). The Committee also received testimony from the following Members of the House of Representatives *on behalf of* H.R. 3755, the Women’s Health Protection Act: Judy Chu (CA-27), Lois Frankel (FL-21), Ayanna Pressley (MA-07), and Veronica Escobar (TX-16).

SUBCOMMITTEE ON CONSUMER PROTECTION AND COMMERCE

LEGISLATIVE ACTIVITIES

AMERICAN RESCUE PLAN ACT OF 2021

PUBLIC LAW 117-2 (H.R. 1319)

To provide for reconciliation pursuant to title II of S. Con. Res. 5.

Summary

Title VII, Subtitle D, Section 7401 of H.R. 1319 appropriates \$50 million to the Consumer Product Safety Commission to enhance monitoring of ports and internet websites for dangerous products related to COVID-19.

Legislative History

On February 11 and 12, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021, S. Con. Res. 5. Subtitle A, “Budget Reconciliation Legislative Recommendations Relating to Public Health,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle B, “Budget Reconciliation Legislative Recommendations Relating to Medicaid,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 30 yeas and 26 nays. Subtitle C, “Budget Reconciliation Legislative Recommendations Relating to Children’s Health Insurance Program,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 30 yeas and 24 nays. Subtitle D, “Budget Reconciliation Legislative Recommendations Relating to Other Provisions,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 31 yeas and 24 nays.

On February 24, 2021, H.R. 1319 was introduced by Representative Yarmouth (KY-03) and referred to the Committee on Budget.

On February 25, 2021, the Committee on Budget reported H.R. 1319 to the House (H. Rept. 117-7), and the bill was placed on the Union Calendar (Calendar No. 1). The next day, H.R. 1319 was considered in the House pursuant to the provisions of H. Res. 166 and the bill, as amended, was passed by a recorded vote of 219 yeas to 212 nays (Roll Call No. 49).

On March 2, 2021, H.R. 1319 was received in the Senate and placed on the Senate Legislative Calendar under General Orders (Calendar No. 10). On March 6, 2021, H.R. 1319 passed the Senate with an amendment by a roll call vote of 50 yeas to 49 nays (Record Vote Number: 110).

On March 10, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 220 yeas to 211 nays (Roll no. 72).

On March 11, 2021, H.R. 1319 was presented to the President and signed into law (Public Law No. 117-2).

INFRASTRUCTURE INVESTMENT AND JOBS ACT

PUBLIC LAW 117-58 (H.R. 2138, H.R. 2956, H.R. 3628, H.R. 3629, H.R. 3684, H.R. 4025)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

Title III, Section 23023 of H.R. 3684 incorporates H.R. 2956. This section requires limousines to have safety belts for every designated seating position and adhere to federal standards for seats and seat assemblies. The provision also closed a loophole that allowed used vehicles to be converted into limousines without meeting federal safety standards.

Title IV, Subtitle B, Section 24204 of H.R. 3684 incorporates H.R. 4025. This section requires the Department of Transportation (DOT) to issue an advanced notice of proposed rulemaking to reduce the risk of seat back failures during vehicle impacts.

Title IV, Subtitle B, Section 24205 of H.R. 3684 incorporates H.R. 3629. This section would require the DOT to issue a final rule within two years of enactment requiring manufacturers to install technology in motor vehicles equipped with keyless ignition systems to automatically shut off the vehicle to reduce the risk of carbon monoxide poisoning. The provision also directs the DOT to conduct a study on technology to prevent movement of motor vehicles equipped with keyless ignition systems.

Title IV, Subtitle B, Section 24208 of H.R. 3684 incorporates H.R. 3628. This section requires the DOT to require all new passenger motor vehicles to be equipped with crash avoidance systems that meet minimum performance standards.

Title IV, Subtitle B, Section 24213 of H.R. 3684 directs the National Highway Traffic Safety Administration (NHTSA) to update the New Car Assessment Program to account for advances in advanced driver assistance systems and pedestrian safety.

Title IV, Subtitle B, Section 24220 of H.R. 3684 incorporates H.R. 2138. This section mandates that NHTSA require all new passenger motor vehicles to be equipped with passive alcohol detection systems that meet minimum standards.

Title IV, Subtitle B, Section 24222 of H.R. 3684 incorporates H.R. 3164. This bill requires the DOT to issue a final rule to require passenger motor vehicles to be equipped with systems to alert the operator to check rear-designated seating positions after the vehicle engine or motor is deactivated.

Legislative History

On June 4, 2021, H.R. 3684 was introduced by Representative DeFazio (OR-04) and referred to the Committee on Transportation and Infrastructure.

On June 22, 2021, the Committee on Transportation and Infrastructure reported H.R. 3684 to the House (H. Rept. 117-70) and filed a supplemental report (H. Rept. 117-70, Part II) on June 29, 2021. On July 1, 2021, H.R. 3684 was passed in the House by a recorded vote of 221 yeas to 201 nays (Roll Call No. 208).

On July 12, 2021, H.R. 3684 was received in the Senate. On August 10, 2021, H.R. 3684 passed the Senate with an amendment by a roll call vote of 69 yeas to 30 nays (Record Vote Number: 314).

On September 27, 2021, pursuant to the provisions of H. Res. 601, Representative DeFazio moved that the House agree to the Senate amendment to H.R. 3684. On November 5, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 228 yeas to 206 nays (Roll no. 369).

On November 8, 2021, H.R. 3684 was presented to the President and signed into law (Public Law No. 117-58).

On March 23, 2021, H.R. 2138 was introduced by Representatives Dingell (MI-12), Rice (NY-04), and McKinley (WV-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 24, 2021.

No further action was taken on H.R. 2138 in the 117th Congress.

On May 4, 2021, H.R. 2956 was introduced by Representatives Tonko (NY-20), Delgado (NY-19), and Stefanik (NY-21) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 5, 2021.

No further action was taken on H.R. 2956 in the 117th Congress.

On May 28, 2021, H.R. 3628 was introduced by Representative Schakowsky (IL-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 31, 2021.

No further action was taken on H.R. 3628 in the 117th Congress.

On May 28, 2021, H.R. 3629 was introduced by Representatives Schakowsky, Moulton (MA-06), and Soto (FL-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 31, 2021.

No further action was taken on H.R. 3629 in the 117th Congress.

On June 21, 2021, H.R. 4025 was introduced by Representatives Rice, Schakowsky, and DeGette (CO-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 22, 2021.

No further action was taken on H.R. 4025 in the 117th Congress.

CONSOLIDATED APPROPRIATIONS ACT, 2022

PUBLIC LAW 117-103 (H.R. 2471, H.R. 1215, H.R. 1460, H.R. 172, H.R. 1762, H.R. 4594)

Making consolidated appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance for the situation in Ukraine, and for other purposes.

Summary

Division Q, Title I of H.R. 2471 incorporates H.R. 1215. Subtitle A would expand activities to address mail, telephone, and internet fraud, particularly such scams targeting older adults. The bill establishes a Senior Scams Prevention

Advisory Group, which must create model educational materials to educate employees of retailers, financial-services companies, and wire-transfer companies on how to identify and prevent scams that affect older adults. Subtitle B would direct the FTC to establish an advisory office in the Bureau of Consumer Protection to assist the FTC in monitoring scams targeting older adults, educating consumers, and receiving complaints. The office must (1) disseminate to seniors and their families and caregivers information about the most common fraud schemes, including methods of reporting complaints either to the FTC's national toll-free telephone number or to the FTC's Consumer Sentinel Network, where complaints become immediately available to the Federal Bureau of Investigation, state attorneys general, and other appropriate law enforcement agencies; (2) provide, in response to a specific request about a particular entity or individual, publicly available information regarding the FTC's enforcement action; and (3) maintain a website as a resource for information on fraud targeting seniors.

Division Q, Title II of H.R. 2471 incorporates H.R. 1460. This bill directs the Consumer Product Safety Commission to award grants to states and tribal organizations to install carbon monoxide alarms in the homes of low-income families and older adults and facilities that commonly serve children or older adults. Carbon monoxide alarms must comply with specified standards.

Division Q, Title III of H.R. 2471 incorporates H.R. 172. This bill authorizes appropriations for the U.S. Anti-Doping Agency (USADA) through FY2031. The bill adds requirements that USADA: be responsible for certifying in advance any testing conducted by international organizations under the World Anti-Doping Code for international amateur athletes and athletic competitions occurring within the jurisdiction of the United States; and promote a positive youth sport experience by using a portion of its funding to provide educational materials on sportsmanship, character building, and healthy performance for those participating in youth sports. The bill requires any action taken by USADA to enforce a policy, procedure, or requirement against a person with respect to a violation of federal law, including an investigation, disciplinary action, sanction, or any other administrative action, to be carried out in a manner that provides due process protection. The Department of Justice, the Department of Homeland Security, and the Food and Drug Administration must provide to USADA information relating to the prevention of the use of performance-enhancing drugs or the prohibition of performance-enhancing methods.

Division Q, Title IV of H.R. 2471 incorporates H.R. 1762. This bill requires the FTC, after consultation with Indian tribes, to report on unfair or deceptive practices that target tribes or tribal members. The FTC must submit the report to Congress and make it publicly available. Further, the FTC must update its website to include information for consumers and businesses on identifying and avoiding unfair or deceptive practices that target tribes or tribal members.

Division FF of H.R. 2471 incorporates H.R. 4594. This legislation requires the Secretary of the Treasury to make \$250 million available from unobligated balances collected by the Travel Promotion Fund before October 1, 2020, for use by the Corporation for Travel Promotion, commonly known as "Brand USA."

Legislative History

On April 13, 2021, H.R. 2471 was introduced by Representatives Jeffries (NY-08) and Waltz (FL-06) and referred to the Committee on Foreign Affairs.

On April 21, 2021, the Committee on Foreign Affairs held a markup and H.R. 2471 was reported to the House, amended, by a voice vote.

On June 28, 2021, H.R. 2471 was considered in the House under suspension of the rules. The next day, H.R. 2471, as amended, passed the House under suspension of the rules.

On July 12, 2021, H.R. 2471 was received in the Senate, read twice, and referred to the Committee on Foreign Relations. On January 13, 2022, the Senate Committee on Foreign Relations discharged consideration by unanimous consent. That same day, H.R. 2471 passed the Senate with an amendment by a voice vote.

On March 9, 2022, Representative DeLauro moved that the House agree with an amendment to the Senate amendment. A motion to agree in the Senate amendment with an amendment (divisions B, C, F, X, Z, titles 2 and 3 of division N) passed by a record vote of 361 yeas to 69 nays (Roll no. 65). A motion to agree in the Senate amendment with another amendment (remaining divisions) passed by a record vote of 260 yeas to 171 nays, 1 present (Roll no. 66). The motion that the House agree with an amendment to the Senate amendment was agreed to by voice vote.

On March 10, 2022, the House amendment to Senate amendment was received in the Senate and agreed to by a record vote of 68 yeas to 31 nays (Record Vote Number: 78).

On March 14, 2022, H.R. 2471 was presented to the President. On March 15, 2022, H.R. 2471 was signed by the President and became Public Law No. 117-103.

On February 23, 2021, H.R. 1215 was introduced by Representative Blunt Rochester (DE-AL) and 13 bipartisan original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 24, 2021.

On April 14, 2021, H.R. 1215 was considered in the House under suspension of the rules. The next day, H.R. 1215 passed the House on a motion to suspend the rules and pass the bill by recorded vote of 396 yeas to 13 nays (Roll no. 104).

On April 19, 2021, H.R. 1215 was received in the Senate. On May 24, 2022, H.R. 1215 was read twice and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1215 in the 117th Congress.

On March 1, 2021, H.R. 1460 was introduced by Representatives Kuster (NH-02) and Carter (GA-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 2, 2021.

On April 14, 2021, H.R. 1460 was considered in the House under suspension of the rules. The next day, H.R. 1460 passed the House on a motion to suspend the rules and pass the bill by recorded vote of 362 yeas to 49 nays (Roll no. 105).

On April 19, 2021, H.R. 1215 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1460 in the 117th Congress.

On January 4, 2021, H.R. 172 was introduced by Representatives Thompson (CA-05), Johnson (OH-06), and DeGette (CO-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 2, 2021.

On April 14, 2021, H.R. 172 was considered in the House under suspension of the rules passed. Later that day, H.R. 172 passed the House on a motion to suspend the rules and pass the bill by recorded vote of 381 yeas to 37 nays (Roll no. 99).

On April 15, 2021, H.R. 172 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 172 in the 117th Congress.

On March 10, 2021, H.R. 1762 was introduced by Representatives Mullin (OK-02) and O'Halleran (AZ-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 11, 2021.

On April 14, 2021, H.R. 1762 was considered in the House under suspension of the rules. The next day, H.R. 1762 passed the House on a motion to suspend the rules and pass the bill by recorded vote of 408 yeas to 10 nays (Roll no. 111).

On April 19, 2021, H.R. 1762 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1762 in the 117th Congress.

On July 21, 2021, H.R. 4594 was introduced by Representatives Bilirakis (FL-12) and Welch (VT-AL) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 22, 2021.

The Subcommittee held a legislative hearing on the bill on October 14, 2021. Testimony was received from Caolionn O'Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

On November 16, 2021, the Subcommittee on Consumer Protection and Commerce was discharged from further consideration of the bill. On November 17, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4594 and 11 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4594 reported favorably to the House, without amendment, by a voice vote.

No further action was taken on H.R. 4594 in the 117th Congress.

SAFE SLEEP FOR BABIES ACT OF 2021

PUBLIC LAW 117-126 (H.R. 3182)

To provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

Summary

This bill makes it unlawful to manufacture, sell, or distribute crib bumpers or inclined sleepers for infants. Specifically, inclined sleepers for infants are those designed for an infant up to one year old and have an inclined sleep surface of greater than 10 degrees. Crib bumpers generally are padded materials inserted

around the inside of a crib and intended to prevent the crib occupant from becoming trapped in any part of the crib's openings; they do not include unpadded, mesh crib liners.

Legislative History

On May 13, 2021, H.R. 3182 was introduced by Representatives Cárdenas (CA-29) and Schakowsky (IL-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 11, 2021.

On June 22, 2021, H.R. 3182 was considered in the House under suspension of the rules. On June 23, 2021, H.R. 3182 passed the House by a voice vote.

On June 24, 2021, H.R. 3182 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On May 3, 2022, the Senate Committee on Commerce, Science, and Transportation discharged the bill by unanimous consent. That same day, the Senate passed H.R. 3182 without amendment by a voice vote.

On May 11, 2022, H.R. 3182 was presented to the President and signed into law on May 16, 2022. That same day, H.R. 3182 became Public Law No. 117-126.

SUPREME COURT SECURITY FUNDING ACT OF 2022 (CHIPS AND SCIENCE ACT OF 2022)

PUBLIC LAW 117-167 (H.R. 4346)

Making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

Summary

Division A, Section 102 of H.R. 4346 establishes a fund for the DOC to support the implementation of the semiconductor provisions included in the Fiscal Year (“FY”) 2021 National Defense Authorization Act (“NDAA”). This section provides \$52.7 billion in emergency supplemental appropriations. The language would also re-affirm that the purchase of stocks and dividends are not an eligible use of CHIPS funds as determined by the eligible use of funds already required under the FY21 NDAA.

Division A, Section 103 of H.R. 4346 amends NDAA 2021 to provide \$2 billion incentives for manufacturing mature technology nodes, which are used by critical manufacturing industries like the automotive industry.

Division A, Section 104 of H.R. 4346 requires the Department of Commerce to establish activities and assign personnel to ensure that the recipients of CHIPS manufacturing incentives meet their commitments to increase the participation of economically disadvantaged individuals in the semiconductor workforce. Such personnel would also serve as a resource to support the participation of minority-owned businesses, veteran-owned businesses, and women-owned businesses in CHIPS-funded projects

Division A, Section 105 of H.R. 4346 expands the scope of the Government Accountability Office report already required under the FY21 NDAA to include

an evaluation of potential Government steps to avoid semiconductor shortages, describe efforts taken to hire individuals from disadvantaged populations into the semiconductor workforce, and to detail how funded projects support the needs of critical infrastructure industries.

Legislative History

On July 1, 2021, H.R. 4346 was introduced by Representative Ryan (OH-13) and referred to the Committee on Appropriations.

On July 1, 2021, the Committee on Appropriations reported H.R. 4346 to the House (H. Rept. 117-80). On July 28, 2021, H.R. 4346 was passed in the House by a recorded vote of 215 yeas to 207 nays (Roll Call No. 239).

On July 29, 2021, H.R. 4364 was received in the Senate, read twice, and referred to the Committee on Appropriations. On June 22, 2022, the Senate Committee on Appropriations discharged the bill by unanimous consent and H.R. 4364 passed the Senate with an amendment by unanimous consent.

On June 24, 2022, pursuant to the provisions of H.Res. 1204, the House agreed to the Senate amendment with amendment. On July 27, 2022, the Senate concurred in the House amendment to the Senate amendment to H.R. 4346 with an amendment by a roll call vote of 64 yeas to 33 nays (Record Vote Number: 271) and a message on the Senate action sent to the House. On July 28, 2022, a motion that the House agree to the Senate amendment to the House amendment to the Senate amendment was agreed to by a roll call vote of 243 yeas to 187 nays, 1 present (Roll no. 404).

On August 2, 2022, H.R. 4346 was presented to the President and signed into law on August 9, 2022 (Public Law No. 117-167).

INFLATION REDUCTION ACT OF 2022

PUBLIC LAW 117-169 (H.R. 5376, H.R. 5479, H.R. 5492, H.R. 5495, H.R. 5505)

To provide for reconciliation pursuant to title II of S. Con. Res. 14.

Summary

Title I, Subtitle M, Sec. 31401 of H.R. 5376 incorporates H.R. 5479, H.R. 5492, H.R. 5495, and H.R. 5505. The section appropriates \$5 billion to the Department of Commerce (DOC) to support the reliance of supply chains by mapping and monitoring manufacturing supply chains; facilitating and supporting the establishment of voluntary standards, guidelines, and best practices; identifying, accelerating, promoting, demonstrating, and deploying technological advances for manufacturing supply chains; and providing grants, loans, and loan guarantees to maintain and improve manufacturing supply chain resilience.

Title I, Subtitle M, Sec. 31402 of H.R. 5376 appropriates \$50 million to the DOC to award grants to destination marketing organizations to conduct marketing activities to promote safe domestic travel in the United States and to collect data on domestic travel and tourism, including the effect of the COVID-19 pandemic on domestic travel.

Title I, Subtitle N, Sec. 31501 of H.R. 5376 appropriates \$500 million to the FTC to create and operate a bureau, including by hiring technologists, user

experience designers, and other experts, to accomplish its consumer protection work relating to privacy, data security, identity theft, data abuses, and related matters.

Title I, Subtitle O, Sec. 31601 of H.R.5376 appropriates \$5 million to the DOC's Office of Inspector General.

Legislative History

On September 13, 14, and 15, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. Subtitle A, "Budget Reconciliation Legislative Recommendations Relating to Air Pollution," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle B, "Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle K, "Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas to 25 nays. Subtitle L, "Budget Reconciliation Legislative Recommendations Relating to Wireless Connectivity," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle M, "Budget Reconciliation Legislative Recommendations Relating to Distance Learning," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle C, "Budget Reconciliation Legislative Recommendations Relating to Drinking Water," was ordered transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle D, "Budget Reconciliation Legislative Recommendations Relating to Energy," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 30 yeas and 27 nays. The Committee on Energy and Commerce transmitted these subtitles to the Committee on Budget and they were incorporated into H.R. 5376.

On September 27, 2021, H.R. 5376 was introduced by Representative Yarmuth (KY-3) and referred to the Committee on Budget.

On September 27, 2021, the Committee on Budget reported H.R. 5376 to the House (H. Rept. 117-130). On November 19, 2021, H.R. 5376 was passed in the House by a recorded vote of 220 yeas to 213 nays (Roll Call No. 385).

On August 2, 2022, H.R. 5376 was received in the Senate and read for the first time. On August 3, 2022, the bill was read for a second time.

On August 7, 2022, H.R. 5376 passed the Senate with an amendment by a recorded vote of 51 yeas to 50 nays (Record Vote Number: 325).

On August 12, 2022, pursuant to the provisions of H.Res. 1316, the House agreed to the Senate amendment by a roll call vote of 220 yeas to 207 nays (Roll no. 420).

On August 15, 2022, H.R. 5376 was presented to the President and signed into law on August 16, 2022 (Public Law No. 117-169).

To protect children and other consumers against hazards associated with the accidental ingestion of button cell or coin batteries by requiring the Consumer Product Safety Commission to promulgate a consumer product safety standard to require child-resistant closures on consumer products that use such batteries, and for other purposes.

Summary

This legislation requires the CPSC to establish mandatory safety standards to protect children from ingesting button cell batteries or coin batteries. These standards should include requirements for button cell battery packaging that warn of the hazards of ingestion and instruct consumers to keep new and used batteries out of the reach of children. The bill is named after Reese Hamsmith, an 18-month-old child who tragically died after ingesting a button cell battery.

Legislative History

On September 21, 2021, H.R. 5313 was introduced by Representatives Kelly (IL-02), Arrington (TX-19), and Lieu (CA-33) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on September 22, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 5313. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women's Forum; Michael O'Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese's Mom, Reese's Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 5313 and seven other bills. An amendment in the nature of a substitute was offered by Representative Kelly and agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Consumer Protection and Commerce agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 21 yeas to zero nays.

On July 20, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 5313 and five other bills. During consideration of the bill, no amendments were offered. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 5313 reported favorably to the House, as amended by the Subcommittee on Consumer Protection and Commerce, by a roll call vote of 54 yeas to zero nays.

On July 26, 2022, H.R. 5313 was reported to the House by the Committee on Energy and Commerce (H. Rept. 117-440). On July 27, 2022, H.R. 4551 passed the House under suspension of the rules.

On July 28, 2022, H.R. 4551 was received in the Senate. On August 2, 2022, H.R. 5313 passed the Senate without amendment by unanimous consent.

On August 15, 2022, H.R. 5313 was presented to the President and signed into law on August 16, 2022 (Public Law No. 117-171).

FTC COLLABORATION ACT OF 2021

PUBLIC LAW 117-187 (H.R. 1766)

To enhance cooperation between the Federal Trade Commission and State Attorneys General to combat unfair and deceptive practices, and for other purposes.

Summary

This bill requires the Federal Trade Commission (FTC) to study its efforts to work with state attorneys general to address fraud and scams, including procedures, such as accountability mechanisms, that would facilitate such collaboration.

In the process, the FTC must consult with relevant organizations and provide an opportunity for public comment. The FTC must submit legislative recommendations based on the results of the study.

Legislative History

On March 10, 2021, H.R. 1766 was introduced by Representatives O'Halleran (AZ-01) and Hudson (NC-08) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 11, 2021.

On April 14, 2021, H.R. 1766 was considered in the House under suspension of the rules and passed the House by a voice vote.

On April 15, 2021, H.R. 1766 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On September 29, 2022, the Senate Committee on Commerce, Science, and Transportation discharged the bill by unanimous consent. That same day, the Senate passed H.R. 1766 without amendment by unanimous consent.

On October 4, 2022, H.R. 1766 was presented to the President and signed into law on October 10, 2022. That same day, H.R. 1766 became Public Law No. 117-187.

CONSOLIDATED APPROPRIATIONS ACT, 2023

PUBLIC LAW 117-__ (H.R. 2617, H.R. 6290, H.R. 1314, H.R. 4081, H.R. 7877, H.R. 4551, H.R. 6965, H.R. 2299)

To amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes.

Summary

Division BB, Title I of H.R. 2617 incorporates H.R. 6290, the “Manufacturing.gov Act.” This title requires the Department of Commerce to establish a section of the manufacturing.gov website to serve as the primary hub for information relating to federal manufacturing programs. In addition to serving

as the primary hub for this information, the hub must also (1) provide the contact information for relevant program offices carrying out federal manufacturing programs; (2) provide an avenue for public input and feedback relating to these programs; and (3) host web pages that focus on topics such as trade, workforce development, and small and medium manufacturers.

Division BB, Title II of H.R. 2617 incorporates H.R. 1314, the “STURDY Act.” This title directs the Consumer Product Safety Commission (CPSC) to promulgate a consumer product safety standard for free standing clothing storage units to protect children from tip-over related death or injury. The standard must protect children up to 72 months of age from tip-over related death or injury and be developed in consultation with consumer groups and clothing storage unit manufacturers.

Division BB, Title III of H.R. 2617 incorporates H.R. 5502, the “INFORM Consumers Act.” This title establishes a national standard, enforced by the Federal Trade Commission and State Attorneys General, that requires online platforms that allow for third party sellers of consumer products to verify the identity of high-volume third-party sellers, enabling consumers to obtain basic identification and contact information for certain high-volume third party sellers.

Division BB, Title IV of H.R. 2617 incorporates H.R. 7877, the “Virginia Graeme Baker Pool and Spa Safety Reauthorization Act of 2022.” This title authorizes \$2.5 million in funding for grants to states and Indian tribes to address pool and spa safety, and an additional \$2.5 million for the CPSC to carry out an education and awareness campaign to inform the public of methods to prevent drowning and entrapment in swimming pools.

Division BB, Title V of H.R. 2617 incorporates H.R. 4551, the “RANSOMWARE Act.” This title requires the FTC to report on cross-border complaints received that involve ransomware or other cyber-related attacks committed by certain foreign individuals, companies, and governments. The report must focus specifically on attacks committed by Russia, China, North Korea, or Iran or individuals or companies that are located in or have ties to those countries.

Division BB, Title VI, Subtitle A of H.R. 2617 incorporates H.R. 6965, the “Visit America Act.” This subtitle implements measures to support the U.S. travel and tourism industry, including requiring the Department of Commerce to develop a 10-year strategy with annual goals to boost the industry. The subtitle also establishes the position and responsibilities of Assistant Secretary of Commerce for Travel and Tourism. The subtitle also provides statutory authority for the United States Travel and Tourism Advisory Board, which shall aid the assistant secretary in developing and implementing the COVID-19 pandemic recovery strategy.

Division BB, Title VI, Subtitle B of H.R. 2617 incorporates H.R.2299, the “Protecting Tourism in the United States Act.” This subtitle requires the Department of Commerce complete a study and issue a report on the effects of the COVID-19 pandemic on the travel and tourism industry, including various segments of the travel and tourism industry, such as domestic, international, leisure, business, convention, meetings, and events.

On April 16, 2021, H.R. 2617 was introduced by Representatives Connolly (VA-11) and Hice (GA-10) and was referred to the Committee on Oversight and Reform.

On May 25, 2021, the Committee on Oversight and Reform held a markup of the bill and ordered H.R. 2617 reported favorably to the House, amended, by a voice vote.

On July 26, 2021, the House considered H.R. 2617 under suspension of the rules. On July 26, 2021, the Chair announced that further proceedings on the motion to suspend the rules and pass H.R. 2617 would be postponed.

On September 28, 2021, H.R. 2617 was considered in the House as unfinished business. That same day, H.R. 2617 passed the House under suspension of the rules, as amended, by a record vote of 414 yeas to 10 nays (Roll no. 304).

On September 29, 2021, H.R. 2617 was received in the Senate, read twice, and referred to the Committee on Homeland Security and Governmental Affairs.

On November 3, 2021, the Committee on Homeland Security and Governmental Affairs ordered H.R. 2617 to be reported favorably, without amendment.

On September 27, 2022, the Committee on Homeland Security and Governmental Affairs ordered H.R. 2617 to the Senate with amendments (report No. 117-164).

On November 15, 2022, H.R. 2617 passed the Senate with amendments by unanimous consent.

On December 14, 2022, the House agreed to Senate amendments numbered 1, 2, 3, and 5, and the House agreed to Senate amendment numbered 4 with an amendment pursuant to H. Res. 1518. On December 15, 2022, the message on the House amendment to Senate amendment 4 was received in the Senate. On December 20, 2022, the motion to proceed to consideration of the House message to accompany H.R. 2617 was agreed by a record vote of 70 yeas to 25 nays (Record Vote Number: 403).

On December 22, 2022, the Senate concurred in the House amendment to Senate amendment to H.R. 2617 with an amendment by a record vote of 68 yeas to 29 nays (Record Vote Number: 421).

On December 23, 2022, the House agreed to the Senate amendment to the House amendment to the Senate amendment by record vote of 225 yeas to 201 nays, 1 Present (Roll no. 549).

On December 28, 2022, H.R. 2617 was presented to the President and signed into law by the President on December 29, 2022. The Public Law number had not been assigned when this report was filed.

On December 14, 2021, H.R. 6290 was introduced by Representatives Tonko (NY-20), Axne (IA-03), and Upton (MI-06) and referred to the Committee on Energy and Commerce. Subsequently, the bill was referred to the Subcommittee on Consumer Protection and Commerce on December 15, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 6290. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women's Forum; Michael

O’Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese’s Mom, Reese’s Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 6290 and seven other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee agreed to report the bill favorably to the full Committee, without amendment, by a roll call vote of 22 yeas to zero nays.

On July 20, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 6290 and five other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 6290 reported favorably to the House, without amendment, by a roll call vote of 54 yeas to zero nays.

On November 14, 2022, H.R. 6290 was reported to the House by the Committee on Energy and Commerce (H. Rept. 117-554). On November 17, 2022, H.R. 6290 passed the House under suspension of the rules and H.R. 6290 was received in the Senate.

No further action was taken on H.R. 6290 in the 117th Congress.

On February 24, 2021, H.R. 1314 was introduced by Representatives Schakowsky (IL-09) and 16 original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 25, 2021.

On June 22, 2021, H.R. 1314 was considered in the House under suspension of the rules and passed the House by a voice vote on June 23, 2021.

On June 24, 2021, H.R. 1314 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1314 in the 117th Congress.

On June 23, 2021, H.R. 4081 was introduced by Representatives Curtis (UT-03) and Moulton (MA-06) and referred to the Committee on Energy and Commerce. Subsequently, the bill was referred to the Subcommittee on Consumer Protection and Commerce on June 24, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 6290. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women’s Forum; Michael O’Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese’s Mom, Reese’s Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 4081 and seven other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee on Consumer Protection

and Commerce agreed to report the bill favorably to the full Committee, without amendment, by a roll call vote of 21 yeas to zero nays.

On July 20, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4081 and five other bills. During consideration of the bill, no amendments were offered. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4081 reported favorably to the House, without amendment, by a roll call vote of 53 yeas to zero nays.

On September 28, 2022, H.R. 4081 was reported to the House by the Committee on Energy and Commerce (H. Rept. 117-509). On September 29, 2022, H.R. 4081 passed the House under suspension of the rules.

On October 11, 2022, H.R. 4081 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4081 in the 117th Congress.

On July 20, 2021, H.R. 4551, was introduced by Representative Bilirakis (FL-12) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4530. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 4551 and seven other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee on Consumer Protection and Commerce agreed to report the bill favorably to the full Committee, without amendment, by a roll call vote of 22 yeas to 0 nays.

On July 20, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4551 and five other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4551 reported favorably to the House, amended, by a roll call vote of 53 yeas to 0 nays.

On July 26, 2022, H.R. 4551 was reported to the House by the Committee on Energy and Commerce (H. Rept. 117-439). On July 27, 2022, H.R. 4551 passed the House under suspension of the rules.

On July 28, 2022, H.R. 4551 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4551 in the 117th Congress.

On March 7, 2022, H.R. 6965 was introduced by Representatives Titus (NV-1), Case (HI-01), and Young (AK-AL) and referred to the Committee on Energy

and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on March 8, 2022.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 6965. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women's Forum; Michael O'Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese's Mom, Reese's Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

The bill was discharged from the Subcommittee on Consumer Protection and Commerce on September 21, 2022.

On September 21, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 6965 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Soto (FL-09), was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 6965 reported favorably to the House, amended, by a roll call vote of 56 yeas to 0 nays.

On September 28, 2022, the Committee on Foreign Affairs and the Committee on the Judiciary discharged consideration of the bill and H.R. 6965 was placed on the Union Calendar (Calendar No. 398). That same day, H.R. 6965 was considered in the House under suspension of the rules. On September 28, 2022, H.R. 6965 passed the House, as amended, by a roll call vote of 325 yeas to 93 nays (Roll no. 466).

On October 11, 2022, H.R. 6965 was received in the Senate.

No further action was taken on H.R. 6965 in the 117th Congress.

PROTECTING SENIORS FROM EMERGENCY SCAMS ACT

H.R. 446

To require the FTC to submit a report to Congress on scams targeting seniors, and for other purposes.

Summary

This bill requires the FTC to report on, and increase awareness regarding, scams targeting older adults. Specifically, the commission must: report on the number and type of scams that target older adults and provide policy recommendations to prevent such scams; revise the commission's web portal with current information about such scams, including contact information for law enforcement and adult protective services agencies; and coordinate with media outlets and law enforcement to disseminate such information.

Legislative History

On January 25, 2021, H.R. 446 was introduced by Representatives Kelly (IL-02) and Balderson (OH-12) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 2, 2021.

On April 14, 2021, H.R. 446 was considered in the House under suspension of the rules. On April 15, 2021, H.R. 446 passed the House under suspension of the rules by a recorded vote of 413 yeas to 8 nays (Roll no. 110).

On April 19, 2021, H.R. 446 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 446 in the 117th Congress.

COVID-19 PRICE GOUGING PREVENTION ACT

H.R. 675

To prohibit price gouging in connection with the public health emergency resulting from COVID–19, and for other purposes.

Summary

This legislation prohibits the sale of consumer goods and services during the COVID-19 pandemic public health emergency at prices that (i) are unconsciously excessive and (ii) indicate that the seller is using the public health emergency to increase prices unreasonably. Under the legislation, the FTC is directed to consider certain factors in determining whether price gouging has occurred, including whether the price reasonably reflects additional costs to the seller or the profitability of forgone sales. The legislation authorizes the FTC to seek civil penalties for a first offense and provides authority to state attorneys general to enforce the requirements of the bill.

Legislative History

On February 1, 2021, H.R. 675 was introduced by Representative Schakowsky (IL-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 2, 2021.

That same day, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on H.R. 675. The witnesses included Alex Harman, Competition Policy Advocate, Public Citizen; Rakeen Mabud, Ph.D., Managing Director of Policy and Research and Chief Economist, Groundwork Collaborative; Sarah Frasch, Chief Deputy Attorney General and Director, Bureau of Consumer Protection, Pennsylvania Office of the Attorney General; and Glenn Richey, Ph.D., Harbert Eminent Scholar and Chair, Department of Supply Chain Management, Auburn University Harbert College of Business.

No further action was taken on H.R. 675 in the 117th Congress.

CONSUMER PROTECTION AND RECOVERY ACT

H.R. 2668

To amend the Federal Trade Commission Act to affirmatively confirm the authority of the FTC to seek permanent injunctions and other equitable relief for violations of any provision of law enforced by the Commission.

Summary

This legislation amends section 13(b) of the FTC Act to provide the FTC with express authority to obtain both injunctive and monetary equitable relief for all violations of those laws it enforces. It adds a new subsection (e) to section 13 of the FTC Act that specifies types of equitable relief the FTC may pursue: restitution for losses, contract reformation and rescission, money refunds, and the return of property. The new subsection (e) also provides the FTC disgorgement authority to seek court orders requiring bad actors repay unjust gains acquired in violation of the law. Any amount a court orders to be returned in equitable relief must be offset by any amount the court orders be paid in disgorgement. Any equitable relief under this provision is allowed for violations occurring up to ten years prior to the date a suit is filed, including those violations that occur after the suit is filed. This ten-year period is extended when relief is sought for individuals who are outside of the United States during this period.

H.R. 2668 also provides that the FTC may seek temporary restraining orders and preliminary injunctions without bond and that any relief sought under section 13(b) may be for past violations in addition to ongoing and imminent violations. The bill applies to any currently pending FTC action or proceeding in addition to those commenced on or after, the date of enactment.

Legislative History

On April 20, 2021, H.R. 2668 was introduced by Representative Cárdenas (CA-29) and 13 other original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On April 27, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing H.R. 2668. Testimony was received from The Honorable Rebecca K. Slaughter, Acting Chairwoman, Federal Trade Commission; Anna Laitin, Director Financial Fairness and Legislative Strategy, Consumer Reports; Ted Mermin, Executive Director Center for Consumer Law and Economic Justice, Lecturer, University of California, Berkley School of Law; and Dr. J. Howard Beales, Professor Emeritus of Strategic Management and Public Policy, George Washington University.

The Subcommittee on Consumer Protection and Commerce met in virtual open markup session, pursuant to notice, to consider H.R. 2668 on May 27, 2021. During consideration of the bill, Representative Rodgers (WA-05) offered a motion to postpone consideration of H.R. 2668 until June 16, 2021. A motion to table the Rodgers's motion to postpone consideration until June 16, 2021, offered by Representative Pallone (NJ-06), was agreed to by a roll call vote of 14 yeas to 9 nays (CPC Roll call no. 01). Subsequently, Representative Bilirakis (FL-12) offered a motion to postpone consideration of H.R. 2668 indefinitely. A motion to table the Bilirakis motion to postpone indefinitely, offered by Representative Pallone, was agreed to by a roll call vote of 13 yeas to 7 nays (CPC Roll call no. 02).

After deliberation of the motions offered to postpone consideration of H.R. 2668, an amendment in the nature of a substitute (AINS) offered by Representative Cárdenas was agreed to by a voice vote. An amendment to the Cárdenas AINS, offered by Representative Armstrong (ND-AL), was defeated by a roll call vote of 7 yeas to 14 nays (CPC Roll call no. 03). An amendment to the Cárdenas AINS, offered by Representative Latta (OH-5), was defeated by a roll call vote of 8 yeas to 14 nays (CPC Roll call no. 04). Five amendments to the Cárdenas AINS, offered by Representative Bilirakis, were withdrawn. Representatives Armstrong, Guthrie (KY-2), and Dunn (FL-2) each offered an amendment to the Cárdenas AINS but withdrew the amendments. Upon conclusion of consideration of the bill, the Subcommittee ordered H.R. 2668 reported favorably to the full Committee, amended, by a voice vote.

On June 10, 2021, the full Committee met in virtual open markup session to consider H.R. 2668. During consideration of the bill, an AINS offered by Representative Cárdenas was agreed to by a voice vote. An amendment to the Cárdenas AINS, offered by Representative Bilirakis, was defeated by a roll call vote of 25 yeas to 28 nays (Roll call no. 27). Two amendments, offered by Representative Duncan and Representative Rodgers, were ruled out of order by the Chairman because the amendments violate House Rule XVI, clause 7. Representative Pallone, Chairman of the Committee, offered a motion to order H.R. 2668 reported favorably to the House, amended. The motion on final passage was agreed to by a roll call vote of 30 yeas to 22 nays (Roll call no. 28), a quorum being present.

On July 16, 2021, the Committee on Energy and Commerce reported H.R. 2668, as amended, (H. Rept. 117 – 90, Part 1). On that same day, the Committee on Judiciary discharged the bill, and it was placed on the Union Calendar (Calendar No. 64).

On July 20, 2021, H.R. 2668 was considered in the House and passed by a recorded vote of 221 yeas and 205 nays (Roll no. 214).

On July 21, 2021, H.R. 2668 was received in the Senate.

No further action was taken on H.R. 2668 in the 117th Congress.

SOLIDIFYING HABITUAL AND INSTITUTIONAL EXPLANATIONS OF LIABILITY AND DEFENSES (SHIELD) ACT

H.R. 2671

To amend the Federal Trade Commission Act to specify certain effects of guidelines, general statements of policy, and similar guidance issued by the FTC.

Summary

This legislation would prohibit FTC from basing an enforcement action on guidelines, policy statements, or other guidance rather than statutory provisions enforced by the FTC. However, the bill allows for compliance with FTC guidelines, policy statements, or other guidance to be used by companies as evidence of compliance with a statute in any FTC enforcement action.

Legislative History

On April 20, 2021, H.R. 2671 was introduced by Rep. Armstrong (ND-AL) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 2671. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 2671 in the 117th Congress.

FTC ROBUST ELDERLY PROTECTIONS AND ORGANIZATIONAL REQUIREMENTS TO TRACK SCAMS (FTC REPORTS) ACT

H.R. 2672

To amend the Federal Trade Commission Act to require an annual plan and a report on elder fraud, and for other purposes.

Summary

This legislation would require FTC to publish an annual plan for the next year of its projected activities, including policy priorities; planned rulemakings and guidance documents; planned commission or working group restructurings; planned workshops, conferences, and reports; and projected timelines for these activities. The bill would also require a separate report on enforcement actions involving elder fraud for the previous calendar year.

Legislative History

On April 20, 2021, H.R. 2672 was introduced by Representative Bilirakis (FL-12) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 2672. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 2672 in the 117th Congress.

REVEALING ECONOMIC CONCLUSIONS FOR SUGGESTIONS (RECS) ACT

H.R. 2676

To amend the Federal Trade Commission Act to require that any legislative recommendation of the FTC be accompanied by an economic analysis and include a description of the rationale for the recommended legislation.

Summary

This legislation would require the FTC's Bureau of Economics to conduct a cost-benefit analysis for any legislative, regulatory, or enforcement recommendations, including a rationale for the FTC's determination that private markets or public institutions could not adequately address the issue that is the subject of the recommendation.

Legislative History

On April 20, 2021, H.R. 2676 was introduced by Rep. Bucshon (IN-08) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 2676. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 2676 in the 117th Congress.

TECHNOLOGICAL INNOVATION THROUGH MODERNIZING ENFORCEMENT (TIME) ACT

H.R. 2677

To amend the Federal Trade Commission Act to require a time limitation for consent orders, and for other purposes.

Summary

This legislation would place an eight-year cap on consent decrees ordered in FTC enforcement actions. The bill would also require review of all FTC consent decrees five years after the decree is entered into, unless a particular case is related to alleged fraud and the FTC determines that the decree should last longer based on consideration of the impact on technological progress and risk of future violations of the decree. FTC consent decrees are generally in place for 20 years under current practice.

Legislative History

On April 20, 2021, H.R. 2677 was introduced by Representative Burgess (TX-26) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 2677. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 2677 in the 117th Congress.

CLARIFYING LEGALITY AND ENFORCEMENT ACTION REASONING (CLEAR) ACT

H.R. 2690

To amend the Federal Trade Commission Act to require annual reports to Congress regarding the status of investigations of unfair or deceptive acts or practices in or affecting commerce.

Summary

This legislation would require FTC to submit an annual report to Congress that includes the number of investigations begun, number of investigations closed with no official action, the disposition of investigations that have resulted in official action, and for each investigation that closed without action, an explanation of the legal analysis supporting the agency's decision to close the investigation.

Legislative History

On April 20, 2021, H.R. 2690 was introduced by Representative Guthrie (KY-2) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 2690. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 2690 in the 117th Congress.

STATEMENT ON UNFAIRNESS REINFORCEMENT AND EMPHASIS (SURE) ACT

H.R. 2702

To amend the Federal Trade Commission Act to include requirements for declaring an unlawful act or practice, and for other purposes.

Summary

This legislation would prohibit FTC from declaring an act or practice unfair unless the act or practice is likely to cause substantial injury not reasonably avoidable by consumers and not outweighed by countervailing benefits to consumers, competition, or society generally. Under the bill, an act or practice does not cause substantial injury if the resulting harm is trivial or merely speculative. Acts or practices are not unfair unless found to be injurious in net effect, requiring the FTC consider various “costs” for consumer remedies including increased paperwork, regulatory burden, and reduced incentives to capital formation. The bill mirrors select language in FTC’s policy statement on unfairness written in 1980.

Legislative History

On April 20, 2021, H.R. 2702 was introduced by Rep. Mullin (OK-2) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on April 21, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 2702. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 2702 in the 117th Congress.

GLOBAL INVESTMENT IN AMERICAN JOBS ACT

H.R. 2907

To direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report to Congress on ways to increase the global competitiveness of the United States in attracting foreign direct investment.

Summary

This legislation requires the Department of Commerce (DOC) to conduct an interagency review of the global competitiveness of the United States in attracting FDI and addressing trade barriers affecting firms in advanced technology sectors.

Legislative History

On April 30, 2021, H.R. 2907 was introduced by Representative Pence (IN-06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 3, 2021.

On October 14, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on ten bills, including H.R. 2907. Testimony was received from Caolionn O’Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 2907 in the 117th Congress.

ONLINE CONSUMER PROTECTION ACT

H.R. 3067

To clarify that a violation of certain terms of service and related materials is an unfair or deceptive act or practice and subject to enforcement by the FTC.

Summary

This legislation requires social media platforms and online marketplaces to establish, maintain, and disclose written terms of service and create consumer protection programs to ensure compliance with applicable consumer protection laws. The bill requires implementation through rulemaking under the Administrative Procedure Act (APA) and provides for enforcement by the FTC and state attorneys general and allows them to seek civil penalties. It also allows for individuals to sue when harmed by violations of the Online Consumer Protection Act and invalidates forced arbitration agreements.

The bill also expressly states that section 230 of the Communications Decency Act (section 230) does not limit liability with respect to violations of the bill. Furthermore, the bill would amend section 230 to clarify that it does not apply to FTC enforcement actions.

Legislative History

On May 7, 2021, H.R. 3067 was introduced by Representative Schakowsky (IL-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 10, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 3067. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The

Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Default, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 3607 in the 117th Congress.

SAVE AMERICA’S FORGOTTEN EQUINES (SAFE) ACT

H.R. 3355

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

Summary

This legislation prohibits the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation by a person of any horse or other equine that the person has reason to believe will be slaughtered for human consumption.

Legislative History

On May 19, 2021, H.R. 3355 was introduced by Representatives Schakowsky (IL-09) and Buchanan (FL-16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 20, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 3355. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women’s Forum; Michael O’Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese’s Mom, Reese’s Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session to consider H.R. 3355 and seven other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Schakowsky, was agreed to by a voice vote. An amendment to the AINS was withdrawn. Upon conclusion of consideration of the bill, the Subcommittee on Consumer Protection and Commerce agreed to report the bill favorably to the full Committee, amended, by a voice vote.

No further action was taken on H.R. 3355 in the 117th Congress.

SOCIAL MEDIA DISCLOSURE AND TRANSPARENCY OF ADVERTISEMENTS (SOCIAL MEDIA DATA) ACT

H.R. 3451

To require covered platforms to provide information about their advertising to academic researchers, and for other purposes.

Summary

This legislation requires the FTC to issue regulations that require large digital advertising platforms to maintain and grant academic researchers and the FTC access to ad libraries that contain specific data on advertisements in a searchable, machine-readable format. The ad library must include details about the advertisements such as the ad targeting method, descriptions of the targeted audience for each advertisement, and the language contained within the ad. The bill also requires the FTC to convene a working group of stakeholders to provide guidance to Congress and the public on a set of best practices for social media research.

Legislative History

On May 20, 2021, H.R. 3451 was introduced by Representative Trahan (MA-03) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 31, 2021.

On December 9, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 3451. The witnesses included Jonathan Greenblatt, CEO and National Director, Anti-Defamation League; Nathalie Maréchal, Ph.D., Senior Policy and Partnerships Manager, Ranking Digital Rights; Imran Ahmed, CEO, Center for Countering Digital Hate; Josh Golin, Executive Director, Fairplay; Rick Lane, CEO, Iggy Ventures, LLC; and Jessica Rich, Of Counsel, Kelley Drye, Former Director, Bureau of Consumer Protection, Federal Trade Commission.

No further action was taken on H.R. 3451 in the 117th Congress.

ALGORITHMIC JUSTICE AND ONLINE PLATFORM TRANSPARENCY ACT

H.R. 3611

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.

Summary

This legislation prohibits online platforms from using an algorithmic process in a manner that is not safe and effective, i.e., in a manner that harms users or fails to take reasonable steps to ensure algorithms achieve their intended purposes. The bill also prohibits the use of algorithmic processes that discriminate based on race, age, gender, ability, and other protected characteristics. The bill further requires platforms to describe to users the types of algorithmic processes they use and to maintain detailed records describing these processes for review by the FTC. The bill also creates an inter-agency task force to examine discriminatory algorithmic processes.

Legislative History

On May 28, 2021, H.R. 3611 was introduced by Representative Matsui (CA-06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 31, 2021.

On December 9, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 3611. The witnesses included Jonathan Greenblatt, CEO and National Director, Anti-Defamation League; Nathalie Maréchal, Ph.D., Senior Policy and Partnerships Manager, Ranking Digital Rights; Imran Ahmed, CEO, Center for Countering Digital Hate; Josh Golin, Executive Director, Fairplay; Rick Lane, CEO, Iggy Ventures, LLC; and Jessica Rich, Of Counsel, Kelley Drye, Former Director, Bureau of Consumer Protection, Federal Trade Commission.

No further action was taken on H.R. 3611 in the 117th Congress.

CONSUMER SAFETY TECHNOLOGY ACT

H.R. 3723

To direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the mission of the Commission and direct the Secretary of Commerce and the FTC to study and report on the use of blockchain technology and digital tokens, respectively.

Summary

This bill requires various agencies to explore the use of emerging technologies in the context of consumer products and safety. First, the Consumer Product Safety Commission must consult with relevant stakeholders, such as data scientists and product manufacturers, and use artificial intelligence in a pilot program for a least one of the following processes: (1) tracking trends in injuries involving consumer products, (2) identifying consumer product hazards, (3) monitoring the sale of recalled consumer products, or (4) identifying consumer products that do not meet specified importation requirements related to product safety.

Additionally, the Department of Commerce must consult with the FTC and other relevant agencies to study potential applications of blockchain technology (i.e., the technology that supports digital currencies such as Bitcoin), including the use of such technology to address fraud and other unfair or deceptive practices.

Finally, the FTC must report on its efforts to address unfair or deceptive trade practices related to digital tokens (i.e., transferable units of a digital currency).

Legislative History

On June 4, 2021, H.R. 3723 was introduced by Representatives McNerney (CA-09), Burgess (TX-26), Soto (FL-09), Guthrie (KY-02), and Davidson (OH-08) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 7, 2021.

On June 22, 2021, H.R. 3723 was considered in the House under a motion to suspend the Rules and passed by a voice vote.

On June 24, 2021, H.R. 3723 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 3723 in the 117th Congress.

PANDEMIC EFFECTS ON HOME SAFETY AND TOURISM ACT

H.R. 3752

To require the Consumer Product Safety Commission to study the effect of the COVID-19 pandemic on injuries and deaths associated with consumer products and to direct the Secretary of Commerce to study and report on the effects of the COVID-19 pandemic on the travel and tourism industry in the United States.

Summary

This bill requires studies and reports about the effects of COVID-19 (i.e., coronavirus disease 2019) with respect to tourism and consumer product safety.

Specifically, the Consumer Product Safety Commission must report, and make available to the public, information about injuries and deaths from consumer products during the COVID-19 public health emergency. The report must be submitted every three months for the duration of the emergency.

Additionally, the Department of Commerce, in consultation with appropriate stakeholders, must study and report about the effects of the pandemic on the travel and tourism industry. Commerce must consider metrics including changes in employment rate, sales, and business revenue, and it must provide the opportunity for public comment. An interim study and report must be submitted not later than three months after the enactment of this bill.

Legislative History

On June 8, 2021, H.R. 3752 was introduced by Representatives Cárdenas (CA-29), Castor (FL-14), Davis (IL-13), and Upton (MI-06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 9, 2021.

On June 22, 2021, H.R. 3752 was considered in the House under a motion to suspend the Rules and passed by a voice vote the next day.

On June 24, 2021, H.R. 3752 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 3752 in the 117th Congress.

ADVANCING GIG ECONOMY ACT

H.R. 3774

To require the Secretary of Commerce to conduct a study on the gig economy and the impact the gig economy has on the United States overall economy, including the impact that State laws have had on the gig economy.

Summary

This legislation requires the DOC to study and report on the impact of the gig economy on U.S. businesses conducting interstate commerce.

Legislative History

On June 8, 2021, H.R. 3774 was introduced by Representative Joyce (PA-13) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 9, 2021.

October 14, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on ten bills, including H.R. 3774. The witnesses included Caolionn O’Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 3774 in the 117th Congress.

PINK TAX REPEAL ACT

H.R. 3853

To prohibit the pricing of consumer products and services that are substantially similar if such products or services are priced differently based on the gender of the individuals for whose use the products are intended or marketed or for whom the services are performed or offered.

Summary

This legislation prohibits product manufacturers or service providers from selling substantially similar consumer products from the same manufacturer or substantially similar services at different prices when those prices are based on the gender for whom such products or services are intended or marketed.

The bill provides authority for the FTC to seek civil penalties for violations of this Act and allows state attorneys general to enforce these requirements.

Legislative History

On June 11, 2021, H.R. 3853 was introduced by Representative Speier (CA-14) and 45 other original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 14, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 3853. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women’s Forum; Michael O’Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese’s Mom, Reese’s Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

No further action was taken on H.R. 3853 in the 117th Congress.

TO AMEND THE FEDERAL TRADE COMMISSION ACT TO PERMIT THE FEDERAL
TRADE COMMISSION TO ENFORCE SUCH ACT AGAINST CERTAIN TAX-EXEMPT
ORGANIZATIONS

H.R. 3918

To amend the Federal Trade Commission Act to permit the FTC to enforce such Act against certain tax-exempt organizations.

Summary

This legislation would give the FTC authority over non-profit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Legislative History

On June 15, 2021, H.R. 3918 was introduced by Representative Rush (IL-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce the next day.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 3918. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 3918 in the 117th Congress.

SECURING AND ENABLING COMMERCE USING REMOTE AND ELECTRONIC
NOTARIZATION ACT OF 2021

H.R. 3962

To authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any state, to require any state to recognize notarizations performed by a notarial officer of any other state when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's state or when the notarization occurs in or affects interstate commerce, and for other purposes.

Summary

This legislation permits remote online notarization that meet nationwide standards and technical requirements. This bill allows a notary public commissioned under state law to remotely notarize electronic records and perform

notarizations for remotely-located individuals. The bill requires U.S. courts and states to recognize remote notarizations, including remote notarizations from notary publics commissioned in other states or U.S. territories, that occur in or affect interstate commerce. State laws that meet or exceed the minimum national standards and technical requirements of the bill will remain in effect.

Legislative History

On June 17, 2021, H.R. 3962 was introduced by Representative Dean (PA-04) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 18, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 3962. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women's Forum; Michael O'Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese's Mom, Reese's Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 3962 and seven other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee on Consumer Protection and Commerce agreed to report the bill favorably to the full Committee, without amendment, by a roll call vote of 22 yeas to 0 nays.

On July 20, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 3962 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Armstrong (ND-AL), was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 3962 reported favorably to the House, amended, by a roll call vote of 56 yeas to 0 nays.

On July 26, 2022, the Committee on the Judiciary discharged consideration of the bill and H.R. 3962 was considered in the House under suspension of the rules. On July 27, 2022, H.R. 3962 passed the House under suspension of the rules.

On July 28, 2022, H.R. 3962 was received in the Senate, read twice, and referred to the Committee on the Judiciary.

No further action was taken on H.R. 3962 in the 117th Congress.

TELLING EVERYONE THE LOCATION OF DATA LEAVING THE U.S. (TELL) ACT

H.R. 3991

To require that any person that maintains an internet website or that sells or distributes a mobile application that maintains and stores information collected

from such website or application in China to disclose that such information is stored and maintained in the People's Republic of China and whether the Chinese Communist Party or a Chinese state-owned entity has access to such information.

Summary

This legislation requires a person who maintains a website or sells or distributes a mobile app that stores information collected from the website or app in the People's Republic of China to disclose to users that such information is stored in the People's Republic of China.

Legislative History

On June 17, 2021, H.R. 3991 was introduced by Representative Duncan (SC-03) and seven other original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 18, 2021.

On December 9, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 3991. The witnesses included Jonathan Greenblatt, CEO and National Director, Anti-Defamation League; Nathalie Maréchal, Ph.D., Senior Policy and Partnerships Manager, Ranking Digital Rights; Imran Ahmed, CEO, Center for Countering Digital Hate; Josh Golin, Executive Director, Fairplay; Rick Lane, CEO, Iggy Ventures, LLC; and Jessica Rich, Of Counsel, Kelley Drye, Former Director, Bureau of Consumer Protection, Federal Trade Commission.

No further action was taken on H.R. 3991 in the 117th Congress.

INTERNET APPLICATION INTEGRITY AND DISCLOSURE (INTERNET APPLICATION I.D.) ACT

H.R. 4000

To require any person that maintains an internet website or that sells or distributes a mobile application that is owned, wholly or partially, by the Chinese Communist Party or by a non-state-owned entity located in the People's Republic of China, to disclose that fact to any individual who downloads or otherwise uses such application.

Summary

This legislation requires a person who maintains a website or sells or distributes a mobile app that is owned, wholly or partially, by the Chinese Communist Party or by a non-state-owned entity located in the People's Republic of China to disclose that ownership to the user.

Legislative History

On June 17, 2021, H.R. 4000 was introduced by Representative Kinzinger (IL-16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 18, 2021.

On December 9, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 4000. The

witnesses included Jonathan Greenblatt, CEO and National Director, Anti-Defamation League; Nathalie Maréchal, Ph.D., Senior Policy and Partnerships Manager, Ranking Digital Rights; Imran Ahmed, CEO, Center for Countering Digital Hate; Josh Golin, Executive Director, Fairplay; Rick Lane, CEO, Iggy Ventures, LLC; and Jessica Rich, Of Counsel, Kelley Drye, Former Director, Bureau of Consumer Protection, Federal Trade Commission.

No further action was taken on H.R. 4000 in the 117th Congress.

21ST CENTURY FTC ACT

H.R. 4447

To amend the Federal Trade Commission Act to provide the Commission with notice and comment rulemaking authority respecting unfair or deceptive acts or practices and to provide for civil penalties for violations of such Act respecting unfair or deceptive acts or practices, and for other purposes.

Summary

This legislation would provide the FTC with independent litigating authority to initiate enforcement actions seeking civil penalties without coordination with the Department of Justice.

Legislative History

On July 16, 2021, H.R. 4447 was introduced by Representative Castor (FL-14) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 19, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4447. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 4447 in the 117th Congress.

CONSUMER EQUITY PROTECTION ACT

H.R. 4460

To establish a task force within the FTC to advise on equity issues in the protection of consumers and to prevent unfair and deceptive acts or practices targeting or affecting consumers on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age, and other protected characteristics, and for other purposes.

Summary

This legislation would establish a task force within the FTC to advise on equity issues and prevent unfair and deceptive acts or practices that target or affect consumers on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age, or other protected characteristics. The task force is directed to consult with other applicable federal agencies to educate the public through information on and how to report schemes targeting or affecting specific consumer groups. The task force must also maintain a website to provide resources to the public and coordinate the FTC's establishment of procedures to receive relevant complaints.

Legislative History

On July 16, 2021, H.R. 4460, was introduced by Representative Kelly (IL-02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 19, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4460. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 4460 in the 117th Congress.

PROTECTING CONSUMERS IN COMMERCE ACT OF 2021

H.R. 4475

To amend the Federal Trade Commission Act to permit the FTC to enforce such Act against certain common carriers.

Summary

This legislation would give the FTC authority over certain common carriers, including the ability to bring enforcement actions for unfair or deceptive acts or practices.

Legislative History

On July 16, 2021, H.R. 4475, was introduced by Representative McNerney (CA-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 19, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4475. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The

Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 4475 in the 117th Congress.

DHS TRADE AND ECONOMIC SECURITY COUNCIL ACT OF 2021

H.R. 4476

To establish the Department of Homeland Security (DHS) Trade and Economic Security Council and the position of Assistant Secretary for Trade and Economic Security within the Department of Homeland Security, and for other purposes.

Summary

This legislation would solidify economic security efforts at DHS by codifying two existing entities: (1) the DHS Trade and Economic Security Council, and (2) the position of Assistant Secretary for Trade and Economic Security within the Office of Strategy, Policy, and Plans. The Council would provide advice and recommendations to the Secretary related to the economic security of the homeland, which would include identifying concentrated risks for economic security, setting priorities for securing the nation's economic security, coordinating Department-wide activity on economic security matters, and proposing statutory and regulatory changes impacting economic security. The Council would be chaired by the Assistant Secretary for Trade and Economic Security and consist of members appointed by the Chair from at least nine specific DHS components or offices, along with advisory members from other components as determined by the Chair. The Council would be required to meet at least quarterly and provide regular briefings to Congress. The Assistant Secretary would advise the Secretary regarding matters relating to U.S. critical economic security domains, oversee related activities within the Department, and coordinate with relevant stakeholders across the government and private sector.

Legislative History

On July 16, 2021, H.R. 4476 was introduced by Representative Meijer (MI-03) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 19, 2021.

On February 1, 2022, H.R. 4476 was discharged from the Committee on Energy and Commerce and placed on the Union Calendar (Calendar No. 172).

On April 5, 2022, H.R. 4476 was considered in the House under a motion to suspend the Rules and passed by a recorded vote of 348 yeas and 75 nays (Roll no. 112).

On April 6, 2022, H.R. 4476 was received in the Senate and Read twice and referred to the Committee on Homeland Security and Government Affairs.

No further action was taken on H.R. 4476 in the 117th Congress.

VETERANS AND SERVICE MEMBER CONSUMER PROTECTION ACT OF 2021

H.R. 4483

To establish a coordinator within the FTC to prevent fraud and scams targeting or adversely affecting military veterans and servicemembers, and for other purposes.

Summary

This legislation would establish a coordinator within the FTC to prevent fraud and scams targeting or adversely affecting military veterans and servicemembers. The coordinator shall consult with other applicable federal agencies to educate military veterans and servicemembers on schemes targeting them and disseminate information for reporting such schemes to the FTC. The coordinator must also maintain a website to provide resources to military veterans and servicemembers and coordinate the FTC's establishment of procedures to receive complaints made by military veterans and servicemembers.

Legislative History

On July 16, 2021, H.R. 4483, was introduced by Representatives Rice (NY-04) and Upton (MI-06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 19, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4483. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 4483 in the 117th Congress.

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE IN TECHNOLOGY AND ECONOMIC STRENGTH ACT OF 2022

H.R. 4521 (H.R. 5479, H.R. 5492, H.R. 5495, H.R. 5505, H.R. 3848, H.R.
4594, H.R. 5502)

To provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

Summary

Title II, Subtitle A, Section 20201 of H.R. 4521 incorporates H.R. 5479, H.R. 5492, H.R. 5495, and H.R. 5505. This section creates a Supply Chain Resiliency and Crisis Response Office (Office) in the Department of Commerce (DOC)

charged with leading a governmentwide approach to supply chain resilience, supporting the availability of critical goods, and preparing for and responding to supply chain shocks. The Office is led by an Assistant Secretary appointed by the President with the advice and consent of the Senate.

Title II, Subtitle A, Section 20202 of H.R. 4521 incorporates H.R. 5492. This section requires the Assistant Secretary to develop and implement a strategy to support the resilience, diversity, security, and strength of supply chains. The strategy must detail how the Assistant Secretary will implement the requirements under this subtitle, including mitigating supply chain vulnerabilities, incentivizing domestic production of critical goods, and addressing supply chain threats from countries of concern. The Assistant Secretary is also required to detail how the Office will coordinate with other offices and bureaus within the DOC on supporting supply chain resilience.

Title II, Subtitle A, Section 20203 of H.R. 4521 incorporates H.R. 5479. This section requires the Assistant Secretary, in consultation with a coordination group established under this section, to map, monitor, and model supply chains to identify supply chain vulnerabilities and opportunities to address threats. The Assistant Secretary is also required to designate, through a public notice and comment process, critical industries, supply chains, and critical goods. Further, the Assistant Secretary is directed to produce a quadrennial report on the state of the nation's supply chain resilience, which must include an assessment of the supply and demand of critical goods, the state of domestic manufacturing, and the ability of the United States to prepare for and respond to supply chain shocks. This section authorizes \$500 million for the period of FY 2022 through 2027 for the Assistant Secretary to carry out these activities.

Title II, Subtitle A, Section 20204 of H.R. 4521 incorporates H.R. 5495 and H.R. 5492. This section authorizes \$45 billion for the period of FY 2022 through 2027 for the Assistant Secretary to provide grants, loans, and loan guarantees that support the resilience, diversity, security, and strength of supply chains, including for activities that support the manufacturing or acquisition of critical goods, enhance manufacturing facilities, and create surge capacity. The Assistant Secretary is permitted to provide financial assistance to domestic manufacturers and enterprises, state and local governments, Tribal governments, manufacturing extension partnership centers, Manufacturing USA institutes, institutions of higher education, and nonprofit organizations.

Title II, Subtitle A, Section 20205 of H.R. 4521 incorporates H.R. 5505. This section requires the Assistant Secretary to facilitate and support the development of a voluntary set of standards, guidelines, and best practices that can be adopted by the private sector to measure supply chain resilience, evaluate the value of supply chain resilience, and reduce the risk of supply chain shocks. The Assistant Secretary is authorized \$500 million for the period of FY 2022 through 2027 to carry out these activities.

Title II, Subtitle A, Section 20206 of H.R. 4521 incorporates H.R. 5495 and H.R. 5492. This section requires the Inspector General (IG) of the DOC conduct an audit of the Office to evaluate the effectiveness of the Assistant Secretary at implementing the requirements under this subtitle. The IG is authorized \$5 million for the period of FY 2022 through 2027 to carry out the audit.

Title II, Subtitle A, Section 20207 of H.R. 4521 requires the DOC to establish a database and online toolkit where United States' businesses may voluntarily submit supply chain information.

Title II, Subtitle A, Section 20209 of H.R. 4521 incorporates H.R. 5479, H.R. 5492, H.R. 5495, and H.R. 5505. This section establishes the definitions for key terms used throughout the subtitle.

Title II, Subtitle A, Section 20210 of H.R. 4521 requires the DOC and DOT to produce a report on the major supply chain chokepoints.

Title II, Subtitle A, Section 20211 of H.R. 4521 requires the DOC to issue a report detailing actions that can be implemented within 30 days to immediately address the supply chain crisis.

Title II, Subtitle A, Section 20212 of H.R. 4521 incorporates H.R. 3848. This section creates a congressionally chartered commission to make recommendations to Congress on maintaining and bolstering supply chains.

Title II, Subtitle B, Section 20211 of H.R. 4521 establishes within the DOC a National Manufacturing Advisory Council that is required to provide recommendations on worker education, training, development, and entrepreneurship training; connecting individuals and businesses with workforce development services; coordinating services relating to employee engagement; developing and supporting training and job placement services and apprenticeship and online learning platforms; developing programming to prevent job losses; and developing best practices for employee ownership.

Title II, Subtitle B, Section 20212 of H.R. 4521 incorporates H.R. 4594. This section requires the Secretary of the Treasury to make \$250 million available from unobligated balances collected by the Travel Promotion Fund before October 1, 2020, for use by the Corporation for Travel Promotion, commonly known as "Brand USA."

Title II, Subtitle B, Section 20213 of H.R. 4521 incorporates H.R. 5502. This section directs online platforms that allow for third-party sellers of consumer products to verify the identity of high-volume third-party sellers, enabling consumers to identify basic identification and contact information for certain high-volume third-party sellers.

Title II, Subtitle B, Section 20215 of H.R. 4521 requires the Government Accountability Office (GAO) to submit to Congress a report on the global semiconductor supply shortage and the impact of that shortage on manufacturing in the United States.

Legislative History

On July 19, 2021, H.R. 4521 was introduced by Representatives Johnson (TX-30) and Lucas (OK-03) referred to the Committee on Science, Space, and Technology, the Committee on Agriculture, and the Committee on Energy and Commerce.

On January 19, 2022, the Committee on Science, Space, and Technology reported H.R. 4521 to the House (H. Rept. 117-235, Part I). On February 2, 2022, H.R. 4521 was considered in the House. On February 4, 2022, H.R. 4521 was passed in the House, amended, by a recorded vote of 222 yeas to 210 nays (Roll Call No. 31).

On February 17, 2022, H.R. 4521 was received in the Senate. On March 28, 2022, H.R. 4521 passed the Senate having achieved 60 votes in the affirmative,

with an amendment by a recorded vote of 68 yeas to 28 nays (Record Vote Number: 109). On March 29, 2022, the message on Senate action sent to the House.

On March 31, 2022, a motion that the House disagree to the Senate amendment, and request a conference was agreed to without objection. On April 4, 2022, the Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of the House bill and the Senate amendment, and modifications committed to conference: Pallone, Eshoo, Schakowsky, Matsui, Tonko, Blunt Rochester, Soto, Rodgers (WA), Bucshon, Carter (GA), Duncan, and Crenshaw.

No further action was taken on H.R. 4521 in the 117th Congress.

On October 5, 2021, H.R. 5479 was introduced by Representatives Bourdeaux (GA-07), Kelly (IL-02), and Kinzinger (IL-16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 6, 2021.

The Subcommittee held a legislative hearing on the bill on October 14, 2021. Testimony was received from Caolionn O'Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 5479 in the 117th Congress.

On October 5, 2021, H.R. 5492 was introduced by Representatives Kinzinger, Malinowski (NJ-07), and Blunt Rochester (DE-AL) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 6, 2021.

The Subcommittee held a legislative hearing on the bill on October 14, 2021. Testimony was received from Caolionn O'Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 5492 in the 117th Congress.

On October 5, 2021, H.R. 5495 was introduced by Representatives Malinowski, Kinzinger, and Kelly and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 6, 2021.

The Subcommittee held a legislative hearing on the bill on October 14, 2021. Testimony was received from Caolionn O'Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 5495 in the 117th Congress.

On October 5, 2021, H.R. 5505 was introduced by Representatives Wild (PA-07), Kinzinger, and Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 6, 2021.

The Subcommittee held a legislative hearing on the bill on October 14, 2021. Testimony was received from Caolionn O'Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American

Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 5505 in the 117th Congress.

On June 11, 2021, H.R. 3848 was introduced by Representatives Ryan (OH-13) and Posey (FL-08) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 14, 2021.

No further action was taken on H.R. 3848 in the 117th Congress.

On July 21, 2021, H.R. 4594 was introduced by Representatives Bilirakis (FL-12) and Welch (VT-AL) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 22, 2021. The Subcommittee held a legislative hearing on the bill on October 14, 2021.

On November 16, 2021, the Subcommittee on Consumer Protection and Commerce was discharged from consideration of the bill. On November 17, 2021, the Committee on Energy and Commerce met in open markup session, pursuant to notice, to consider H.R. 4594 and 11 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone (D-NJ), Chairman of the Committee, to order H.R. 4594 reported favorably to the House, without amendment, by a voice vote.

No further action was taken on H.R. 4594 in the 117th Congress.

On October 5, 2021, H.R. 5502 was introduced by Representatives Bilirakis (FL-12) and Welch (VT-AL) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 6, 2021.

On November 16, 2021, H.R. 5502 was discharged from the Subcommittee on Consumer Protection and Commerce. On November 17, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 5502 and 11 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 5502 reported favorably to the House, without amendment, by a voice vote.

On November 14, 2022, the Committee on Energy and Commerce reported H.R. 5502 to the House (H. Rept. 117-555). On November 17, 2022, H.R. 5502 was passed in the House under suspension of the rule.

On November 17, 2022, H.R. 5502 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 5502 in the 117th Congress.

FEDERAL TRADE COMMISSION TECHNOLOGISTS ACT OF 2021

H.R. 4530

To establish the Office of Technologists within the FTC.

Summary

This legislation would require the FTC to establish an office of technologists within 180 days after enactment that would advise the FTC on technological matters including FTC use of technology, technical aspects of enforcement, and technology policy. The bill mandates at least 25 technologists be appointed and authorizes appropriations to carry out the bill's requirements.

Legislative History

On July 19, 2021, H.R. 4530, was introduced by Representative McNerney (CA-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 19, 2021.

On July 26, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4530. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 4530 in the 117th Congress.

FEDERAL TRADE COMMISSION TRANSPARENCY ACT

H.R. 4564

To amend the Federal Trade Commission Act to require the FTC to publish on the website of the Commission documents to be voted on by the Commission, and for other purposes.

Summary

This legislation would prevent the FTC from adopting any order, decision, report, or action by Commission vote at a Commission meeting unless the text is published on the FTC's website 30 days before the date of vote. The bill would allow exceptions for existing non-disclosure provisions of federal law as well as emergencies and other exigent circumstances as determined by the Chair.

Legislative History

On July 20, 2021, H.R. 4564 was introduced by Rep. Guthrie (KY-02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on July 21, 2021.

On July 21, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on sixteen bills, including H.R. 4564. Testimony was received from The Honorable Lina Khan, Chair, Federal Trade Commission; The Honorable Noah Joshua Phillips, Commissioner, Federal Trade Commission; The Honorable Rohit Chopra, Commissioner, Federal Trade Commission; The Honorable Rebecca K. Slaughter, Commissioner, Federal Trade Commission; The

Honorable Christine S. Wilson, Commissioner Federal Trade Commission; David Vladek, Professor of Law, Georgetown University Law Center; Sally Greenberg, Executive Director, National Consumer League; and Graham Dufault, Senior Direct for Public Policy, ACT | The App Association.

No further action was taken on H.R. 4564 in the 117th Congress.

PREVENTING ALL SORING TACTICS (PAST) ACT

H.R. 5441

To amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

Summary

This legislation requires the Secretary of USDA to prescribe regulations for the licensing, training, assignment, and oversight of persons qualified to detect and diagnose a sore horse. The bill explicitly prohibits the use of acting devices and pads (which can intensify a horse's pain) on horse breeds that have a history of being victims of soring and increases penalties to imprisonment up to three years and fines up to \$5,000 per violation.

Legislative History

On September 30, 2021, H.R. 5441 was introduced by Representative Cohen (TN-09) and 212 original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 1, 2021.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 5441. The witnesses included Kaitlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women's Forum; Michael O'Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese's Mom, Reese's Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 5441 and seven other bills. During consideration of the bill, an amendment in the nature of substitute (AINS) offered by Rep. Schakowsky was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 22 yeas to zero nays.

On September 21, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 5441 and 23 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 5441 reported

favorably to the House, as amended by the Subcommittee, by a roll call vote of 46 yeas to 9 nays.

On November 14, 2022, the Committee on Energy and Commerce reported the bill to the House (H. Rept. 117-553) and H.R. 5441 was placed on the Union Calendar (Calendar No. 397). That same day, H.R. 5441 was considered in the House under suspension of the rules and passed the House by a roll call vote of 304 yeas to 111 nays (Roll no. 478).

On November 15, 2022, H.R. 5441 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 5441 in the 117th Congress.

REINFORCING AMERICAN-MADE PRODUCTS

H.R. 5474

To make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes.

Summary

This legislation specifies that the FTC's requirements for the labeling of products as "Made in the U.S.A.," "Made in America," and any equivalent label supersedes any conflicting state law.

Legislative History

On September 30, 2021, H.R. 5474 was introduced by Representatives Trahan (MA-03) and Curtis (UT-03) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 1, 2021.

October 14, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on ten bills, including H.R. 3774. The witnesses included Caolionn O'Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 5474 in the 117th Congress.

ADVANCING TECH STARTUPS ACT

H.R. 5476

To require the Secretary of Commerce to conduct a study on tech startups, and for other purposes.

Summary

This legislation requires the DOC to study and report on the effects of technology startup companies and small businesses on the U.S. economy.

Legislative History

On October 5, 2021, H.R. 5476 was introduced by Representatives Bill Johnson (OH-6), Rush (IL-01), and Phillips (MN-03) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on October 6, 2021.

October 14, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on ten bills, including H.R. 5476. The witnesses included Caolionn O’Connell, Ph.D., Senior Physical Scientist, RAND Corporation; Scott Paul, President, Alliance for American Manufacturing; Eric Sills, CEO, Standard Motor Products; and Scott Lincicome, Senior Fellow, Economic Studies, CATO Institute.

No further action was taken on H.R. 5476 in the 117th Congress.

DECEPTIVE EXPERIENCES TO ONLINE USERS REDUCTION (DETOUR) ACT

H.R. 6083

To prohibit the use of exploitative and deceptive practices by large online operators and to promote consumer welfare in the use of behavioral research by such providers.

Summary

This legislation prohibits large online operators from manipulating their products to mislead users into providing personal information or giving consent. The bill further prohibits these operators from studying the behavioral patterns of subsets of users without first obtaining informed consent or designing products directed to children that lead to an increase in the use of products. The bill also requires large online operators conducting psychological or behavioral research to disclose certain information, discontinue such research if consent was improperly acquired, and establish an independent review board.

Legislative History

On November 30, 2021, H.R. 6083 was introduced by Representatives Blunt Rochester (DE-AL) and Gonzalez (OH-16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on December 1, 2021.

On December 9, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6083. The witnesses included Jonathan Greenblatt, CEO and National Director, Anti-Defamation League; Nathalie Maréchal, Ph.D., Senior Policy and Partnerships Manager, Ranking Digital Rights; Imran Ahmed, CEO, Center for Countering Digital Hate; Josh Golin, Executive Director, Fairplay; Rick Lane, CEO, Iggy Ventures, LLC; and Jessica Rich, Of Counsel, Kelley Drye, Former Director, Bureau of Consumer Protection, Federal Trade Commission.

No further action was taken on H.R. 6083 in the 117th Congress.

FTC WHISTLEBLOWER ACT OF 2021

H.R. 6093

To provide incentives for and protect whistleblowers under the authority of the FTC, and for other purposes.

Summary

This legislation prohibits retaliation against any individual who makes a covered disclosure to specified entities, participates in a federal government investigation or proceeding, or refuses to participate in activities the individual reasonably believes may violate any law or regulation enforced by the FTC. The bill allows whistleblowers to enforce these rights in federal court and establishes an awards program for whistleblowers. Under the bill, the FTC may bring enforcement actions against entities attempting to interfere with individuals exercising these rights.

Legislative History

On November 30, 2021, H.R. 6093 was introduced by Representatives Schakowsky (IL-09) and Trahan (MA-03) and referred to the Committee on Energy and Commerce and the Committee on Education and Labor. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on December 1, 2021.

On December 9, 2021, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6093. The witnesses included Jonathan Greenblatt, CEO and National Director, Anti-Defamation League; Nathalie Maréchal, Ph.D., Senior Policy and Partnerships Manager, Ranking Digital Rights; Imran Ahmed, CEO, Center for Countering Digital Hate; Josh Golin, Executive Director, Fairplay; Rick Lane, CEO, Iggy Ventures, LLC; and Jessica Rich, Of Counsel, Kelley Drye, Former Director, Bureau of Consumer Protection, Federal Trade Commission.

No further action was taken on H.R. 6093 in the 117th Congress.

BANNING SURVEILLANCE ADVERTISING ACT OF 2022

H.R. 6416

To prohibit targeted advertising by advertising facilitators and advertisers, and for other purposes.

Summary

This legislation prohibits advertisers from targeting advertisements based on personal information that links the consumer to the consumer's connected device, this includes inferred and derived data, contents of communications, internet browsing history, and advertising identifiers. Contextual advertising is allowable under the bill. In addition, advertisements cannot be targeted based on information purchased or obtained through a third party or based on information that identifies the consumer as a member of a protected class. The bill includes a private right of action for harmed consumers.

Legislative History

On January 18, 2022, H.R. 6416 was introduced by Representatives Eshoo (CA-18), Schakowsky (IL-09), and Rush (IL-01) and referred to the Committee

on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on January 19, 2022.

On March 1, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6416. The witnesses included Lauren Lehman, Policy Analyst, Consumer Reports; Katie McInnis, Senior Public Manager US, Duck Duck Go, Inc.; Mutale Nkonde, Chief Executive Officer, AI for the People U.S.; and Mike Duffey, Special Agent Supervisor, Florida Department of Law Enforcement.

No further action was taken on H.R. 6416 in the 117th Congress.

ALGORITHMIC ACCOUNTABILITY ACT OF 2022

H.R. 6580

To direct the FTC to require impact assessments of automated decision systems and augmented critical decision processes, and for other purposes.

Summary

This legislation requires companies that use automated decision-making systems to conduct impact assessments on those systems and regularly report their results to the FTC. Metrics to be included in these assessments include testing and evaluation of performance of systems before and after deployment; evaluation of the rights of consumers, including whether a consumer may contest, correct, or appeal decision or opt out of the system; and documentation of data or other input information used for developing these systems. Under the bill, companies can document which of the requirements of the impact assessments were not possible to conduct in order for the FTC to continue to update these requirements through rulemaking.

The bill also requires the FTC to publish an annual report on these results and store this data in a publicly accessible database. To assist the FTC with this mission, the bill establishes a 50-person Bureau of Technology at the agency.

Legislative History

On February 3, 2022, H.R. 6580 was introduced by Representative Clarke (NY-09) and 31 original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 4, 2022.

On March 1, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6580. The witnesses included Lauren Lehman, Policy Analyst, Consumer Reports; Katie McInnis, Senior Public Manager US, Duck Duck Go, Inc.; Mutale Nkonde, Chief Executive Officer, AI for the People U.S.; and Mike Duffey, Special Agent Supervisor, Florida Department of Law Enforcement.

No further action was taken on H.R. 6580 in the 117th Congress.

COOPERATION AMONG POLICE, TECH, AND USERS TO RESIST EXPLOITATION (CAPTURE) ACT

H.R. 6755

To require the Comptroller General of the United States to submit to Congress a report on big tech and law enforcement, and for other purposes.

Summary

This legislation requires the Comptroller General of the United States to study and report to Congress on: how social media companies communicate, consult, and coordinate with federal, state, and local law enforcement to address illegal content and activity online; documented successes and failures by social media companies in cooperating with law enforcement in the event of imminent injury or death; and ways in which social media companies can better communicate, consult, and coordinate with federal, state, and local law enforcement to address illegal content and activity online. The report to Congress should include the results of the study as well as recommendations to develop legislation to address the findings of the study and to require the companies to establish a single point of contact in every state for federal, state, and local law enforcement entities.

Legislative History

On February 18, 2022, H.R. 6755 was introduced by Representative Bilirakis (FL-12) and referred to the Committee on Energy and Commerce and the Committee on Judiciary. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 22, 2022.

On March 1, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6755. The witnesses included Lauren Lehman, Policy Analyst, Consumer Reports; Katie McInnis, Senior Public Manager US, Duck Duck Go, Inc.; Mutale Nkonde, Chief Executive Officer, AI for the People U.S.; and Mike Duffey, Special Agent Supervisor, Florida Department of Law Enforcement.

No further action was taken on H.R. 6755 in the 117th Congress.

INCREASING CONSUMERS' EDUCATION ON LAW ENFORCEMENT RESOURCES
ACT

H.R. 6786

To require the FTC to conduct an education campaign to inform the public about the resources available when their safety and security has been violated online, and for other purposes.

Summary

This legislation requires the FTC to work with the Attorney General (AG) to develop an educational program to inform the public about resources available to the public should they feel their safety or security was violated online. The FTC and AG should consult with state attorneys general as well as technologists, academic researchers, and industry representatives on the program, which is to be made available to the public through the FTC's website. The program will also be part of an annual education campaign to inform the public about these resources.

Legislative History

On February 18, 2022, H.R. 6786 was introduced by Representative Mullin (OK-02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 22, 2022.

On March 1, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6786. The witnesses included Lauren Lehman, Policy Analyst, Consumer Reports; Katie McInnis, Senior Public Manager US, Duck Duck Go, Inc.; Mutale Nkonde, Chief Executive Officer, AI for the People U.S.; and Mike Duffey, Special Agent Supervisor, Florida Department of Law Enforcement.

No further action was taken on H.R. 6786 in the 117th Congress.

DIGITAL SERVICES OVERSIGHT AND SAFETY ACT OF 2022

H.R. 6796

To provide for the establishment of the Bureau of Digital Services Oversight and Safety within the FTC, and for other purposes.

Summary

This legislation establishes a Bureau of Digital Services Oversight and Safety at the FTC to conduct oversight of covered platforms as designated by the FTC. The 500-person Bureau includes technologists, sociotechnical experts, and constitutional lawyers.

Under the bill, the FTC has rulemaking and investigatory authority to define a code of conduct for online platforms and ensure platforms are adhering to that code of conduct. The code of conduct includes accountability measures requiring platforms to cover its content moderation practices in its community standards and requiring platforms to release public-facing transparency reports with statistics related to amount and type of content moderation enforcement by the platforms. Large covered platforms must undergo an additional level of scrutiny by conducting an independent audit on compliance with the FTC's regulations.

The FTC must also establish an Office of Independent Research Facilitation to facilitate and certify independent research on covered platforms. Through regulation, the FTC shall determine what platforms are covered under the bill. The Office would then oversee a process by which covered platforms must submit a data dictionary to the FTC describing the data collection practices of the platform and large covered platforms must preserve data via advertisement libraries to assist certified researchers. The FTC should take into account the monthly active users on the platform when determining whether it is a covered platform or a large covered platform. The bill also establishes a fellowship program at the Bureau for fellows to conduct research on mitigation of systemic risks associated with platforms.

Legislative History

On February 18, 2022, H.R. 6796 was introduced by Representative Trahan (MA-03) and referred to the Committee on Energy and Commerce, the

Committee on Education and Labor, and the Committee on Judiciary. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on February 22, 2022.

On March 1, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on seven bills, including H.R. 6796. The witnesses included Lauren Lehman, Policy Analyst, Consumer Reports; Katie McInnis, Senior Public Manager US, Duck Duck Go, Inc.; Mutale Nkonde, Chief Executive Officer, AI for the People U.S.; and Mike Duffey, Special Agent Supervisor, Florida Department of Law Enforcement.

No further action was taken on H.R. 6796 in the 117th Congress.

CONSUMER FUEL PRICE GOUGING PREVENTION ACT

H.R. 7688

To protect consumers from price-gouging of consumer fuels, and for other purposes.

Summary

This bill prohibits any person from selling, during a proclaimed energy emergency, a consumer fuel at a price that (1) is unconscionably excessive, and (2) indicates that the seller is exploiting the emergency to increase prices unreasonably. The President may issue a proclamation of such an emergency that specifies the consumer fuel and geographic area covered and how long the proclamation applies.

The bill provides for enforcement of these provisions by the FTC and state attorneys general. Civil penalties collected by the commission through such enforcement must be used to provide assistance under the Low-Income Home Energy Assistance Program.

Legislative History

On May 6, 2022, H.R. 7688 was introduced by Representatives Schrier (WA-08) and Porter (CA-45) and referred to the Committee on Energy and Commerce and the Committee on Education and Labor.

On May 17, 2022, Rules Committee resolution H. Res. 1124 was reported to the House, providing consideration of H.R. 7688. On May 19, 2022, H.R. 7688 was considered in the House under the provisions of H. Res. 1124. An amendment to H.R. 7688, H.Amdt.214, was agreed to by the yeas and nays: 217 - 205 (Roll no. 229). Another amendment to H.R. 7688, H.Amdt.215, was agreed to by the yeas and nays: 214 - 207 (Roll no. 230). That same day, H.R. 7688, amended, passed the House by a vote of 217 yeas to 207 nays.

On May 19, 2022, H.R. 7688 was received in the Senate, read twice, and placed on Senate Legislative Calendar under General Orders (Calendar No. 373).

No further action was taken on H.R. 7688 in the 117th Congress.

TRAVEL AND TOURISM ACT

H.R. 7820

To require the Secretary of Commerce to identify the resources, regulatory changes, and private sector engagement needed to achieve annual travel and tourism goals, including a travel and tourism recovery strategy from COVID-19, and to prepare a strategy to address potential future pandemics, and for other purposes.

Summary

This legislation implements measures to support the United States travel and tourism industry, including requiring the Department of Commerce to develop a 10-year travel and tourism strategy with annual goals for the number of international visitors to the United States.

The bill requires the Secretary of Commerce to establish an annual goal for the number of international visitors to the United States. Further, the Secretary must develop and implement a COVID-19 pandemic recovery strategy to assist the recovery of the U.S. travel and tourism industry.

The bill also provides statutory authority for the United States Travel and Tourism Advisory Board, which shall aid the Secretary in developing and implementing the COVID-19 pandemic recovery strategy.

Legislative History

On May 18, 2022, H.R. 7820 was introduced by Representatives Dunn (FL-02), Soto (FL-09), and Salazar (FL-27) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on May 19, 2022.

On May 26, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on nine bills, including H.R. 7820. The witnesses included Katlin Kraska, Director of Federal Legislation, Government Relations, American Society for the Prevention of Cruelty to Animals; Julie Menin, Former Commissioner, New York City Department of Consumer Affairs; Hadley Heath Manning, Vice President for Policy, Independent Women's Forum; Michael O'Neal, Vice President – Corporate Underwriting, First American Title Insurance Company; Trista Hamsmith, Founder and Reese's Mom, Reese's Purpose; Eric D. Hagopian, CEO and President, Pilot Precision Products; and Tori Barnes, Executive Vice President, Public Affairs and Policy, U.S. Travel Association.

No further action was taken on H.R. 7820 in the 117th Congress.

AMERICAN DATA PRIVACY AND PROTECTION ACT

H.R. 8152

To provide consumers with foundational data privacy rights, create strong oversight mechanisms, and establish meaningful enforcement.

Summary

This is the first bipartisan, bicameral national comprehensive privacy and data security proposal with support from leaders on the House Energy and Commerce Committee and the Senate Commerce, Science, and Transportation Committee. The Act establishes a national standard to protect consumer data privacy, imposes obligations on covered entities, and allows for federal, state, and

individual enforcement. The bill establishes the FTC as the regulator to enforce the bill at the federal level.

Under the bill, covered entities and service providers may not collect, process, or transfer covered data beyond what is necessary and proportionate to provide specifically requested products or services or communicate with individuals in a manner they reasonably anticipate. This duty applies irrespective of any consent from an individual.

Individuals have the right to access, correct, delete, and export their covered data. Further, sensitive covered data like health, financial, biometric, genetic, and precise geolocation information may not be transferred to a third party without an individual's express affirmative consent. Other covered data activities are restricted in their uses, such as Social Security numbers and password information. Individuals may opt out of the transfer of any covered data to a third party. Individuals may opt out of targeted advertising. The bill requires that any consent or decisions whether to opt-out may not be obtained through manipulative or misleading means, such as dark patterns. It also provides a mechanism by which individuals may exercise universal opt-outs rather than making such decisions on any entity-by-entity basis. Deceptive marketing of products and services is prohibited.

Broad anti-discrimination protections prohibit discrimination on the basis of race, color, religion, national origin, sex, or disability. The bill also requires large data holders to submit annual algorithmic impact assessments of certain algorithms to the FTC. These assessments must describe the design process and methodologies of the algorithm, foreseeable capabilities outside of the proposed use of the algorithm, a detailed description of the data used by algorithms, a description of the outputs produced by the algorithm, and steps the entity has taken or will take to mitigate potential harms from algorithms.

Separately, the FTC must establish an online, public, and searchable registry of registered third-party collecting entities, sometimes called data brokers. Individuals may elect to have all covered data about them held by such entities deleted within 30 days.

First-of-its-kind federal protections for kids and teens are also included. Targeted advertising is flatly prohibited for any individual under 17 years of age. The legislation creates a new Youth Privacy and Marketing Division at the FTC that is responsible for addressing privacy and marketing concerns with respect to children and minors. The division must submit annual reports to Congress and hire staff that includes experts in youth development, data protection, digital advertising, and data analytics regarding children. Any information related to individuals under 17 is considered sensitive covered data under the Act. The risks to those under 17 must be factored into entities' privacy policies, practices, and procedures.

All covered entities must designate officers to implement privacy and data security programs and ensure ongoing compliance. Large data holders are subject to additional requirements, including annual executive certifications, direct reporting to executives, biennial audits, and privacy impact assessments. The legislation provides three means of enforcement—the FTC, state attorneys general and state privacy authorities, and a private right of action. The FTC may obtain civil penalties for all violations of the Act. State attorneys general and privacy authorities may bring cases pertaining to violations of the Act in federal court for

injunctive relief; to obtain damages, penalties, restitution, or other compensation; and to obtain reasonable attorney's fees and other litigation costs.

Starting four years after the Act takes effect, persons or classes of persons may bring civil actions in federal court seeking compensatory damages, injunctive relief, declaratory relief, and reasonable attorney's fees and litigation costs for most provisions of the Act. This right does not apply to data minimization, privacy by design, or data security requirements. Pre-dispute joint action waivers for arbitration related to minors are precluded.

To bring a private claim, the FTC and relevant attorneys general must be notified of the intent to sue and may take up the case as an intervenor at their discretion. Improper demand letters sent by counsel seeking monetary payment that do not include a specified disclaimer will prevent suits from proceeding. For claims in which injunctive relief is sought, the bill includes a right to cure the alleged violation.

The bill does not limit existing federal law, except where specified. Entities subject to and in compliance with the related requirements of specified federal laws shall be deemed in compliance with the related provisions of the bill only to the extent that covered data is subject to the requirements in the other laws. The bill provides for non-application of specific Federal Communications Commission privacy laws and regulations as they relate to covered data activities.

State laws covered by the bill are preempted, other than specified state laws. Those laws include general consumer protection laws; civil rights laws; employee and student privacy protections; data breach notification laws; contract and tort law; certain criminal laws; laws on cyberstalking, cyberbullying, nonconsensual pornography, and sexual harassment; laws addressing certain public, financial, and tax records; facial recognition laws; certain surveillance laws; laws addressing medical information; and certain specified state provisions.

The bill establishes a new FTC privacy bureau to carry out its provisions that is comparable to the current bureaus of consumer protection and competition. The new bureau must be fully operational within a year of enactment and include an office of business mentorship to assist covered entities with compliance.

Legislative History

On June 21, 2022, H.R. 8152 was introduced by Representatives Pallone (NJ-6), Rodgers (WA-05), Schakowsky (IL-09), and Bilirakis (FL-12) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Consumer Protection and Commerce on June 22, 2022.

On June 14, 2022, the Subcommittee on Consumer Protection and Commerce held a legislative hearing on a discussion draft that was subsequently introduced and became H.R. 8152. The witnesses included Caitriona Fitzgerald, Deputy Director, Electronic Privacy Information Center; David Brody, Managing Attorney, Digital Justice Initiative, Lawyers' Committee for Civil Rights Under Law; Bertram Lee, Senior Policy Counsel, Data Decision Making and Artificial Intelligence, Future of Privacy Forum; Jolina Cuaresma, Senior Counsel, Privacy & Technology Policy, Common Sense Media; John Miller, Senior Vice President of Policy and General Counsel, Information Technology Industry Council; Graham Dufault, Senior Director for Public Policy, ACT | The App Association; Doug Kantor, General Counsel, National Association of Convenience Stores; and The Honorable Maureen K. Ohlhausen, Co-Chair, 21st Century Privacy Coalition.

On June 23, 2022, the Subcommittee on Consumer Protection and Commerce met in open markup session, pursuant to notice, to consider H.R. 8152 and seven other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Pallone, was agreed to by a voice vote. Four amendments offered during consideration of the bill were withdrawn. Upon conclusion of consideration of the bill, the Subcommittee on Consumer Protection and Commerce agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On July 20, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 8152 and five other bills. During consideration of the bill, an AINS, offered by Representative Pallone, was agreed to by a voice vote. An amendment to the AINS, offered by Representative Eshoo (CA-08), was not agreed to by a roll call vote of 8 yeas to 48 nays. Six amendments to the AINS were agreed to by a voice vote. Four other amendments to the AINS offered during consideration of the bill were withdrawn. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 8152 reported favorably to the House, amended, by a roll call vote of 53 yeas to 2 nays.

No further action was taken on H.R. 8152 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS TO THE
HOUSE OF REPRESENTATIVES RELATING TO COMMUNICATIONS AND DIRECTIVES
WITH THE FEDERAL TRADE COMMISSION.

H. Res. 1261

This resolution requests information from the President about Federal Trade Commission (FTC) policies, procedures, and decision-making.

Summary

This resolution requests information from the President about FTC policies, procedures, and decision-making. The requested documents relate to the FTC's deliberative process for drafting its strategic plan for FY 2022 through FY 2026; changes to the FTC's goals and enforcement priorities; adherence to the FTC's rules for conducting votes, including votes cast by departing commissioners; complaints from FTC employees about a temporary freeze on public speaking appearances by FTC staff or about termination of employees; and communications and coordination between the FTC and the White House about the FTC's recently announced Advance Notice of Proposed Rulemaking on Commercial Surveillance.

Legislative History

H. Res. 1261 was introduced on July 26, 2022, by Representative Bilirakis (FL-12) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Consumer Protection and Commerce. The resolution was discharged from the Subcommittee on Consumer Protection and Commerce on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1261, without amendment, adversely reported to the House by a recorded vote of 30 yeas and 18 nays.

On September 28, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1261 to the House (H. Rept. 117-511), and it was placed on the House Calendar, Calendar No. 121.

No further action was taken on H. Res. 1261 in the 117th Congress.

OVERSIGHT ACTIVITIES

SAFEGUARDING AMERICAN CONSUMERS: FIGHTING FRAUD AND SCAMS DURING THE PANDEMIC

On February 4, 2021, the Subcommittee on Consumer Protection and Commerce held a hearing entitled “Safeguarding American Consumers: Fighting Fraud and Scams During the Pandemic.” The purpose of this hearing was to examine scams and fraud that threatened many aspects of consumers’ lives during the ongoing coronavirus disease of 2019 (COVID-19) pandemic and related economic and financial crises. The Subcommittee received testimony from Bonnie Patten, Esq., Executive Director, TruthInAdvertising.com; Jessica Rich, Distinguished Fellow, Institute for Technology Law & Policy, Georgetown Law School; Hon. William E. Kovacic, Global Competition Professor of Law and Policy, Professor of Law, Director, Competition Law Center, Georgetown University; and Traci Ponto, Spokane COPS Crime Victim Advocate, Spokane Community Oriented Policy Services.

KIDS ONLINE DURING COVID: CHILD SAFETY IN AN INCREASINGLY DIGITAL AGE

On March 11, 2021, the Subcommittee on Consumer Protection and Commerce held a hearing entitled “Kids Online During COVID: Child Safety in an Increasingly Digital Age.” The purpose of this hearing was to examine the negative impacts on children and teens of digital marketing, persuasive design, and other potentially harmful practices. The COVID-19 pandemic significantly increased children’s use of digital devices while investments in online advertising now outpace all other media, with children from low-education and low-income households more likely to be negatively impacted. The Subcommittee received testimony from Ariel Fox Johnson, Senior Counsel, Global Policy, Common Sense Media; Nusheen Ameenuddin, M.D., M.P.H., M.P.A., F.A.A.P., Chair, Council on Communications and Media, American Academy of Pediatrics; and Corey A. DeAngelis, Director of School Choice, Reason Foundation, Adjunct Scholar, Cato Institute, Executive Director, Educational Freedom Institute.

PROMISES AND PERILS: THE POTENTIAL OF AUTOMOBILE TECHNOLOGIES

On May 18, 2021, the Subcommittee on Consumer Protection and Commerce held a hearing entitled “Promises and Perils: The Potential of Automobile Technologies.” The purpose of this hearing was to examine how advanced driver assistance systems and autonomous vehicles could affect automobile safety, mobility, and the workforce. The Subcommittee received testimony from Jason Levine, Executive Director, Center for Auto Safety; Greg Regan, President, Transportation Trades Department, AFL-CIO; and Ragunathan Rajkumar, Professor, Department of Electrical and Computer Engineering, Carnegie Mellon University.

THE FISCAL YEAR 2022 DEPARTMENT OF COMMERCE BUDGET

On June 8, 2021, the Subcommittee on Consumer Protection and Commerce held a hearing entitled “The Fiscal Year 2022 Department of Commerce Budget.” The purpose of this hearing was to explore the Department of Commerce’s ongoing and future work to support job creation and economic growth in the United States and examine the Biden Administration’s proposed increase to the Department of Commerce budget, including increases to the National Telecommunications and Information Administration (NTIA). The Subcommittee received testimony from the Honorable Gina M. Raimondo, Secretary, U.S. Department of Commerce.

A LEVEL PLAYING FIELD: COLLEGE ATHLETES' RIGHTS TO THEIR NAME, IMAGE, AND LIKENESS

On September 30, 2021, the Subcommittee on Consumer Protection and Commerce held a hearing entitled “A Level Playing Field: College Athletes' Rights to Their Name, Image, and Likeness.” The purpose of this hearing was to examine rules and policies governing college athletes’ freedom to generate revenue from the use of their name, image, and likeness (NIL). The Subcommittee received testimony from Ramogi Huma, Executive Director, National College Players Association; Mark Emmert, Ph.D., President, National College Athletic Association; Linda Livingstone, Ph.D., President, Baylor University; Jacquie McWilliams, Commissioner, Central Intercollegiate Athletic Association; and Cameron March, College Athlete, Women’s Golf, Washington State University.

CHANGING TIMES: REVISITING SPRING FORWARD, FALL BACK

On March 9, 2022, the Subcommittee on Consumer Protection and Commerce held a hearing entitled “Changing Times: Revisiting Spring Forward, Fall Back.” The purpose of this hearing was to examine the economic, environmental, and health impacts of Daylight Saving Time and potential alternatives. The Subcommittee received testimony from Steve Calandrillo, Jeffrey and Susan Brotman Professor of Law, University of Washington School of Law; Beth Malow, M.D., Professor of Neurology and Pediatrics, Director, Vanderbilt Sleep Division, Vanderbilt University Medical Center; and Lyle Beckwith, Sr. Vice President, Government Relations, National Association of Convenience Stores.

SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

LEGISLATIVE ACTIVITIES

AMERICAN RESCUE PLAN ACT OF 2021

PUBLIC LAW 117-2 (H.R. 1319, H.R. 6563)

To provide for reconciliation pursuant to title II of S. Con. Res. 5.

Summary

Section 7402 provides \$7.59 billion for the Emergency Connectivity Fund (ECF) to provide internet services and relevant internet access equipment to teachers, students, and library patrons for use in locations other than schools and libraries. In providing support under the covered regulations, the Federal Communications Commission (FCC) shall reimburse 100 percent of the costs associated with the eligible equipment and services.

Section 7403 provides \$3 billion in funding to the Office of the Inspector General of the Department of Commerce for fiscal year 2021 for oversight activities supported with funds appropriated to the Department of Commerce to prevent, prepare for, and respond to COVID-19.

Legislative History

On February 11 and 12, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021, S. Con. Res. 5. Subtitle A, “Budget Reconciliation Legislative Recommendations Relating to Public Health,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle B, “Budget Reconciliation Legislative Recommendations Relating to Medicaid,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 30 yeas and 26 nays. Subtitle C, “Budget Reconciliation Legislative Recommendations Relating to Children’s Health Insurance Program,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 30 yeas and 24 nays. Subtitle D, “Budget Reconciliation Legislative Recommendations Relating to Other Provisions,” was ordered transmitted favorably to the House Committee on Budget, amended, by a roll call vote of 31 yeas and 24 nays.

On February 24, 2021, H.R. 1319 was introduced by Representative Yarmouth (KY-03) and referred to the Committee on Budget.

On February 25, 2021, the Committee on Budget reported H.R. 1319 to the House (H. Rept. 117-7), and the bill was placed on the Union Calendar (Calendar No. 1). The next day, H.R. 1319 was considered in the House pursuant to the provisions of H. Res. 166 and the bill, as amended, was passed by a recorded vote of 219 yeas to 212 nays (Roll Call No. 49).

On March 2, 2021, H.R. 1319 was received in the Senate and placed on the Senate Legislative Calendar under General Orders (Calendar No. 10). On March

6, 2021, H.R. 1319 passed the Senate with an amendment by a roll call vote of 50 yeas to 49 nays (Record Vote Number: 110).

On March 10, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 220 yeas to 211 nays (Roll no. 72).

On March 11, 2021, H.R. 1319 was presented to the President and signed into law (Public Law No. 117-2).

SECURE EQUIPMENT ACT OF 2021

PUBLIC LAW 117-55 (H.R. 3919)

Requires the FCC to establish rules stating that it will no longer review or approve any authorization application for equipment that is on the list of covered communications equipment or services.

Summary

This legislation directs the FCC to clarify that it will no longer review or approve applications from companies on its “Covered List.” The bill prevents further integration and sales of suspect equipment from vendors such as Huawei, ZTE, Hytera, Hikvision, and Dahua – all Chinese state-backed or directed firms – in the United States, regardless of whether federal funds are involved.

Legislative History

On June 15, 2021, H.R. 3919 was introduced by Representatives Scalise (LA-01) and Eshoo (CA-18) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 16, 2021. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill. On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 3919 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Scalise was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone (NJ-06), Chairman of the Committee, to order H.R. 3919 reported favorably to the House, amended, by a voice vote.

On October 19, 2021, the Committee on Energy and Commerce reported H.R. 3919 to the House (H. Rept. 117-148), and the bill was placed on the Union Calendar (Calendar No. 108). On that same day, the House considered H.R. 3919 under suspension of the Rules. On October 20, 2021, H.R. 3919 passed the House, as amended, by roll call vote of 420 yeas to 4 nays (Roll no. 323).

On October 20, 2021, the Senate received H.R. 3919, read the bill twice. On October 28, 2021, H.R. 3919 passed the Senate, without amendment, by unanimous consent.

On November 11, 2021, H.R. 3919 was signed by the President and became Public Law No. 117-55.

INFRASTRUCTURE INVESTMENT AND JOBS ACT

PUBLIC LAW 117-58 (H.R. 3684)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

Division F, Title I establishes measures to promote broadband deployment in unserved and underserved areas through specified projects (e.g., connecting libraries and other community anchor institutions, collecting data, and conducting broadband mapping, and installing internet infrastructure). Specifically, the title establishes the Broadband Equity, Access, and Deployment Program (BEAD) at the National Telecommunications and Information Administration (NTIA) to award grants to carry out the purposes of this title. Further, it requires broadband providers to deliver information to the FCC to facilitate the creation and maintenance of broadband maps. The FCC must establish an online mapping tool to provide a geographic footprint of each federally funded broadband infrastructure deployment project.

Division F, Title II modifies the Tribal Broadband Connectivity Program, through which NTIA makes grants to expand access to and adoption of broadband service on tribal land for remote learning, telework, or telehealth resources. Specifically, the title extends the deadline for a grant recipient to commit grant funds to a specific use and expend the grant funds. The title also authorizes a grant recipient to use grant funds to cover up to 2.5 percent of the total project cost for planning, feasibility, and sustainability studies.

Division F, Title III requires NTIA to establish grant programs for promoting digital equity, supporting digital inclusion activities, and building capacity for state-led efforts to increase adoption of broadband by their residents. Specifically, the title establishes the State Digital Equity Capacity Grant Program to make distributions to states based on their populations, demographics, and availability and adoption of broadband. The title also establishes the Digital Equity Competitive Grant Program for supporting efforts to achieve digital equity, promote digital inclusion, and stimulate adoption of broadband.

Division F, Title IV requires NTIA to make grants to eligible entities for the construction, improvement, or acquisition of middle mile infrastructure (i.e., the midsection of the infrastructure required to enable internet connectivity for end users, but which does not connect directly to an end-user location). Entities eligible to receive such grants include states, tribal governments, telecommunications companies, various nonprofit entities, and economic development authorities.

Division F, Title V revises and makes permanent the Affordable Connectivity Benefit Program (formerly, the Emergency Broadband Benefit Program) established to reimburse broadband providers for costs associated with discounting broadband service for certain households during the COVID-19 emergency period. Participating providers must allow recipient households to

apply the affordable connectivity benefit to any of its internet service offerings and may not require the households to submit to a credit check in order to apply the benefit. Such providers must also carry out public awareness campaigns in service areas to highlight the existence of the program and the value and benefits of broadband. The FCC must promulgate regulations to require the display of broadband consumer labels to disclose to consumers specified information regarding broadband internet plans, including information regarding whether the offered price is an introductory rate. Further, the FCC must adopt final rules to facilitate equal access to broadband, which must include preventing digital discrimination of access based on factors such as income level, race, or religion; and identifying necessary steps for the FCC to eliminate such discrimination. The Government Accountability Office (GAO) must evaluate and report on the process used by the FCC for establishing, reviewing, and updating the upload and download speed thresholds for broadband service.

Division F, Title VI establishes measures to address the workforce needs of the telecommunications industry. Specifically, the title requires the FCC to establish an interagency working group to develop recommendations for addressing these workforce needs, including the safety of that workforce.

The FCC must also establish and issue guidance for states on matters related to workforce needs and safety of the telecommunications industry, including how a state workforce development board can utilize federal resources available to meet relevant workforce needs; promote and improve recruitment in the Telecommunications Industry Registered Apprenticeship Program and other qualified industry-led workforce development programs; and ensure the safety of tower climbers and other members of the telecommunications workforce.

The GAO must submit to Congress a report that estimates the number of skilled telecommunications workers that will be required to build and maintain the broadband infrastructure in rural areas, and the infrastructure needed to support 5G wireless technology.

Legislative History

On June 4, 2021, H.R. 3684 was introduced by Representative DeFazio (OR-04) and referred to the Committee on Transportation and Infrastructure.

On June 22, 2021, the Committee on Transportation and Infrastructure reported H.R. 3684 to the House (H. Rept. 117-70) and filed a supplemental report (H. Rept. 117-70, Part II) on June 29, 2021. On July 1, 2021, H.R. 3684 was passed in the House by a recorded vote of 221 yeas to 201 nays (Roll Call No. 208).

On July 12, 2021, H.R. 3684 was received in the Senate. On August 10, 2021, H.R. 3684 passed the Senate with an amendment by a roll call vote of 69 yeas to 30 nays (Record Vote Number: 314).

On September 27, 2021, pursuant to the provisions of H. Res. 601, Representative DeFazio moved that the House agree to the Senate amendment to H.R. 3684. On November 5, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 228 yeas to 206 nays (Roll no. 369).

On November 8, 2021, H.R. 3684 was presented to the President and signed into law (Public Law No. 117-58).

SUPREME COURT SECURITY FUNDING ACT OF 2022
(CHIPS AND SCIENCE ACT OF 2022)

PUBLIC LAW 117-167 (H.R. 4346)

Making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

Summary

Division A, Section 106 appropriates \$1.5 billion from FY 2022, available through FY 2032, to the Public Wireless Supply Chain Innovation Fund established under section 9202(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021.

Legislative History

On July 1, 2021, H.R. 4346 was introduced by Representative Ryan (OH-13) and referred to the Committee on Appropriations.

On July 1, 2021, the Committee on Appropriations reported H.R. 4346 to the House (H. Rept. 117-80). On July 28, 2021, H.R. 4346 was passed in the House by a recorded vote of 215 yeas to 207 nays (Roll Call No. 239).

On July 29, 2021, H.R. 4364 was received in the Senate, read twice, and referred to the Committee on Appropriations. On June 22, 2022, the Senate Committee on Appropriations discharged the bill by unanimous consent and H.R. 4364 passed the Senate with an amendment by unanimous consent.

On June 24, 2022, pursuant to the provisions of H.Res. 1204, the House agreed to the Senate amendment with amendment. On July 27, 2022, the Senate concurred in the House amendment to the Senate amendment to H.R. 4346 with an amendment by a roll call vote of 64 yeas to 33 nays (Record Vote Number: 271) and a message on the Senate action sent to the House. On July 28, 2022, a motion that the House agree to the Senate amendment to the House amendment to the Senate amendment was agreed to by a roll call vote of 243 yeas to 187 nays, 1 present (Roll no. 404).

On August 2, 2022, H.R. 4346 was presented to the President and signed into law on August 9, 2022 (Public Law No. 117-167).

INFLATION REDUCTION ACT OF 2022

PUBLIC LAW 117-169 (H.R. 4663, H.R. 5378)

To provide reconciliation pursuant to title II of S. Con. Res. 14.

Summary

Subtitle K, Section 31101 provides \$10 billion in funding for NTIA to make grants available to eligible entities to upgrade existing 9-1-1 infrastructure to Next Generation 9-1-1. Under this provision, eligible entities are permitted to use grant funds for equipment and services to implement, operate, and maintain Next Generation 9-1-1 at emergency communications centers and, on a limited basis, use grant funds to cover training costs for public safety telecommunicators and

others who would be responsible for operating Next Generation 9-1-1 equipment. This section also provides \$80 million in funding to establish a Next Generation 9-1-1 Cybersecurity Center to coordinate with state, local, and regional government partners to share cybersecurity information, analyze cybersecurity threats, and share guidelines and best practices for intrusion detection and prevention as it relates to Next Generation 9-1-1. This section provides an additional \$20 million in funding for NTIA Administrator to establish a Public Safety Next Generation 9-1-1 Advisory Board to make recommendations to NTIA with respect to deploying Next Generation 9-1-1 and ensuring flexibility and coordination in administering the grant program.

Subtitle L, Section 31201 incorporates H.R. 5378 providing for a process of auctioning off at least 200 megahertz (MHz) of mid-band spectrum in the 3.1 to 3.45 gigahertz (GHz) band for flexible use and allow for additional opportunistic use of the spectrum where feasible elsewhere.

Subtitle L, Section 31202 incorporates HR 4045 directing the Secretary of Commerce to establish an advisory council to advise Congress on the development and adoption of 6G and other advanced wireless communications technologies. Funded at \$10 million, the 14-member Future of Telecommunications Council is to be comprised of members from industry, public interest and academic organizations, and federal, state and local governments.

Subtitle M, Section 31301 incorporates H.R. 4663 and appropriates an additional \$4 billion to the ECF established in the American Rescue Plan Act to allow schools and libraries to purchase internet services and devices for students, staff, and patrons for connectivity off of school or library premises.

Legislative History

On September 13, 14, and 15, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. Subtitle A, “Budget Reconciliation Legislative Recommendations Relating to Air Pollution,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle B, “Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle K, “Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas to 25 nays. Subtitle L, “Budget Reconciliation Legislative Recommendations Relating to Wireless Connectivity,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle M, “Budget Reconciliation Legislative Recommendations Relating to Distance Learning,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle C, “Budget Reconciliation Legislative Recommendations Relating to Drinking Water,” was ordered transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle D, “Budget Reconciliation Legislative Recommendations Relating to Energy,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of

30 yeas and 27 nays. The Committee on Energy and Commerce transmitted these subtitles to the Committee on Budget and they were incorporated into H.R. 5376.

On September 27, 2021, H.R. 5376 was introduced by Representative Yarmuth (KY-3) and referred to the Committee on Budget.

On September 27, 2021, the Committee on Budget reported H.R. 5376 to the House (H. Rept. 117-130). On November 19, 2021, H.R. 5376 was passed in the House by a recorded vote of 220 yeas to 213 nays (Roll Call No. 385).

On August 2, 2022, H.R. 5376 was received in the Senate and read for the first time. On August 3, 2022, the bill was read for a second time.

On August 7, 2022, H.R. 5376 passed the Senate with an amendment by a recorded vote of 51 yeas to 50 nays (Record Vote Number: 325).

On August 12, 2022, pursuant to the provisions of H.Res. 1316, the House agreed to the Senate amendment by a roll call vote of 220 yeas to 207 nays (Roll no. 420).

On August 15, 2022, H.R. 5376 was presented to the President and signed into law on August 16, 2022 (Public Law No. 117-169).

SAFE CONNECTIONS ACT OF 2022

PUBLIC LAW 117-223 (H.R. 7132)

Preserves safe access to communications services for survivors of domestic violence and other crimes, and for other purposes.

Summary

Amends the Communications Act of 1934 by requiring mobile service providers, after receiving a request, initiated by a survivor of domestic violence, human trafficking, or other related crime, for a mobile service contract shared with an abuser, to separate the line of the survivor (and the line of any individual in the care of the survivor) from the shared mobile service contract when technically feasible. The legislation also directs the FCC to, within 18 months of enactment, issue rules implementing the requirement and to establish emergency communications support for those survivors suffering financial hardship for up to six months.

Legislative History

On March 17, 2022, H.R. 7132 was introduced by Representatives Kuster (NH-02) and Eshoo and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 18, 2022. A legislative hearing was held on the bill on May 24, 2022. The witnesses included Mark Gibson, Director, Business Development & Spectrum Policy, CommScope and Regulatory Officer of the OnGo Alliance; Anna M. Gomez, Partner, Wiley Rein LLP; Thomas E. Kadri, Ph.D., Assistant Professor, University of Georgia School of Law; and Alisa Valentin, Ph.D., Senior Director of Technology and Telecommunications, National Urban League.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 7132 and five other bills. During consideration of the bill, an amendment in the nature of a

substitute (AINS), offered by Representative Walberg, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 29 yeas to 0 nays.

On July 13, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 7132 and four other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 7132 reported favorably to the House, amended, by a roll call vote of 53 yeas to 0 nays.

On July 26, 2022, the Committee on Energy and Commerce reported H.R. 7132 to the House (H. Rept. 117-438), and the bill was placed on the Union Calendar (Calendar No. 342). On that same day, the House considered H.R. 7132 under suspension of the Rules. On July 27, 2022, pursuant to section 5 of H. Res. 1254, and the motion offered by Representative Kildee, H.R. 7132 passed the House under suspension of the rules.

On July 28, 2022, H.R. 7132 was received in the Senate. On November 17, 2022, the bill passed the Senate without amendment by unanimous consent. H.R. 7132 was presented to the President on December 2, 2022, and signed into law on December 7, 2022 (Public Law No: 117-223).

DATA MAPPING TO SAVE MOMS' LIVES ACT

PUBLIC LAW 117-247 (S. 198, H.R. 1218)

To require the FCC to incorporate data on maternal health outcomes into its broadband health maps.

Summary

This legislation requires the FCC to integrate data related to maternal health outcomes into the agency's Mapping Broadband Health in America platform within 180 days of enactment, after consultation from the CDC.

Legislative History

On February 23, 2021, H.R. 1218 was introduced by Representatives Butterfield (NC-01), Bilirakis (FL-12), and Blunt Rochester (DE-AL) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 24, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

On November 3, 2021, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 1218 and one other bill. During consideration of the bill, an amendment in the

nature of a substitute (AINS) offered by Representative Butterfield was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On November 17, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 1218 and 11 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 1218 reported favorably to the House, as amended, by a voice vote.

On March 31, 2022, the Committee on Energy and Commerce reported H.R. 1218 to the House (H. Rept. 117-286), and the bill was placed on the Union Calendar (Calendar No. 211). On April 4, 2022, the House considered H.R. 1218 under suspension of the Rules. The next day, H.R. 1218 passed the House, as amended, by roll call vote of 409 yeas to 11 nays (Roll no. 110).

On April 6, 2022, the Senate received H.R. 1218, read the bill twice, and placed on Senate Legislative Calendar under General Orders (Calendar No. 340).

No further action was taken on H.R. 1218 in the 117th Congress.

On December 5, 2022, the House considered the Senate companion to H.R. 1218, S. 198, which passed the Senate on March 2, 2022. On December 6, 2022, the House passed S. 198 under suspension of the rules. On December 13, 2022, the Senate agreed to the House amendment by unanimous consent.

On December 16, 2022, S. 198 was presented to the President. On December 20, 2022, the President signed S. 198 into law (Public Law No. 117-247).

MARTHA WRIGHT PRISON PHONE JUSTICE ACT

PUBLIC LAW 117-__ (S. 1541, H.R. 2489)

Establishes requirements related to certain charges, practices, classifications, or regulations in connection with confinement facility (i.e., jail or prison) communications services.

Summary

H.R. 2489 amends the Communications Act of 1934 to ensure reasonable interstate charges for telecommunication and advanced communications services in confinement facilities. This legislation would direct the FCC to issue rules, within 18 months of enactment, setting maximum rates and charges that a provider of confinement facility communications may charge for such services and would require a biennial review to assure such rates remain just and reasonable.

S. 1541 clarifies the authority of the Federal Communications Commission (FCC) with respect to correctional facility communications. Requires the FCC to determine just and reasonable rates for correctional facility communications, and provides that in determining such rates, the FCC may consider the costs of safety and security measures to provide service in such facilities.

Legislative History

On April 13, 2021, H.R. 2489 was introduced by Representative Rush (IL-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 14, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 2489 in the 117th Congress.

On December 22, 2022, the House considered the Senate companion to H.R. 2489, S. 1541, which passed the Senate on December 21, 2022. On December 22, 2022, the House passed S. 1541 under suspension of the rules.

On December 28, 2022, S. 1541 was presented to the President. The Public Law number had not been assigned when this report was filed.

LOW POWER PROTECTION ACT

PUBLIC LAW 117-__ (S. 3405)

Requires the Federal Communications Commission to issue a rule providing that certain low power television stations may be accorded primary status as Class A television licensees, and for other purposes.

Summary

S. 3405 allows low power television stations operating in Designated Market Areas serving no more than 95,000 households to apply to the Federal Communications Commission for a Class A license, which would afford such stations with protections against harmful interference and ensure the communities served by such stations can receive news, emergency information, and other broadcasts without disruption.

Legislative History

On December 15, 2021, S. 3405 was introduced by Senators Blunt (R-MO) and Wyden (D-OR) and referred to the Committee on Commerce, Science, and Transportation. On March 22, 2022, the Committee on Commerce, Science, and Transportation ordered S. 3405 to be reported favorably to the Senate, with an amendment. On December 21, 2022, S. 3405 passed the Senate with an amendment by unanimous consent.

On December 22, 2022, S. 3405 was received in the House and passed the House under the suspension of the rules by a voice vote.

On December 28, 2022, S. 3405 was presented to the President. The Public Law number had not been assigned when this report was filed.

PUBLIC LAW 117-__ (H.R. 2617, H.R. 7624, H.R. 5378, H.R. 5486, H.R. 7783)

To amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes.

Summary

Title IX, Section 901 incorporates H.R. 7624 by extending the FCC's spectrum auction authority to March 9, 2023.

Legislative History

On April 16, 2021, H.R. 2617 was introduced by Representatives Connolly (VA-11) and Hice (GA-10) and was referred to the Committee on Oversight and Reform.

On May 25, 2021, the Committee on Oversight and Reform held a markup of the bill and ordered H.R. 2617 reported favorably to the House, amended, by a voice vote.

On July 26, 2021, the House considered H.R. 2617 under suspension of the rules. On July 26, 2021, the Chair announced that further proceedings on the motion to suspend the rules and pass H.R. 2617 would be postponed.

On September 28, 2021, H.R. 2617 was considered in the House as unfinished business. That same day, H.R. 2617 passed the House under suspension of the rules, as amended, by a record vote of 414 yeas to 10 nays (Roll no. 304).

On September 29, 2021, H.R. 2617 was received in the Senate, read twice, and referred to the Committee on Homeland Security and Governmental Affairs.

On November 3, 2021, the Committee on Homeland Security and Governmental Affairs ordered H.R. 2617 to be reported favorably, without amendment.

On September 27, 2022, the Committee on Homeland Security and Governmental Affairs ordered H.R. 2617 to the Senate with amendments (report No. 117-164).

On November 15, 2022, H.R. 2617 passed the Senate with amendments by unanimous consent.

On December 14, 2022, the House agreed to Senate amendments numbered 1, 2, 3, and 5, and the House agreed to Senate amendment numbered 4 with an amendment pursuant to H. Res. 1518. On December 15, 2022, the message on the House amendment to Senate amendment 4 was received in the Senate. On December 20, 2022, the motion to proceed to consideration of the House message to accompany H.R. 2617 was agreed by a record vote of 70 yeas to 25 nays (Record Vote Number: 403).

On December 22, 2022, the Senate concurred in the House amendment to Senate amendment to H.R. 2617 with an amendment by a record vote of 68 yeas to 29 nays (Record Vote Number: 421).

On December 23, 2022, the House agreed to the Senate amendment to the House amendment to the Senate amendment by record vote of 225 yeas to 201 nays, 1 Present (Roll no. 549).

On December 28, 2022, H.R. 2617 was presented to the President and signed by the President on December 29, 2022. The Public Law number had not been assigned when this report was filed.

On April 28, 2022, H.R. 7624 was introduced by Representative Doyle and 20 bipartisan original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 29, 2022. A legislative hearing was held on the bill on May 24, 2022. The witnesses included Mark Gibson, Director, Business Development & Spectrum Policy, CommScope and Regulatory Officer of the OnGo Alliance; Anna M. Gomez, Partner, Wiley Rein LLP; Thomas E. Kadri, Ph.D., Assistant Professor, University of Georgia School of Law; and Alisa Valentin, Ph.D., Senior Director of Technology and Telecommunications, National Urban League.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 7624 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Latta (OH-05), was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 29 yeas to 0 nays.

On July 13, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 7624 and four other bills. An AINS, offered by Representative Latta, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 7624 reported favorably to the House, amended, by a roll call vote of 52 yeas to 0 nays.

On July 22, 2022, the Committee on Energy and Commerce reported H.R. 7624 to the House (H. Rept. 117-429), and the bill was placed on the Union Calendar (Calendar No. 335). On July 26, 2022, the House considered H.R. 7624 under suspension of the Rules. On July 27, 2022, pursuant to section 5 of H. Res. 1254, and the motion offered by Representative Kildee, H.R. 7624 passed the House under suspension of the rules.

On July 28, 2022, H.R. 7624 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 7624 in the 117th Congress. On September 27, 2021, H.R. 5378 was introduced by Representatives Doyle (PA-18) and Matsui and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 28, 2021.

No further action was taken on H.R. 5378 in the 117th Congress. The provisions of H.R. 5378 were included in H.R. 7624.

On October 5, 2021, H.R. 5486 was introduced by Representative Guthrie (KY-2) and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on October 6, 2021. A legislative hearing was held on the bill on May 24, 2022. The witnesses included Mark Gibson, Director, Business Development & Spectrum Policy, CommScope and Regulatory Officer of the OnGo Alliance; Anna M. Gomez, Partner, Wiley Rein LLP; Thomas E. Kadri,

Ph.D., Assistant Professor, University of Georgia School of Law; and Alisa Valentin, Ph.D., Senior Director of Technology and Telecommunications, National Urban League.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 5486 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Matsui, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to a motion on final passage offered by Representative Doyle, Chairman of the Subcommittee, to order H.R. 5486 reported favorably to the full Committee, amended, by a voice vote.

No further action was taken on H.R. 5486 in the 117th Congress. The provisions of H.R. 5486 were included in H.R. 7624.

On May 16, 2022, H.R. 7783 was introduced by Representatives Davids (KS-3), Joyce (PA-13), Welch (VT-AL), and Johnson (OH-6) and was referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on May 17, 2022. A legislative hearing was held on the bill on May 24, 2022. The witnesses included Mark Gibson, Director, Business Development & Spectrum Policy, CommScope and Regulatory Officer of the OnGo Alliance; Anna M. Gomez, Partner, Wiley Rein LLP; Thomas E. Kadri, Ph.D., Assistant Professor, University of Georgia School of Law; and Alisa Valentin, Ph.D., Senior Director of Technology and Telecommunications, National Urban League.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 7783 and five other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to a motion on final passage offered by Representative Doyle, Chairman of the Subcommittee, to order H.R. 7783 reported favorably to the full Committee, without amendment, by a roll call vote of 29 yeas to 0 nays.

No further action was taken on H.R. 7783 in the 117th Congress. The provisions of H.R. 7783 were included in H.R. 7624.

PRESERVING HOME AND OFFICE NUMBERS IN EMERGENCIES ACT OF 2021

H.R. 678

To amend the Communications Act of 1934 to provide for a moratorium on number reassignment after a disaster declaration.

Summary

This legislation ensures that in the case of a number assigned to a subscriber for the provision of fixed wireline voice service at a location in a designated area during a covered period, the number may not be reassigned except at the request of the subscriber. Additionally, the assignment of the number may not be rescinded or otherwise modified except at the request of the subscriber.

Legislative History

On February 1, 2021, H.R. 678 was introduced by Representative Thompson (CA-05) and 16 other bipartisan cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 2, 2021.

On July 19, 2021, the House considered H.R. 678 under suspension of the Rules. Pursuant to section 7 of H. Res. 535, and the motion offered by Majority Leader Hoyer (MD-05), H.R. 678 was passed under suspension of the rules.

On July 21, 2021, the Senate received H.R. 678, read the bill twice, and referred the bill to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 678 in the 117th Congress.

PROTECTING CRITICAL INFRASTRUCTURE ACT

H.R. 1042

Imposes an enhanced general penalty on any person who is sentenced to imprisonment for violating certain communications laws and who willfully or maliciously destroys any communications facility during and in relation to such violation.

Summary

Amends the Communications Act of 1934 to impose an enhanced penalty on anyone who willfully or maliciously destroys any communications facility. The penalty carries with it a two-year prison sentence with no option for probation.

Legislative History

On May 20, 2021, H.R. 1042 was introduced by Representative Bucshon and referred to the Committee on Energy and Commerce and the Committee on Judiciary. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 16, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 1042 in the 117th Congress.

FEDERAL BROADBAND DEPLOYMENT IN UNSERVED AREAS ACT

H.R. 1046

Establishes measures to facilitate the sharing of broadband availability data among federal agencies to support the deployment of broadband in unserved areas.

Summary

Requires the FCC to provide broadband availability data to the Departments of Agriculture (DOA), Commerce, and the Interior. The bill also establishes an interagency working group to facilitate data sharing using interoperable information technology systems. It further requires the FCC, the Secretaries of Agriculture, Commerce, and the Interior to complete an assessment of the ability of users to locate communications facilities in certain unserved areas and whether the relevant agency prioritized siting requests on relevant unserved land.

Legislative History

On February 15, 2021, H.R. 1046 was introduced by Representative Curtis (UT-03) and referred to the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Agriculture. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 16, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 1046 in the 117th Congress.

EXPEDITING FEDERAL BROADBAND DEPLOYMENT REVIEWS ACT

H.R. 1049

Requires NTIA to establish an interagency strike force to increase specified agencies' prioritization of reviews for communications use authorizations on federal property.

Summary

Directs NTIA to establish and lead an interagency strike force to help prioritize reviews by the Department of Agriculture and the Department of the Interior for requests to deploy and authorize broadband communications uses and facilities on federal land. A communications use authorization is an easement, right-of-way, lease, license, or other authorization to locate or modify a communications facility on certain public land.

Legislative History

On February 15, 2021, H.R. 1049 was introduced by Representative Duncan (SC-03) and referred to the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Agriculture. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 16, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President,

Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 1049 in the 117th Congress.

WIRELESS RESILIENCY AND FLEXIBLE INVESTMENT ACT

H.R. 1058

Provides statutory authority for the 60-day time frame for a state or local government that receives a completed eligible facilities request, to approve such request.

Summary

Requires a state or local government to approve an application to modify certain existing wireless communications infrastructure, including infrastructure that would improve resiliency, within 60 days, or the request would be deemed approved on the day after the 60-day period ends.

Legislative History

On February 15, 2021, H.R. 1058 was introduced by Representative Kinzinger (IL-16) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 16, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 1058 in the 117th Congress.

EMERGENCY REPORTING ACT

H.R. 1250

To direct the FCC to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting.

Summary

This legislation requires that no later than six weeks after the deactivation of the Disaster Information Reporting System with respect to an event for which the System was activated for at least seven days, the FCC shall issue a preliminary report. The report must include the number and duration of any outages, broadband internet access services, VoIP services, commercial mobile services, and commercial mobile data service. The report must also identify the approximate number of users, or the amount of communications infrastructure potentially affected by an outage, the number and duration of any outages at

public safety answering points, and any additional information deemed appropriate.

Legislative History

On February 23, 2021, H.R. 1250 was introduced by Representatives Matsui (CA-06), Bilirakis, Eshoo, Thompson, and Huffman (CA-02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on February 24, 2021.

On July 19, 2021, Representative Pallone, Chairman of the Committee, moved to suspend the rules and the House considered H.R. 1250 under suspension of the Rules. Pursuant to section 7 of H. Res. 535, and the motion offered by Majority Leader Hoyer, the H.R. 1250 was passed under suspension of the rules on July 20, 2021.

On July 21, 2021, the Senate received H.R. 1250, read the bill twice, and referred the bill to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1250 in the 117th Congress.

MEASURING THE ECONOMICS DRIVING INVESTMENTS AND ACCESS FOR DIVERSITY ACT OF 2021

H.R. 1754

To amend the Communications Act of 1934 to require the FCC to consider market entry barriers for socially disadvantaged individuals in the biennial communications marketplace report.

Summary

This legislation amends the Communications Act of 1934 by adding that the FCC, in assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), shall consider market entry barriers for socially disadvantaged individuals in the communications marketplace in accordance with the national policy under section 257(b).

Legislative History

On March 10, 2021, H.R. 1754 was introduced by Representatives Long (MO-07) and Veasey (TX-33) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 11, 2021.

On July 19, 2021, Representative Pallone, Chairman of the Committee, moved to suspend the rules and the House considered H.R. 1754 under suspension of the Rules. Pursuant to section 7 of H. Res. 535, and the motion offered by Majority Leader Hoyer, the H.R. 1754 was passed under suspension of the rules on July 20, 2021.

On July 21, 2021, the Senate received H.R. 1754, read the bill twice, and referred the bill to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 1754 in the 117th Congress.

H.R. 2154

Limits a social media company's immunity from liability if it promotes certain content on its platform.

Summary

Amends section 230(c) of the Communications Act of 1934 to preclude an interactive computer service from claiming immunity in instances where it uses an algorithm to amplify or recommend content directly relevant to a case involving interference with civil rights, neglect to prevent interference with civil rights, and in cases involving international terrorism. However, the platform could regain the liability restrictions if it makes the operation of its algorithm "obvious, understandable, and transparent to a reasonable user," or in cases where a platform provides an algorithm to support search features that users voluntarily opt to use.

Legislative History

On March 23, 2021, H.R. 2154 was introduced by Representative Malinowski (NJ-07) and nine other original cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 24, 2021. A legislative hearing was held on the bill on December 1, 2021. The witnesses included Frances Haugen, Former Facebook Employee; Rashad Robinson, President, Color of Change; James Steyer, Founder and CEO, Common Sense Media; Kara Frederick, Research Fellow in Technology Policy, The Heritage Foundation; The Honorable Karen Kornbluh, Director, Digital Innovation and Democracy Initiative and Senior Fellow; Carrie Goldberg, Esq., Owner, C. A. Goldberg Law Firm, PLLC; Matthew F. Wood, Vice President of Policy and General Counsel, Free Press Action; Dr. Mary Anne Franks, Professor of Law and Michael R. Klein Distinguished Scholar Chair, University of Miami School of Law, President and Legislative & Tech Policy Director, Cyber Civil Rights Initiative; Eugene Volokh, Gary T. Schwartz Distinguished Professor of Law, UCLA School of Law; and Daniel A. Lyons, Professor & Associate Dean for Academic Affairs, Boston College Law School, Nonresident Senior Fellow, American Enterprise Institute, The German Marshall Fund of the United States.

No further action was taken on H.R. 2154 in the 117th Congress.

SPECTRUM COORDINATION ACT

H.R. 2501

Requires the National Telecommunications and Information Administration (NTIA) and the FCC to update the memorandum of understanding on spectrum coordination.

Summary

This legislation requires NTIA and FCC to update their memorandum of understanding on spectrum coordination entered into in January 2003. The

memorandum of understanding should be updated to: (1) improve the process for resolving Frequency allocation disputes between the two agencies; (2) ensure that spectrum is used efficiently; and (3) establish reasonable timelines in the exchange of information between the two agencies in order to maintain effective spectrum coordination and collaboration.

Legislative History

On April 14, 2021, H.R. 2501 was introduced by Representative Bilirakis and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on April 15, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

On November 3, 2021, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 2501 and one other bill. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Subcommittee Chairman Doyle (PA-18) was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On November 17, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 2501 and 11 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 2501 reported favorably to the House, as amended, by a voice vote.

On March 31, 2022, the Committee on Energy and Commerce reported H.R. 2501 to the House (H. Rept. 117-287), and the bill was placed on the Union Calendar (Calendar No. 212). On April 4, 2022, the House considered H.R. 2501 under suspension of the Rules. The next day, H.R. 2501 passed the House, as amended, by roll call vote of 418 yeas to 6 nays (Roll no. 111).

On April 6, 2022, the Senate received H.R. 2501, read the bill twice, and the bill was referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 2501 in the 117th Congress.

CIVIL RIGHTS MODERNIZATION ACT OF 2021

H.R. 3184

Specifies that the federal liability protection that a provider of an interactive computer service (e.g., a social media company) receives for content provided by third parties does not apply to certain advertisements that target users who are part of a protected class or have a protected status.

Summary

Amends section 230(e) of the Communications Act of 1934, which provides exemptions to the section 230(c) protections, for the targeting of ads where such ads violate civil rights laws. Civil rights laws include federal, state, and local laws that prohibit discrimination on the basis of a protected class or status or prohibit voter access.

Legislative History

On May 13, 2021, H.R. 3184 was introduced by Representative Clarke (NY-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on May 14, 2021. A legislative hearing was held on the bill on December 1, 2021. The witnesses included Frances Haugen, Former Facebook Employee; Rashad Robinson, President, Color of Change; James Steyer, Founder and CEO, Common Sense Media; Kara Frederick, Research Fellow in Technology Policy, The Heritage Foundation; The Honorable Karen Kornbluh, Director, Digital Innovation and Democracy Initiative and Senior Fellow; Carrie Goldberg, Esq., Owner, C. A. Goldberg Law Firm, PLLC; Matthew F. Wood, Vice President of Policy and General Counsel, Free Press Action; Dr. Mary Anne Franks, Professor of Law and Michael R. Klein Distinguished Scholar Chair, University of Miami School of Law, President and Legislative & Tech Policy Director, Cyber Civil Rights Initiative; Eugene Volokh, Gary T. Schwartz Distinguished Professor of Law, UCLA School of Law; and Daniel A. Lyons, Professor & Associate Dean for Academic Affairs, Boston College Law School, Nonresident Senior Fellow, American Enterprise Institute, The German Marshall Fund of the United States.

No further action was taken on H.R. 3184 in the 117th Congress.

SAFEGUARDING AGAINST FRAUD, EXPLOITATION, THREATS, EXTREMISM, AND CONSUMER HARMS ACT

H.R. 3421

Limits federal liability protection that applies to a user or provider of an interactive computer service (e.g., a social media company) for claims related to content provided by third parties.

Summary

Reforms section 230 of the Communications Act of 1934 by (1) replacing immunity under (c)(1) for third party “information” with immunity for third-party “speech”; (2) removing liability protections for paid advertisements; (3) prohibiting providers of interactive computer services from pleading immunity in requests for injunctive relief in certain cases; and (4) creating additional immunity exemptions for state or federal civil rights laws, state or federal antitrust laws, state or federal stalking or harassment laws, international human rights laws, and wrongful death actions.

Legislative History

On May 20, 2021, H.R. 3421 was introduced by Representatives McEachin (VA-04), Castor (FL-14), and Levin (CA-49) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee

on Communications and Technology on May 21, 2021. A legislative hearing was held on the bill on December 1, 2021. The witnesses included Frances Haugen, Former Facebook Employee; Rashad Robinson, President, Color of Change; James Steyer, Founder and CEO, Common Sense Media; Kara Frederick, Research Fellow in Technology Policy, The Heritage Foundation; The Honorable Karen Kornbluh, Director, Digital Innovation and Democracy Initiative and Senior Fellow; Carrie Goldberg, Esq., Owner, C. A. Goldberg Law Firm, PLLC; Matthew F. Wood, Vice President of Policy and General Counsel, Free Press Action; Dr. Mary Anne Franks, Professor of Law and Michael R. Klein Distinguished Scholar Chair, University of Miami School of Law, President and Legislative & Tech Policy Director, Cyber Civil Rights Initiative; Eugene Volokh, Gary T. Schwartz Distinguished Professor of Law, UCLA School of Law; and Daniel A. Lyons, Professor & Associate Dean for Academic Affairs, Boston College Law School, Nonresident Senior Fellow, American Enterprise Institute, The German Marshall Fund of the United States.

No further action was taken on H.R. 3421 in the 117th Congress.

TIMELY EVALUATION OF ACQUISITION, MERGERS, OR TRANSACTIONS WITH
EXTERNAL, LAWFUL ENTITIES TO CLEAR OWNERS AND MANAGEMENT ACT

H.R. 4029

Provides statutory authority for the interagency working group at NTIA that assesses and addresses the law enforcement and national security policy implications arising from foreign ownership in an applicant for certain telecommunications licenses and permits.

Summary

The legislation formalizes the existing review process for entities applying for authorization to construct or extend any transmission line or submarine cable line where the applicant has above a certain threshold of foreign ownership interest. This bill would put NTIA in charge of the coordinating efforts with appropriate federal agencies with subject matter expertise.

Legislative History

On June 22, 2021, H.R. 4029 was introduced by Representative Johnson (OH-06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 23, 2021. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

No further action was taken on H.R. 4029 in the 117th Congress.

SECTION 331 OBLIGATION CLARIFICATION ACT

H.R. 4208

Amends the Communications Act of 1934 to clarify the obligations of licensees under section 331 of that Act.

Summary

This legislation amends section 331 of the Communications Act of 1934 to allow the FCC to reallocate a licensee's high frequency (VHF) or ultra-high frequency (UHF) commercial broadcast station to a state where there is currently no commercial VHF or UHF station. A licensee that is reallocated pursuant to section 331 will be required to broadcast at least 14 hours of local programming per week. This legislation would also require the licensee to maintain a studio within the community it serves and file regular programming disclosures with the FCC. Lastly, the bill would require GAO to submit a report to Congress that examines the process by which the FCC renews broadcast television licenses.

Legislative History

On June 28, 2021, H.R. 4208 was introduced by Representatives Pascrell (NJ-09), Sires (NJ-08), and Van Drew (NJ-02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on June 29, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 4208 in the 117th Congress.

ENSURING PHONE AND INTERNET ACCESS THROUGH LIFELINE AND AFFORDABLE
CONNECTIVITY PROGRAM ACT OF 2022

H.R. 4275

Requires the FCC to report on enrollment in the Lifeline and Affordable Connectivity (ACP) programs. The Lifeline program and ACP are both designed to reduce the cost of communications services for low-income consumers, and it allows those consumers to qualify for this assistance based on, among other things, their receipt of other federal assistance programs (e.g., Medicaid or Federal Public Housing Assistance).

Summary

Requires the FCC to biennially submit a report to Congress on enrollment in the Lifeline Program and ACP based on verification of eligibility through the qualifying federal programs. The legislation also requires the GAO to evaluate the effectiveness of advertising for the Lifeline and ACP programs.

Legislative History

On June 30, 2021, H.R. 4275 was introduced by Representatives Luria (VA-02) and Katko (NY-24) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and

Technology on July 1, 2021. A legislative hearing was held on the bill on May 24, 2022. The witnesses included Mark Gibson, Director, Business Development & Spectrum Policy, CommScope and Regulatory Officer of the OnGo Alliance; Anna M. Gomez, Partner, Wiley Rein LLP; Thomas E. Kadri, Ph.D., Assistant Professor, University of Georgia School of Law; and Alisa Valentin, Ph.D., Senior Director of Technology and Telecommunications, National Urban League.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 4275 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Pallone, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to a motion on final passage offered by Representative Doyle, Chairman of the Subcommittee, to order H.R. 4275 reported favorably to the full Committee, amended, by a voice vote.

On July 13, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4275 and four other bills. During consideration of the bill, no amendments were offered. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4275 reported favorably to the House, as amended, by a roll call vote of 48 yeas to 0 nays.

On November 14, 2022, the Committee on Energy and Commerce reported H.R. 4275 to the House (H. Rept. 117-552), and the bill was placed on the Union Calendar (Calendar No. 396). On that same day, the House considered H.R. 4275 under suspension of the Rules. On November 17, 2022, pursuant to section 2 of H. Res. 1464, H.R. 4275 passed the House, as amended, under suspension of the rules.

On November 17, 2022, H.R. 4275 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4275 in the 117th Congress.

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE IN TECHNOLOGY, AND ECONOMIC STRENGTH ACT OF 2022

H.R. 4521 (H.R. 2685, H.R. 3003, H.R. 4028, H.R. 4032, H.R. 4045, H.R. 4046, H.R. 4055, H.R. 4067)

To provide for coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

Summary

Division C, Title I, Section 20101 appropriates \$1.5 billion to the Public Wireless Supply Chain Innovation Fund established under section 9202(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021.

Section 20102 incorporates H.R. 2685 by requiring the Assistant Secretary of Commerce for Communications and Information (Assistant Secretary), in consultation with Department of Homeland Security, to submit a report to Congress within one year examining the cybersecurity of mobile communications

networks and the vulnerability of these networks, and mobile devices, to cyberattacks and surveillance by adversaries.

Section 20103 incorporates H.R. 4028 by directing the Secretary of Commerce to submit a report to Congress within one year analyzing the information and communication technology (ICT) supply chain by determining the ICT critical to the economic competitiveness of the United States, as well as the economic competitiveness of trusted vendors in the ICT supply chain, and identifying the actions the federal government could undertake and the resources it could provide to support the economic competitiveness of trusted ICT vendors while reducing dependence on non-trusted ICT vendors. This section also requires the Secretary to submit to Congress, within six months after the report is submitted, a whole-of-government strategy to ensure the economic competitiveness of trusted ICT vendors in the United States.

Section 20104 incorporates H.R. 4032 by directing the Assistant Secretary, acting through the head of the Office of Internet Connectivity and Growth, to conduct outreach and provide technical assistance to small communications network providers to raise awareness of the uses, benefits, and challenges of Open Radio Access Network (RAN) networks and other open network architectures. This section also requires the Assistant Secretary to raise awareness about, and participation in, the Wireless Supply Chain Innovation Grant Program established under section 9202(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021.

Section 20105 incorporates H.R. 4045 by directing the Federal Communications Commission (FCC) to create a 6G (sixth generation) Task Force within 120 days. It stipulates that the membership of the Task Force must be appointed by the Chair of the FCC, and that the membership be composed of representatives, to the extent practicable, from trusted companies from the communications industry (meaning those not controlled by or subject to the influence of foreign adversaries), trusted public interest groups, and government representatives, with at least one representative respectively representing federal, state, local, and Tribal governments. This section also requires the Task Force to submit a report to Congress within one year on 6G wireless technology, including the status of industry-led standards-setting bodies in setting standards for 6G, the possible uses, strengths, and limitations of 6G (including any supply chain, cybersecurity, or other limitations that will need to be addressed in future generations of wireless technologies), and how federal, state, local, and Tribal governments can leverage 6G.

Section 20106 incorporates H.R. 4046 by redesignating the existing NTIA Office of Policy Analysis and Development as the Office of Policy Development and Cybersecurity. In addition to codifying the responsibilities of NTIA in administering the information sharing program in Section 8 of the Secure and Trusted Communications Act, this section assigns the Office functions to coordinate and develop policy regarding the cybersecurity of the internet and other communications networks, among other things.

Section 20107 incorporates H.R. 4055 by directing the Secretary of Commerce, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, to develop and conduct a cybersecurity literacy campaign (which must be available in multiple languages and formats, if practicable) to increase the knowledge and awareness of Americans on the ways

to reduce cybersecurity risks. Among other things, this section requires the campaign to educate the American people on how to prevent and mitigate cyberattacks and cybersecurity risks as well as encourages them to use resources to help mitigate cybersecurity risks.

Section 20108 incorporates H.R. 4067 by codifying an existing FCC advisory council, the Communications Security, Reliability, and Interoperability Council. It stipulates that the membership of the Council must be appointed by the Chair of the FCC, and that the membership be composed of representatives, to the extent practicable, from trusted companies from the communications industry (meaning those not controlled by or subject to the influence of foreign adversaries), trusted public interest groups, and government representatives, with at least one representative respectively representing federal, state, local, and Tribal governments. This section also requires biennial reporting to the FCC and the public that includes recommendations to increase the security, reliability, and interoperability of communications networks as well as other relevant issues.

Section 20109 incorporates H.R. 3003 by directing the Assistant Secretary, in consultation with the National Institute of Standards of Technology, to encourage and facilitate the participation of trusted companies (meaning those that do not pose a threat to U.S. national security) in standards-setting bodies, including the International Organization for Standardization, the 3rd Generation Partnership Project, the Institute of Electrical and Electronics Engineers, and any standards-setting body accredited by the American National Standards Institute or the Alliance for Telecommunications Industry Solutions. This section also requires the Assistant Secretary to brief Congress on their efforts within 60 days.

Legislative History

On July 19, 2021, H.R. 4521 was introduced by Representatives Johnson (TX-30) and Lucas (OK-03) referred to the Committee on Science, Space, and Technology, the Committee on Agriculture, and the Committee on Energy and Commerce.

On January 19, 2022, the Committee on Science, Space, and Technology reported H.R. 4521 to the House (H. Rept. 117-235, Part I). On February 2, 2022, H.R. 4521 was considered in the House. On February 4, 2022, H.R. 4521 was passed in the House, amended, by a recorded vote of 222 yeas to 210 nays (Roll Call No. 31).

On February 17, 2022, H.R. 4521 was received in the Senate. On March 28, 2022, H.R. 4521 passed the Senate having achieved 60 votes in the affirmative, with an amendment by a recorded vote of 68 yeas to 28 nays (Record Vote Number: 109). On March 29, 2022, the message on Senate action sent to the House.

On March 31, 2022, a motion that the House disagree to the Senate amendment, and request a conference was agreed to without objection. On April 4, 2022, the Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of the House bill and the Senate amendment, and modifications committed to conference: Pallone, Eshoo, Schakowsky, Matsui, Tonko, Blunt Rochester, Soto, Rodgers (WA), Bucshon, Carter (GA), Duncan, and Crenshaw.

On April 20, 2021, H.R. 2685 was introduced Representatives Eshoo (CA-18) and Kinzinger (IL-16) introduced and was referred to the Committee on

Energy and Commerce. Subsequently, on April 21, 2021, H.R. 2685 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill. On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 2685 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Eshoo was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone (NJ-06), Chairman of the Committee, to order H.R. 2685 reported favorably to the House, amended, by a voice vote.

On November 30, 2021, the Committee on Energy and Commerce reported H.R. 2685 to the House (H. Rept. 117-186). On December 1, 2021, H.R. 2685 passed the House under suspension of the rules by a record vote of 404 yeas to 19 nays (Roll no. 389).

On December 2, 2021, H.R. 2685 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 2685 in the 117th Congress.

On May 4, 2021, H.R. 3003 was introduced by Representatives Walberg (MI-07), Dingell (MI-12), Johnson (OH-06), and Kuster (NH-02). Subsequently, on May 5, 2021, H.R. 3003 was referred to the Subcommittee on Communications and Technology.

On July 19, 2021, H.R. 3003 was considered in the House under suspension of the rules. The next day, H.R. 3003 passed the House under suspension of the rules.

On July 21, 2021, H.R. 3003 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 3003 in the 117th Congress.

On June 22, 2021, H.R. 4028 was introduced by Representatives Long (MO-07), Spanberger (VA-07), Carter (GA-01), and McNerney (CA-09) and was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4028 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill. On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4028 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Long was agreed to by a voice

vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4028 reported favorably to the House, amended, by a voice vote.

On October 19, 2021, the Committee on Energy and Commerce reported H.R. 4028 to the House (H. Rept. 117-147). On October 20, 2021, H.R. 4028 passed the House under suspension of the rules by a record vote of 413 yeas to 14 nays (Roll no. 326).

On October 21, 2021, H.R. 4028 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4028 in the 117th Congress.

On June 22, 2021, H.R. 4032 was introduced by Representatives Allred (TX-32), Tom O'Halleran (AZ-01), Hudson (NC-08), and Guthrie (KY-02) and was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4032 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill. On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4032 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative McNerney was agreed to by a voice vote. An amendment to the AINS, offered by Representative Latta (OH-05), was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4032 reported favorably to the House, amended, by a voice vote.

On October 19, 2021, the Committee on Energy and Commerce reported H.R. 4032 to the House (H. Rept. 117-150). On October 20, 2021, H.R. 4032 passed the House under suspension of the rules by a record vote of 410 yeas to 17 nays (Roll no. 324).

On October 21, 2021, H.R. 4032 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4032 in the 117th Congress.

On June 22, 2021, H.R. 4045 was introduced by Representatives Doyle (PA-18), McBath (GA-06), and Johnson (OH-06), and was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4045 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill. On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4045 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Kelly (IL-02) was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4045 reported favorably to the House, amended, by a voice vote.

On November 30, 2021, the Committee on Energy and Commerce reported H.R. 4045 to the House (H. Rept. 117-185). On December 1, 2021, H.R. 4045 passed the House under suspension of the rules by a record vote of 394 yeas to 27 nays (Roll no. 390).

On December 2, 2021, H.R. 4045 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4045 in the 117th Congress.

On June 22, 2021, H.R. 4046 was introduced by Representatives Duncan (SC-03), Wild (PA-07), and Curits (UT-03), and was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4046 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

H.R. 4046 was discharged from the Subcommittee on Communications and Technology on July 20, 2021.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4046 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Duncan was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4046 reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 4046 in the 117th Congress.

On June 22, 2021, H.R. 4055 was introduced by Representatives Kinzinger, Eshoo, Bilirakis (FL-12), Veasey (TX-33), and Houlahan (PA-06), and was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4045 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4055 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Kinzinger was agreed to by a voice vote. An amendment to the AINS, offered by Representative Eshoo, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4055 reported favorably to the House, amended, by a voice vote.

On November 30, 2021, the Committee on Energy and Commerce reported H.R. 4055 to the House (H. Rept. 117-155). On December 1, 2021, H.R. 4055 passed the House under suspension of the rules by a record vote of 408 yeas to 17 nays (Roll no. 391).

On December 2, 2021, H.R. 4055 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4055 in the 117th Congress.

On June 22, 2021, H.R. 4067 was introduced by Representatives Slotkin (MI-08), Walberg, and Schrader (OR-05), and was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4067 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, Spectrum Strategy & Tech Policy, Qualcomm Incorporated; Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

On July 20, 2021, the Subcommittee on Communications and Technology was discharged from further consideration of the bill.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4067 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Schrader was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4067 reported favorably to the House, amended, by a voice vote.

On October 15, 2021, the Committee on Energy and Commerce reported H.R. 4067 to the House (H. Rept. 117-145). On October 20, 2021, H.R. 4067 passed the House under suspension of the rules by a record vote of 397 yeas to 29 nays (Roll no. 325).

On October 21, 2021, H.R. 4067 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4067 in the 117th Congress.

INSTITUTE FOR TELECOMMUNICATION SCIENCE CODIFICATION ACT

H.R. 4990

Provides statutory authority for the Institute for Telecommunication Sciences (ITS), which serves as the telecommunications testing arm of NTIA.

Summary

Amends the National Telecommunications and Information Administration (NTIA) Organization Act by providing additional statutory authority for ITS. It also requires the Assistant Secretary of Commerce for Communications and Information to establish an initiative to support the development of emergency communication and tracking technologies.

Legislative History

On August 10, 2021, H.R. 4990 was introduced by Representative Carter (GA-01) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on August 11, 2021. A legislative hearing was held on the bill on May 24, 2022. The witnesses included Mark Gibson, Director, Business Development & Spectrum Policy, CommScope and Regulatory Officer of the OnGo Alliance; Anna M. Gomez, Partner, Wiley Rein LLP; Thomas E. Kadri, Ph.D., Assistant Professor, University of Georgia School of Law; and Alisa Valentin, Ph.D., Senior Director of Technology and Telecommunications, National Urban League.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 4990 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative O'Halleran (AZ-01), was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 27 yeas to 0 nays.

On July 13, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4990 and four other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4990 reported favorably to the House, amended, by a roll call vote of 51 yeas to 0 nays.

On July 26, 2022, the Committee on Energy and Commerce reported H.R. 4990 to the House (H. Rept. 117-437), and the bill was placed on the Union Calendar (Calendar No. 341). The next day, the House considered H.R. 4990 under suspension of the Rules and passed the House, as amended, by a voice vote.

On July 28, 2022, the Senate received H.R. 4990, read the bill twice, and the bill was referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on H.R. 4990 in the 117th Congress.

INFORMATION SHARING AND ADVANCED COMMUNICATIONS ALERTING ACT

H.R. 5028

Requires the Technological Advisory Council of the FCC in consultation with relevant stakeholders, to submit a report that identifies measures, barriers, and recommendations for implementing a 9-1-1 disability alerting system.

Summary

Directs the technical advisory council at the FCC, in consultation with disability advocates, State 9-1-1 administrators, and other public safety officials,

to issue a report regarding any standards, protocols, or procedures necessary to implement a 9-1-1 disability alerting system, among other things.

Legislative History

On August 13, 2021, H.R. 5028 was introduced by Representatives Rodgers (WA-05) and Dingell (MI-12) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on August 16, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 5028 in the 117th Congress.

BROADBAND INCENTIVES FOR COMMUNITIES ACT

H.R. 5058

Requires NTIA to establish a grant program to assist local governments and Tribes with efficient review and approval of zoning or permitting applications that facilitate the deployment of broadband infrastructure.

Summary

Directs NTIA to establish a competitive grant program to assist local governments in providing efficient review and approval of zoning and permitting applications for the deployment of broadband infrastructure.

Legislative History

On August 20, 2021, H.R. 5028 was introduced by Representative Fletcher (TX-07) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on August 23, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

No further action was taken on H.R. 5058 in the 117th Congress.

PREVENTING DISRUPTIONS TO UNIVERSAL SERVICE FUNDS ACT

H.R. 5400

Extends through December 31, 2024, the waiver of certain budgetary restrictions on the USF to continue allowing the fund to incur obligations or make expenditures in advance of appropriations.

Summary

Exempts the USF programs from Antideficiency Act provisions until December 31, 2024.

Legislative History

On September 28, 2021, H.R. 5400 was introduced by Representatives Hayes (CT-05) and Veasey and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 29, 2021. A legislative hearing was held on the bill on October 6, 2021. The witnesses included John Fogle, Council Member, City of Loveland Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, Senior Vice President, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and Chief Executive Officer, PocketiNet.

On June 15, 2022, the Subcommittee on Communications and Technology met in open markup session, pursuant to notice, to consider H.R. 5400 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Curtis, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Communications and Technology agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 29 yeas to 0 nays.

No further action was taken on H.R. 5400 in the 117th Congress.

JUSTICE AGAINST MALICIOUS ALGORITHMS ACT OF 2021

H.R. 5596

Limits federal liability protection that applies to a provider of an interactive computer service (e.g., a social media company) for claims related to content provided by a third party if the provider makes personalized recommendations of online content that causes physical or emotional injury.

Summary

Amends section 230 of the Communications Act of 1934 to remove absolute immunity in certain instances. Specifically, the bill would lift the liability shield in section 230(c)(1) when an online platform knowingly or recklessly uses an algorithm to recommend content that materially contributes to physical or severe emotional injury. The bill includes exceptions, thus leaving the section 230(c)(1) immunity intact, for user-generated search, internet infrastructure such as web hosting or data storage and transfer, and for small online platforms with fewer than five million unique monthly visitors or users.

Legislative History

On October 15, 2021, H.R. 5596 was introduced by Representatives Pallone, Doyle, Schakowsky (IL-09), and Eshoo and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on September 29, 2021. A legislative hearing

was held on the bill on December 1, 2021. The witnesses included Frances Haugen, Former Facebook Employee; Rashad Robinson, President, Color of Change; James Steyer, Founder and CEO, Common Sense Media; Kara Frederick, Research Fellow in Technology Policy, The Heritage Foundation; The Honorable Karen Kornbluh, Director, Digital Innovation and Democracy Initiative and Senior Fellow; Carrie Goldberg, Esq., Owner, C. A. Goldberg Law Firm, PLLC; Matthew F. Wood, Vice President of Policy and General Counsel, Free Press Action; Dr. Mary Anne Franks, Professor of Law and Michael R. Klein Distinguished Scholar Chair, University of Miami School of Law, President and Legislative & Tech Policy Director, Cyber Civil Rights Initiative; Eugene Volokh, Gary T. Schwartz Distinguished Professor of Law, UCLA School of Law; and Daniel A. Lyons, Professor & Associate Dean for Academic Affairs, Boston College Law School, Nonresident Senior Fellow, American Enterprise Institute, The German Marshall Fund of the United States.

No further action was taken on H.R. 5596 in the 117th Congress.

REAFFIRMING THE COMMITMENT TO MEDIA DIVERSITY AND PLEDGING TO WORK WITH MEDIA ENTITIES AND DIVERSE STAKEHOLDERS TO DEVELOP COMMON GROUND SOLUTIONS TO ELIMINATE BARRIERS TO MEDIA DIVERSITY.

H. RES. 277

Reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity.

Summary

Reaffirms the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity.

Legislative History

On March 26, 2021, H. Res. 277 was introduced by Representative Demings (FL-10) and 59 other original bipartisan cosponsors and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Communications and Technology on March 29, 2021.

On July 19, 2021, H. Res. 277 was considered in the House under suspension of the rules. On July 20, 2021, pursuant to section 7 of H. Res. 535, H. Res. 277 was agreed to under suspension of the rules.

No further action was taken on H. Res. 277 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS TO THE HOUSE OF REPRESENTATIVES RELATING TO ONLINE CENSORSHIP OF POLITICAL SPEECH

H. Res. 1237

Requests the President to submit to the House of Representatives documents related to online censorship of political speech.

Summary

The President of the United States is requested to furnish to the House of Representatives, not later than 14 days after the date of adoption of this resolution, copies of any document, record, audio recording, memorandum, call log, correspondence (electronic or otherwise), or other communication in his possession, or any portion of any document, record, audio recording, memorandum, call log, correspondence (electronic or otherwise), or other communication, that, among other things, refers or relates to communications and coordination between the Executive Office of the President and social media companies regarding censorship, moderation, or removal of content on social media platforms.

Legislative History

H. Res. 1237 was introduced on July 20, 2022, by Representative Bishop (NC-09) and was referred to the Committee on Energy and Commerce. Subsequently, on July 21, 2022, the resolution was referred to the Subcommittee on Communications and Technology. The resolution was discharged from the Subcommittee on Communications and Technology on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1237, without amendment, adversely reported to the House by a recorded vote of 30 yeas and 18 nays.

On September 26, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1237 to the House (H. Rept. 117-496), and it was placed on the House Calendar, Calendar No. 113.

No further action was taken on H. Res. 1237 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES CERTAIN DOCUMENTS RELATING TO MISINFORMATION AND THE PRESERVATION OF FREE SPEECH

H. Res. 1264

Requests the President to submit to the House of Representatives documents related to misinformation and the preservation of free speech.

Summary

The President of the United States is requested to transmit to the House of Representatives, not later than 14 days after the date of adoption of this resolution, copies of any document, record, audio recording, memorandum, call log, correspondence (electronic or otherwise), or other communication in his possession, or any portion of any document, record, audio recording, memorandum, call log, correspondence (electronic or otherwise), or other communication, that refers or relates to the communication or coordination between the personnel of the Executive Office of the President and the personnel of the Federal Communications Commission (FCC) regarding the regulation of programming decisions by multichannel video programming distributors, broadcast stations, and video streaming services. The resolution also requests

documents regarding any efforts by the FCC to reinstate the “fairness doctrine” or to regulate Big Tech.

Legislative History

H. Res. 1264 was introduced on July 26, 2022, by Representative Carter (GA-01) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Communications and Technology. The resolution was discharged from the Subcommittee on Communications and Technology on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1264, without amendment, adversely reported to the House by a record vote of 30 yeas and 19 nays.

On September 28, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1264 to the House (H. Rept. 117-510), and it was placed on the House Calendar, Calendar No. 120.

No further action was taken on H. Res. 1264 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT TRANSMIT TO THE HOUSE OF REPRESENTATIVES CERTAIN DOCUMENTS RELATING TO ACTIVITIES OF THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION RELATING TO BROADBAND SERVICE

H. Res. 1271

Requests the President to submit to the House of Representatives documents related to the activities of the National Telecommunications and Information Administration (NTIA) relating to broadband service.

Summary

The President of the United States is requested to transmit to the House of Representatives, not later than 14 days after the date of adoption of this resolution, copies of any document, record, audio recording, memorandum, call log, correspondence (electronic or otherwise), or other communication in his possession, or any portion of any document, record, audio recording, memorandum, call log, correspondence (electronic or otherwise), or other communication between the personnel of the Executive Office of the President and NTIA personnel regarding the Connecting Minority Communities Pilot Program, the Tribal Broadband Connectivity Program, the Broadband Infrastructure Program, the Broadband Equity, Access, and Deployment Program, the State Digital Equity Capacity Grant Program, the Digital Equity Competitive Grant Program, or the middle mile infrastructure program established under the Infrastructure Investment and Jobs Act. The resolution also requests documents regarding communications between the Office of the Vice President and personnel at NTIA and FCC regarding Federal broadband policy since April 28, 2021. Finally, the resolution requests documents regarding communications between the personnel of the Executive Office of the President and personnel of NTIA, the FCC, the Department of Education, or the Department of Agriculture

regarding the overlap or duplication, or the potential thereof, among programs supporting broadband.

Legislative History

H. Res. 1271 was introduced on July 26, 2022, by Representative Hudson (NC-08) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Communications and Technology. The resolution was discharged from the Subcommittee on Communications and Technology on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1271, without amendment, adversely reported to the House by a recorded vote of 30 yeas and 19 nays.

On September 28, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1271 to the House (H. Rept. 117-512), and it was placed on the House Calendar, Calendar No. 122.

No further action was taken on H. Res. 1271 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT PROVIDE TO THE HOUSE OF REPRESENTATIVES CERTAIN DOCUMENTS OR RECORDS RELATING TO COORDINATION BETWEEN SOCIAL MEDIA COMPANIES AND THE BIDEN ADMINISTRATION ON INFORMATION, CENSORSHIP, AND CENSORSHIP MEETINGS IN ORDER TO SUPPRESS OR DEPLATFORM PERSONS OR INFORMATION THE ADMINISTRATION VIEWS AS MISINFORMATION, DISINFORMATION, AND MALINFORMATION ON COVID-19, HUNTER BIDEN, AND ELECTIONS, AND CERTAIN DOCUMENTS OR RECORDS RELATING TO PLANS TO PROVIDE GRANT FUNDING TO CONSORTIUMS, INCLUDING THE DEMOCRATIC NATIONAL COMMITTEE, IN THE UNITED STATES

H. Res. 1476

Requests the President to submit to the House of Representatives documents related to coordination between social media companies and the Biden administration on information, censorship, and censorship meetings in order to suppress or deplatform persons or information the administration views as misinformation, disinformation, and malinformation.

Summary

The resolution requests certain records from the President primarily pertaining to an unfounded allegation that a nonpartisan research collaboration created to counter disinformation about election processes or procedures, colludes with the current administration to remove opposing viewpoints from social media platforms.

Legislative History

H. Res. 1476 was introduced on November 16, 2022, by Representative Clyde (GA-09) and was referred to the Committee on Energy and Commerce. Subsequently, on November 17, 2022, the resolution was referred to the Subcommittee on Communications and Technology. The resolution was discharged from the Subcommittee on Communications and Technology on December 14, 2022.

On December 14, 2022, the Committee met in open markup session and ordered H. Res. 1476, without amendment, adversely reported to the House by a recorded vote of 28 yeas and 23 nays.

On December 16, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1476 to the House (H. Rept. 117-648), and it was placed on the House Calendar, Calendar No. 168.

No further action was taken on H. Res. 1476 in the 117th Congress.

OVERSIGHT ACTIVITIES

CONNECTING AMERICA: BROADBAND SOLUTIONS TO PANDEMIC PROBLEMS

On February 17, 2021, the Subcommittee on Communications and Technology held a hearing entitled “Connecting America: Broadband Solutions to Pandemic Problems.” The purpose of this hearing was to examine the digital divide, homework gap, and public access to critically important resources, such as telehealth and career services. The Subcommittee received testimony from Matthew F. Wood, Vice President of Policy and General Counsel, Free Press Action; Dr. Tiffany Anderson, Superintendent, Topeka Public Schools; Christopher M. Shelton, President, Communications Workers of America; and Jonathan Adelstein, President and CEO, Wireless Infrastructure Association.

FANNING THE FLAMES: DISINFORMATION AND EXTREMISM IN THE MEDIA

On February 24, 2021, the Subcommittee on Communications and Technology held a hearing entitled “Fanning the Flames: Disinformation and Extremism in the Media.” The purpose of this hearing was to examine the role of traditional media platforms – broadcasters and cable networks – in disseminating disinformation and extremist content to the American public. The Subcommittee received testimony from Soledad O’Brien, Anchor, Matter of Fact, CEO, Soledad O’Brien Productions; Emily Bell, Leonard Tow Professor of Journalism, Tow Center for Digital Journalism, Columbia University; Kristin Danielle Urquiza, Co-Founder, Marked by COVID; and Jonathan Turley, Professor, The George Washington University Law School.

DISINFORMATION NATION: SOCIAL MEDIA’S ROLE IN PROMOTING EXTREMISM AND DISINFORMATION

On March 25, 2021, the Subcommittee on Communications and Technology and the Subcommittee on Consumer Protection and Commerce held a joint hearing entitled “Disinformation Nation: Social Media’s Role in Promoting Extremism and Disinformation.” The purpose of this hearing was to examine the dissemination of misinformation and extremist content on social media online platforms operated by Facebook, Google, and Twitter, which all maximize their reach—and advertising dollars—by using algorithms or other technologies to promote content and make content recommendations that increase user

engagement. The Subcommittees received testimony from Mark Zuckerberg, Chairman and Chief Executive Officer, Facebook; Sundar Pichai, Chief Executive Officer, Google; and Jack Dorsey, Chief Executive Officer, Twitter.

LEADING THE WIRELESS FUTURE: SECURING AMERICAN NETWORK TECHNOLOGY

On April 21, 2021, the Subcommittee on Communications and Technology held a hearing entitled “Leading the Wireless Future: Securing American Network Technology.” The purpose of this hearing was to examine how to best modernize and secure United States wireless networks for the future. The Subcommittee received testimony from John Baker, Senior Vice President, Business Development, Mavenir; John Mezzalingua, Chief Executive Officer, JMA Wireless; Tim Donovan, SVP, Legislative Affairs, Competitive Carriers Association; Tareq Amin, EVP and Group Chief Technology Officer, Rakuten Mobile; and Diane Rinaldo, Executive Director, Open RAN Policy Coalition.

BROADBAND EQUITY: ADDRESSING DISPARITIES IN ACCESS AND AFFORDABILITY

On May 6, 2021, the Subcommittee on Communications and Technology held a hearing entitled “Broadband Equity: Addressing Disparities in Access and Affordability.” The purpose of this hearing was to examine the disparities that exist in accessing affordable, reliable high-speed internet. The Subcommittee received testimony from Joi Chaney, Executive Director of the Washington Bureau & Senior Vice President for Advocacy and Policy, National Urban League; Chris Lewis, President and Chief Executive Officer, Public Knowledge; Francella Ochillo, Executive Director, Next Century Cities; and George S. Ford, Chief Economist, Phoenix Center for Advanced Legal & Economic Public Policy Studies.

A SAFE AND WIRELESS FUTURE: SECURING OUR NETWORKS AND SUPPLY CHAINS

On June 30, 2021, the Subcommittee on Communications and Technology held a hearing entitled “A Safe Wireless Future: Securing Our Networks and Supply Chains.” The purpose of this hearing was to examine how the nation faces converging security, supply chain, and other policy issues related to the increasing number and diversity of wireless networks and devices. The Subcommittee received testimony from Dileep Srihari, Senior Policy Counsel, Access Partnership; Dean Brenner, SVP, Spectrum Strategy & Tech Policy, Qualcomm Inc.; Jason Boswell, Head of Security, Network Product Solutions, Ericsson; and Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

CONNECTING AMERICA: OVERSIGHT OF NTIA STRENGTHENING OUR COMMUNICATIONS NETWORKS TO MEET THE NEEDS OF CONSUMERS

On October 6, 2021, the Subcommittee on Communications and Technology held a hearing entitled “Strengthening Our Communications Networks to Meet the Needs of Consumers.” The purpose of this hearing was to examine the ways Congress can expand and strengthen access to essential communication networks

as Americans exceedingly become more reliant on the internet for telehealth, remote work, education, and entertainment. The Subcommittee received testimony from the Honorable John Fogle, Council Member, City of Loveland, Colorado, National League of Cities Information Technology and Communications Committee; Cheryl A. Leanza, Policy Advisor, United Church of Christ, Office of Communications, Inc.; Tim Donovan, SVP, Legislative Affairs, Competitive Carriers Association; and Todd Brandenburg, President and CEO, PocketiNet.

CONNECTING AMERICA: OVERSIGHT OF NTIA HOLDING BIG TECH ACCOUNTABLE:
TARGETED REFORMS TO TECH’S LEGAL IMMUNITY

On December 1, 2021, the Subcommittee on Communications and Technology held a hearing entitled “Holding Big Tech Accountable: Targeted Reforms to Tech’s Legal Immunity.” The purpose of this hearing was to examine ways to mitigate the harms related to social media platforms and examine how to hold social media companies and their leaders accountable. The Subcommittee received testimony from Frances Haugen, former Facebook employee; Rashad Robinson, President, Color of Change; James Steyer, Founder and CEO, Common Sense Media; Kara Frederick, Research Fellow in Technology Policy, The Heritage Foundation; Honorable Karen Kornbluh, Director of Digital Innovation and Democracy Initiative and Senior Fellow, The German Marshall Fund of the United States; Carrie Goldberg, Owner, C.A. Goldberg Law Firm PLLC; Matthew F. Wood, Vice President of Policy and General Counsel, Free Press Action; Mary Anne Franks, Professor of Law and Michael R. Klein Distinguished Scholar Chair, University of Miami School of Law, President and Legislative & Tech Policy Director, Cyber Civil Rights Initiative; Eugene Volokh, Gary T. Schwartz Distinguished Professor of Law, UCLA School of Law; and Daniel A. Lyons, Professor & Associate Dean for Academic Affairs, Boston College Law School, Nonresident Senior Fellow, American Enterprise Institute.

CONNECTING AMERICA: OVERSIGHT OF NTIA

On February 16, 2022, the Subcommittee on Communications and Technology held a hearing entitled “Connecting America: Oversight of NTIA.” The purpose of this hearing was to examine how the National Telecommunications and Information Administration (NTIA) plans to allocate and oversee the \$45 billion broadband investment passed as part of the Infrastructure Investment and Jobs Act to connect unserved and underserved Americans across the country, as well as gain insight into how NTIA is managing the other broadband grant programs Congress directed the agency to oversee and by Congress and how NTIA is collaborating with the Federal Communications Commission in overseeing our nation’s spectrum resources. The Subcommittee received testimony from The Honorable Alan Davidson, Assistant Secretary for Communications and Information, Administrator of NTIA, U.S. Department of Commerce.

5G AND BEYOND: EXPLORING THE NEXT WIRELESS FRONTIER

On March 16, 2022, the Subcommittee on Communications and Technology held a hearing entitled “5G and Beyond: Exploring the Next Wireless Frontier.” The purpose of this hearing was to examine how Congress can help facilitate the advancement of next-generation wireless technologies, including 5G and advanced Wi-Fi, to ensure the United States uses these technologies to benefit consumers and to remain a global leader in this important economic sector. The Subcommittee received testimony from Scott Bergmann, Senior Vice President, Regulatory Affairs, CTIA; Mary L. Brown, Senior Director, Government Affairs, Cisco Systems, Inc.; Greg Guice, Director of Government Affairs, Public Knowledge; Jayne Stancavage, Global Executive Director, Product and Digital Infrastructure Policy, Intel Corporation; and Von Todd, Chief Executive of Corporate Strategy and Analytics, HTC Inc., Director, Competitive Carriers Association Board of Directors.

CONNECTING AMERICA: OVERSIGHT OF THE FCC

On March 31, 2022, the Subcommittee on Communications and Technology held a hearing entitled “Connecting America: Oversight of the FCC.” The purpose of this hearing was to hear from the Commissioners of the Federal Communications Commission (FCC) about the agency’s work to connect all Americans regardless of income or zip code, promote secure and resilient networks, and replenish our nation’s spectrum pipeline for commercial wireless use. The Subcommittee received testimony from The Honorable Jessica Rosenworcel, Chairwoman of the FCC; The Honorable Brendan Carr, Commissioner, FCC; The Honorable Geoffrey Starks, Commissioner, FCC; and The Honorable Nathan Simington, Commissioner, FCC.

SUBCOMMITTEE ON ENERGY
LEGISLATIVE ACTIVITIES

INFRASTRUCTURE INVESTMENT AND JOBS ACT

PUBLIC LAW 117-58

(H.R. 3684, H.R. 806, H.R. 1221, H.R. 1374, H.R. 1879, H.R. 1992, H.R. 2852,
H.R. 2948, H.R. 4261, H.R. 4909, H.R. 4960)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

This bill provides funding for infrastructure projects, including roads, bridges, and major projects; passenger and freight rail; highway and pedestrian safety; public transit; broadband; ports and waterways; airports; water infrastructure; power and grid reliability and resiliency; resiliency; clean school buses and ferries; electric vehicle charging; addressing legacy pollution; and western water infrastructure. The bill also revises requirements governing the designation of a national interest electric transmission corridor.

Division M Section 17101 was inspired by H.R. 806, the “Clean Energy and Sustainability Accelerator Act.” This section was not included in the Public Law but was passed in the version of H.R. 3684 that was engrossed in the House.

Division D Title III Subtitle A Sections 40302 – 40306 were inspired by H.R. 1992, the “Storing CO₂ and Lowering Emissions (SCALE) Act.” These sections establish programs within the DOE that provide financial support and incentives to develop infrastructure for carbon dioxide capture, transport, utilization, and storage. Those programs include a Carbon-to-Value Research, Development, and Demonstration center to support the research, development and deployment of advanced fuels and chemicals made from carbon dioxide; a new CO₂ Infrastructure Finance and Innovation Act to provide low interest loans and grants to build CO₂ transportation infrastructure; and support for commercial-scale saline geologic storage projects.

Division D Title III Subtitle B Sections 40313 – 40315 were inspired by H.R. 4909, the “Clean Hydrogen Energy Act.” These sections set forth provisions to advance the research, development, demonstration, and deployment of hydrogen. These provisions require DOE to fund research, development, and demonstration projects to advance new clean hydrogen production, processing, delivery, cost, and storage. DOE must also establish a program to support the development of Regional Clean Hydrogen Hubs and develop a national clean hydrogen strategy and roadmap.

Division P Title I Subtitle B Sections 20111 – 20114 were inspired by H.R. 1221, the “Electric Vehicles for Underserved Communities Act of 2021.” These sections establish a program at DOE to support the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities. Under the program, DOE shall provide technical assistance and award grants to increase the deployment and accessibility of electric vehicle charging infrastructure in such communities. Additionally, this bill establishes an education and outreach component of the program to ensure underserved and

disadvantaged communities are familiar with the benefits and opportunities of EV charging. These sections were not included in the Public Law but were passed in the version of H.R. 3684 that was engrossed in the House.

Division D Title I Subtitle A Section 40108 was inspired by H.R. 1374, the “Enhancing State Energy Security Planning and Emergency Preparedness Act of 2021.” This section authorizes DOE to provide financial assistance to states for the implementation, review, and revision of a state energy security plan that assesses the state's existing circumstances and proposes methods to strengthen the ability of the state to have a reliable, secure, and resilient energy infrastructure. A state energy security plan must contain specified content, including a risk assessment of energy infrastructure and cross-sector interdependencies and a risk mitigation approach to enhance reliability and end-use resilience. The plan must address potential hazards to each energy sector or system, including physical threats, and cybersecurity threats and vulnerabilities. Upon request of a state, DOE may provide information and technical assistance, and other assistance, in the development, implementation, or revision of a state energy security plan. Division P Title II Section 20201; Section 20103; Section 20105; and Section 20107 were inspired by H.R. 1879 "U.S.A. Electrify Forward Act." These sections provide provides incentives (e.g., grants and loans) for the development, production, manufacturing, and distribution of electric vehicles and charging infrastructure for such vehicles. This section was not included in the Public Law but was passed in the version of H.R. 3684 that was engrossed in the House.

Division P Title I Subtitle A Sections 20102 – 20108; and Title II Section 20201 were inspired by H.R. 2852, the “NO EXHAUST Act of 2021.” These sections establish incentives and related requirements to encourage the manufacture and use of electric, fuel-efficient, or zero-emission vehicles. For example, the bill directs DOE to establish a program to provide rebates for expenses associated with publicly accessible electric vehicle supply equipment (e.g., power outlets). In addition, the bill reauthorizes existing grant programs and creates new grant programs, such as grants for the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities. It also revises a loan program that provides incentives to manufacture advanced vehicles, including by allowing loans to be awarded through FY2031. Finally, the bill establishes minimum conservation requirements for federal fleets of vehicles. This section was not included in the Public Law but was passed in the version of H.R. 3684 that was engrossed in the House.

Division P Title II Section 20201 was inspired by H.R. 2852, the “NO EXHAUST Act of 2021.” This section establishes incentives and related requirements to encourage the manufacture and use of electric, fuel-efficient, or zero-emission vehicles. For example, the bill directs DOE to establish a program to provide rebates for expenses associated with publicly accessible electric vehicle supply equipment (e.g., power outlets). In addition, the bill reauthorizes existing grant programs and creates new grant programs, such as grants for the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities. It also revises a loan program that provides incentives to manufacture advanced vehicles, including by allowing loans to be awarded through FY2031. Finally, the bill establishes minimum conservation requirements for federal fleets of vehicles. This section was not included in the

Public Law but was passed in the version of H.R. 3684 that was engrossed in the House.

Division P Title I Subtitle A Section 20102 was inspired by H.R. 2948, the “Electric Vehicle Infrastructure Rebate Act of 2021.” This section requires DOE to establish a rebate program to encourage investment in electric vehicle charging infrastructure. The program must provide rebates for certain expenses associated with electric vehicle supply equipment located at workplaces, multi-unit housing structures, and publicly accessible locations. This section was not included in the Public Law but was passed in the version of H.R. 3684 that was engrossed in the House.

Division C Title J Section 8206 was inspired by H.R. 4261, the “Pipeline Seismic Safety Study Act.” This section requires the Department of Transportation (DOT) to contract with the National Academy of Sciences for a study evaluating federal requirements for pipeline facilities concerning seismicity, erosion, and other dynamic geological conditions. DOT must consult with the FERC on the study. This section was not included in the Public Law but was passed in the version of H.R. 3684 that was engrossed in the House.

Division D Title III Subtitle C Section 40323 was inspired by H.R. 4960, the “Preserving Existing Nuclear Energy Generation Act.” This section requires the DOE to establish a program to evaluate nuclear reactors that are projected to cease operations due to economic factors and to allocate financial credits to certain reactors, and to create a grant program to assist communities with revenue shortfalls due to closures of nuclear power plants.

Legislative History

On February 4, 2021, H.R. 806 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, Transportation and Infrastructure, and Agriculture. The bill was subsequently referred to the Subcommittee on Energy on February 5, 2021.

No further action was taken on H.R. 806 in the 117th Congress. The provisions of H.R. 806 were included in H.R. 3684.

On February 23, 2021, H.R. 1221 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on February 24, 2021.

On May 5, 2021, the Subcommittee on Energy held a legislative hearing on four bills, including H.R. 1221. The witnesses included Amol Phadke, M.S., Ph.D., Staff Scientist and Deputy Department Head, International Energy Analysis Department, Lawrence Berkeley National Laboratory; Joe Britton, Executive Director, Zero Emissions Transportation Association; Josh Nassar, Legislative Director, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW); David Jankowsky, Founder and President, Francis Energy; Michelle Michot Foss, Ph.D., Fellow in Energy & Minerals, Baker Institute for Public Policy, Center for Energy Studies, Rice University; and AJ Siccardi, President, Metroplex Energy.

No further action was taken on H.R. 1221 in the 117th Congress. The provisions of H.R. 1221 were included in H.R. 3684.

On February 25, 2021, H.R. 1374 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 26, 2021.

On June 22, 2021, the House considered H.R. 1374 under suspension of the rules and the bill passed by a recorded vote of 398 yeas to 21 nays (Roll no. 173).

On June 23, 2021, the Senate received H.R. 1374, read the bill twice, and referred it to the Senate Committee on Energy and Natural Resources.

No further action was taken on H.R. 1374 in the 117th Congress. The provisions of H.R. 1374 were included in H.R. 3684.

On March 12, 2021, H.R. 1879 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 16, 2021.

No further action was taken on H.R. 1879 in the 117th Congress. The provisions of H.R. 1879 were included in H.R. 3684.

On March 17, 2021, H.R. 1992 was introduced by Representative Veasey and referred to the Committee on Science, Space, and Technology, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Energy on the same day.

No further action was taken on H.R. 1992 in the 117th Congress. The provisions of H.R. 1992 were included in H.R. 3684.

On April 26, 2021, H.R. 2852 was introduced by Representative Rush and referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Reform and Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on April 27, 2021.

On May 5, 2021, the Subcommittee on Energy held a legislative hearing on four bills, including H.R. 2852. The witnesses included Amol Phadke, M.S., Ph.D., Staff Scientist and Deputy Department Head, International Energy Analysis Department, Lawrence Berkeley National Laboratory; Joe Britton, Executive Director, Zero Emissions Transportation Association; Josh Nassar, Legislative Director, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW); David Jankowsky, Founder and President, Francis Energy; Michelle Michot Foss, Ph.D., Fellow in Energy & Minerals, Baker Institute for Public Policy, Center for Energy Studies, Rice University; and AJ Siccardi, President, Metroplex Energy.

No further action was taken on H.R. 2852 in the 117th Congress. The provisions of H.R. 2852 were included in H.R. 3684.

On April 30, 2021, H.R. 2948 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 3, 2021.

No further action was taken on H.R. 2948 in the 117th Congress. The provisions of H.R. 2948 were included in H.R. 3684.

On June 30, 2021, H.R. 4261 was introduced by Representative Garamendi (D-CA) and referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on July 1, 2021.

No further action was taken on H.R. 4261 in the 117th Congress. The provisions of H.R. 4261 were included in H.R. 3684.

On August 3, 2021, H.R. 4909 was introduced by Representative Doyle and referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on August 4, 2021.

No further action was taken on H.R. 4909 in the 117th Congress. The provisions of H.R. 4909 were included in H.R. 3684.

On August 6, 2021, H.R. 4960 was introduced by Representative Kinzinger and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Financial Services. The bill was subsequently referred to the Subcommittee on Energy on August 9, 2021.

No further action was taken on H.R. 4960 in the 117th Congress. The provisions of H.R. 4960 were included in H.R. 3684.

On June 4, 2021, H.R. 3684 was introduced by Representative DeFazio (OR-04) and referred to the Committee on Transportation and Infrastructure.

On June 22, 2021, the Committee on Transportation and Infrastructure reported H.R. 3684 to the House (H. Rept. 117-70) and filed a supplemental report (H. Rept. 117-70, Part II) on June 29, 2021. On July 1, 2021, H.R. 3684 was passed in the House by a recorded vote of 221 yeas to 201 nays (Roll Call No. 208).

On July 12, 2021, H.R. 3684 was received in the Senate. On August 10, 2021, H.R. 3684 passed the Senate with an amendment by a roll call vote of 69 yeas to 30 nays (Record Vote No. 314).

On September 27, 2021, pursuant to the provisions of H. Res. 601, Representative DeFazio moved that the House agree to the Senate amendment to H.R. 3684. On November 5, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 228 yeas to 206 nays (Roll no. 369).

On November 8, 2021, H.R. 3684 was presented to the President and signed into law (Public Law No. 117-58).

INFLATION REDUCTION ACT OF 2022

PUBLIC LAW 117-169 (H.R. 5376, H.R. 806, H.R. 1335)

To provide for reconciliation pursuant to title II of S. Con. Res. 14.

Summary

This bill provides funding, establishes programs, and otherwise modifies provisions relating to a broad array of areas, including education, labor, childcare, health care, taxes, immigration, safe drinking water, air quality, and energy-efficiency projects, electric vehicles, emissions reductions, heavy-duty vehicles, clean energy projects in low-income communities, the environment, and more.

Section 60103 of H.R. 5376 was inspired by H.R. 806, the “Clean Energy and Sustainability Accelerator Act.” This section establishes and capitalizes a Clean Energy and Sustainability Accelerator. The independent, nonprofit accelerator would invest in clean energy technologies and infrastructure to reduce greenhouse gas emissions and combat climate change, prioritizing investments that serve climate-impacted communities. The accelerator would be required to

make capital available to state, territorial, or local green banks. The accelerator may also provide technical assistance and funding to states and other political subdivisions.

Section 60104 of H.R. 5376 was inspired by H.R. 1335, the “Fostering and Realizing Electrification by Encouraging Zero Emission Refrigeration Trucks Act of 2021.” This section requires EPA to establish a pilot program to award grants, rebates, or low-cost revolving loans for electrifying or retiring diesel-powered transport refrigeration units in certain heavy-duty vehicles.

Legislative History

On February 4, 2021, H.R. 806 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, Transportation and Infrastructure, and Agriculture. The bill was subsequently referred to the Subcommittee on Energy on February 5, 2021.

No further action was taken on H.R. 806 in the 117th Congress. Provisions of H.R. 806 were included in H.R. 5376.

On September 13, 14, and 15, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. Subtitle A, “Budget Reconciliation Legislative Recommendations Relating to Air Pollution,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle B, “Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle K, “Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas to 25 nays. Subtitle L, “Budget Reconciliation Legislative Recommendations Relating to Wireless Connectivity,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle M, “Budget Reconciliation Legislative Recommendations Relating to Distance Learning,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle C, “Budget Reconciliation Legislative Recommendations Relating to Drinking Water,” was ordered transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle D, “Budget Reconciliation Legislative Recommendations Relating to Energy,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 30 yeas and 27 nays. The Committee on Energy and Commerce transmitted these subtitles to the Committee on Budget and they were incorporated into H.R. 5376.

On September 27, 2021, H.R. 5376 was introduced by Representative Yarmuth (KY-3) and referred to the Committee on Budget.

On July 1, 2021, the Committee on Appropriations reported H.R. 5376 to the House (H. Rept. 117-130). On November 19, 2021, H.R. 5376 was passed in the House by a recorded vote of 220 yeas to 213 nays (Roll Call No. 385).

On August 2, 2022, H.R. 5376 was received in the Senate, read twice, and referred to the Committee on Banking, Housing, and Urban Affairs. A hearing on the bill was held on August 4, 2022.

On August 7, 2022, H.R. 5376 passed the Senate with an amendment by a recorded vote of 51 yeas to 50 nays (Record Vote Number: 325).

On August 12, 2022, pursuant to the provisions of H.Res. 1316, the House agreed to the Senate amendment by a roll call vote of 220 yeas to 207 nays (Roll no. 420).

On August 15, 2022, H.R. 5376 was presented to the President and signed into law on August 16, 2022 (Public Law No. 117-169).

CLEAN FUTURE ACT

H.R. 1512

(H.R. 156, H.R. 425, H.R. 448, H.R. 806, H.R.1221, H.R. 1374, H.R. 1375, H.R. 1485, H.R. 1879, H.R. 2263, H.R. 2308, H.R. 2309, H.R. 2721, H.R. 2818, H.R. 2823, H.R. 3296, H.R. 3399, H.R. 3568)

To build a clean and prosperous future by addressing the climate crisis, protecting the health and welfare of all Americans, and putting the Nation on the path to a net-zero greenhouse gas economy by 2050, and for other purposes.

Summary

This bill creates requirements and incentives to reduce emissions of greenhouse gases. The bill establishes an interim goal to reduce greenhouse gas emissions to at least 50 percent below 2005 levels by 2030 as well as a national goal to achieve net-zero greenhouse gas emissions by 2050. Each federal agency must develop a plan to achieve the goals. Beginning in 2023, retail electricity suppliers must provide an increasing percentage of electricity that is generated without the release of greenhouse gases into the atmosphere (zero-emission electricity). By 2035, the suppliers must provide 100 percent zero-emission electricity or demonstrate alternative means of compliance. The bill also establishes a variety of requirements, programs, and incentives to reduce or eliminate greenhouse gas emissions by modernizing the electric grid and supporting clean energy microgrids; increasing the use of renewable energy and advanced nuclear power technologies; increasing energy efficiency in buildings, homes, and appliances; supporting clean transportation, including electric vehicles and related charging infrastructure; issuing greenhouse gas standards for certain vehicles, engines, and aircraft; promoting manufacturing and industrial decarbonization, including through buy-clean programs; supporting environmental justice efforts; and reducing methane, plastics, and super pollutants.

Legislative History

On January 4, 2021, H.R. 156 was introduced by Representative Rush and referred to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 2, 2021.

No further action was taken on H.R. 156 in the 117th Congress. The provisions of H.R. 156 were included in H.R. 1512.

On January 21, 2021, H.R. 425 was introduced by Representative Stanton (D-AZ) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 2, 2021.

No further action was taken on H.R. 425 in the 117th Congress. The provisions of H.R. 425 were included in H.R. 1512.

On January 25, 2021, H.R. 448 was introduced by Representative Barragán and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on February 2, 2021.

No further action was taken on H.R. 448 in the 117th Congress. The provisions of H.R. 448 were included in H.R. 1512.

On February 4, 2021, H.R. 806 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, Transportation and Infrastructure, and Agriculture. The bill was subsequently referred to the Subcommittee on Energy on February 5, 2021.

No further action was taken on H.R. 806 in the 117th Congress. The provisions of H.R. 806 were included in H.R. 1512.

On February 23, 2021, H.R. 1221 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on February 24, 2021.

On May 5, 2021, the Subcommittee on Energy held a legislative hearing on four bills, including H.R. 1221. The witnesses included Amol Phadke, M.S., Ph.D., Staff Scientist and Deputy Department Head, International Energy Analysis Department, Lawrence Berkeley National Laboratory; Joe Britton, Executive Director, Zero Emissions Transportation Association; Josh Nassar, Legislative Director, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW); David Jankowsky, Founder and President, Francis Energy; Michelle Michot Foss, Ph.D., Fellow in Energy & Minerals, Baker Institute for Public Policy, Center for Energy Studies, Rice University; and AJ Siccardi, President, Metroplex Energy.

No further action was taken on H.R. 1221 in the 117th Congress. The provisions of H.R. 1221 were included in H.R. 1512.

On February 25, 2021, H.R. 1374 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 26, 2021.

On June 22, 2021, the House considered H.R. 1374 under suspension of the rules and the bill passed by a recorded vote of 398 yeas to 21 nays (Roll no. 173).

On June 23, 2021, the Senate received H.R. 1374, read the bill twice, and referred it to the Senate Committee on Energy and Natural Resources.

No further action was taken on H.R. 1374 in the 117th Congress. The provisions of H.R. 1374 were included in H.R. 1512.

On February 25, 2021, H.R. 1375 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 26, 2021.

No further action was taken on H.R. 1375 in the 117th Congress. The provisions of H.R. 1375 were included in H.R. 1512.

On March 2, 2021, H.R. 1485 was introduced by Representative Blunt Rochester and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 3, 2021.

No further action was taken on H.R. 1485 in the 117th Congress. The provisions of H.R. 1485 were included in H.R. 1512.

On March 12, 2021, H.R. 1879 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 16, 2021.

No further action was taken on H.R. 1879 in the 117th Congress. The provisions of H.R. 1879 were included in H.R. 1512.

On March 26, 2021, H.R. 2263 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 29, 2021.

No further action was taken on H.R. 2263 in the 117th Congress. The provisions of H.R. 2263 were included in H.R. 1512.

On April 1, 2021, H.R. 2308 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 2, 2021.

On May 5, 2021, the Subcommittee on Energy held a legislative hearing on four bills, including H.R. 2308. The witnesses included Amol Phadke, M.S., Ph.D., Staff Scientist and Deputy Department Head, International Energy Analysis Department, Lawrence Berkeley National Laboratory; Joe Britton, Executive Director, Zero Emissions Transportation Association; Josh Nassar, Legislative Director, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW); David Jankowsky, Founder and President, Francis Energy; Michelle Michot Foss, Ph.D., Fellow in Energy & Minerals, Baker Institute for Public Policy, Center for Energy Studies, Rice University; and AJ Siccardi, President, Metroplex Energy.

No further action was taken on H.R. 2308 in the 117th Congress. The provisions of H.R. 2308 were included in H.R. 1512.

On April 1, 2021, H.R. 2309 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 2, 2021.

No further action was taken on H.R. 2309 in the 117th Congress. The provisions of H.R. 2309 were included in H.R. 1512.

On April 21, 2021, H.R. 2721 was introduced by Representative Cárdenas and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 22, 2021.

No further action was taken on H.R. 2721 in the 117th Congress. The provisions of H.R. 2721 were included in H.R. 1512.

On April 22, 2021, H.R. 2818 was introduced by Representative Sherrill (D-NJ) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 23, 2021.

No further action was taken on H.R. 2818 in the 117th Congress. The provisions of H.R. 2818 were included in H.R. 1512.

On April 22, 2021, H.R. 2823 was introduced by Representative Takano (D-CA) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on April 23, 2021.

No further action was taken on H.R. 2823 in the 117th Congress. The provisions of H.R. 2823 were included in H.R. 1512.

On May 18, 2021, H.R. 3296 was introduced by Representative Cartwright (D-PA) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 29, 2021.

No further action was taken on H.R. 3296 in the 117th Congress. The provisions of H.R. 3296 were included in H.R. 1512.

On May 20, 2021, H.R. 3399 was introduced by Representative Grothman (R-WI) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 21, 2021.

No further action was taken on H.R. 3399 in the 117th Congress. The provisions of H.R. 3399 were included in H.R. 1512.

On May 28, 2021, H.R. 3568 was introduced by Representative Cárdenas and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 31, 2021.

No further action was taken on H.R. 3568 in the 117th Congress. The provisions of H.R. 3568 were included in H.R. 1512.

On March 2, 2021, H.R. 1512 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure; Oversight and Reform, Education and Labor; Ways and Means; Natural Resources; Armed Services; Foreign Affairs; Science, Space, and Technology; Intelligence (Permanent Select); and Financial Services. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 3, 2021.

The Subcommittee on Energy held three legislative hearings on H.R. 1512 on the following dates: March 24, 2021; May 5, 2021; and June 29, 2021. The Subcommittee on Environment and Climate Change held five legislative hearings on H.R. 1512 on the following dates: March 18, 2021; April 15, 2021; May 13, 2021; May 25, 2021; and June 30, 2022.

No further action was taken on H.R. 1512 in the 117th Congress.

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE IN TECHNOLOGY, AND ECONOMIC STRENGTH ACT OF 2022

H.R. 4521

(H.R. 5332, H.R. 2818, H.R. 1848, H.R. 2822, H.R. 6779, H.R. 5109, H.R. 4676)

To provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

Summary

This bill addresses U.S. technology and communications, foreign relations and national security, domestic manufacturing, education, trade, and other matters. Provisions that passed the House but did not make it into the public law include programs that would create a strategic transformer reserve and resilience program, provide financial assistance for the manufacturing of solar components and for state flex-tech energy programs, reduce emissions from natural gas

distribution systems, support for transformative industrial technologies, and obligate states to consider energy storage as part of their utility planning.

Section 20301 of H.R. 4521 was inspired by H.R. 6779, the “GRID Act of 2022.” This section directs the Secretary of Energy to establish a program to reduce the vulnerability of the electric grid to physical attack, cyber attack, and other events, including by ensuring that large power transformers and other critical electric grid equipment are strategically located to ensure timely replacement of such equipment as may be necessary, and for other purposes.

Section 20302 of H.R. 4521 was inspired by H.R. 5332, the “Reclaiming the Solar Supply Chain Act of 2021.” This section requires DOE to establish a program to award grants and loans to support a solar component manufacturing supply chain. Under the program, grants and loans must be used for (1) the construction of new facilities that manufacture solar components; and (2) retooling, retrofitting, or expanding existing facilities that manufacture solar components.

Section 20303 of H.R. 4521 was inspired by H.R. 5109, the “First Three Act of 2021.” This section requires the Advanced Manufacturing Office of DOE to establish a program to provide grants or loan guarantees for certain innovative technology projects at industrial plants. The technology must (1) be technically viable at pilot scale and ready for commercial-scale implementation, (2) be able to reduce the energy use or greenhouse gas emissions, and (3) have the potential to reduce annual U.S. industrial energy use or greenhouse gas emissions by at least 1 percent once the technology is fully implemented at appropriate industrial plants in the United States.

Section 20304 of H.R. 4521 was inspired by H.R. 2818, the “Mitigate Methane Now Act.” This section directs DOE to establish a program to provide grants to states that may be used to offset rate increases that result from infrastructure improvements to natural gas distribution systems and that are paid by low-income households.

Section 20307 of H.R. 4521 was inspired by H.R. 4676, the “State Industrial Competitiveness Act of 2021.” This section provides financial assistance to States and Indian Tribes for the development, implementation, improvement, or expansion of a flex-tech energy program to enhance manufacturing competitiveness, and for other purposes.

Legislative History

On September 22, 2021, H.R. 5332 was introduced by Representative Demings (FL-10) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on September 23, 2021.

No further action was taken on H.R. 5332 in the 117th Congress. The provisions of H.R. 5332 were included in H.R. 4521.

On April 22, 2021, H.R. 2818 was introduced by Representative Sherrill (D-NJ) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on April 23, 2021.

No further action was taken on H.R. 2818 in the 117th Congress. The provisions of H.R. 2818 were included in H.R. 4521.

On March 11, 2021, H.R. 1848 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce, and in addition to the

Committees on Transportation and Infrastructure; Natural Resources; Science, Space, and Technology; Ways and Means; Education and Labor; Agriculture; and Oversight and Reform.

On March 22, 2021, the Full Committee held a legislative hearing on H.R. 1848. The witnesses included the Honorable Ernest J. Moniz, President and Chief Executive Officer of Energy Futures Initiative, Former Secretary of the Department of Energy; Tom Frieden, M.D., M.P.H., President and Chief Executive Officer of Resolve to Save Lives, an initiative of Vital Strategies, Former Director of Centers for Disease Control and Prevention; the Honorable Michael O'Rielly, Principal of MPORielly Consulting, LLC, Former Commissioner of the Federal Communications Commission; and the Honorable Tom Wheeler, Visiting Fellow at the Brookings Institution, Senior Fellow at Harvard Kennedy School, Former Chairman of the Federal Communications Commission.

No further action was taken on H.R. 1848 in the 117th Congress. Provisions of H.R. 1848 were included in H.R. 4521.

On April 22, 2021, H.R. 2822 was introduced by Representative Takano (D-CA) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. It was subsequently referred to the Subcommittee on Energy on April 22, 2021.

No further action was taken on H.R. 2822 in the 117th Congress. The provisions of H.R. 2822 were included in H.R. 4521.

On February 18, 2022, H.R. 6779 was introduced by Representative Lamb (PA-17) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on February 21, 2022.

No further action was taken on H.R. 6779 in the 117th Congress. The provisions of H.R. 6779 were included in H.R. 4521.

On August 27, 2021, H.R. 5109 was introduced by Representative Castor and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on August 30, 2021.

No further action was taken on H.R. 5109 in the 117th Congress. The provisions of H.R. 5109 were included in H.R. 4521.

On July 22, 2021, H.R. 4676 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on July 23, 2021.

No further action was taken on H.R. 4676 in the 117th Congress. The provisions of H.R. 4676 were included in H.R. 4521. On July 19, 2021, H.R. 4521 was introduced by Representatives Johnson (TX-30) and Lucas (OK-03) referred to the Committee on Science, Space, and Technology, the Committee on Agriculture, and the Committee on Energy and Commerce.

On January 19, 2022, the Committee on Science, Space, and Technology reported H.R. 4521 to the House (H. Rept. 117-235, Part I). On February 2, 2022, H.R. 4521 was considered in the House. On February 4, 2022, H.R. 4521 was passed in the House, amended, by a recorded vote of 222 yeas to 210 nays (Roll Call No. 31).

On February 17, 2022, H.R. 4521 was received in the Senate. On March 28, 2022, H.R. 4521 passed the Senate having achieved 60 votes in the affirmative, with an amendment by a recorded vote of 68 yeas to 28 nays (Record Vote

Number: 109). On March 29, 2022, the message on Senate action sent to the House.

On March 31, 2022, a motion that the House disagree to the Senate amendment, and request a conference was agreed to without objection. On April 4, 2022, the Speaker appointed conferees from the Committee on Energy and Commerce for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Pallone, Eshoo, Schakowsky, Matsui, Tonko, Blunt Rochester, Soto, Rodgers, Bucshon, Carter, Duncan, and Crenshaw.

No further action was taken on H.R. 4521 in the 117th Congress.

ENERGY EMERGENCY LEADERSHIP ACT

H.R. 3119

To amend the Department of Energy Organization Act with respect to functions assigned to Assistant Secretaries, and for other purposes.

Summary

This bill requires the Secretary of Energy to assign energy emergency and energy security functions to an Assistant Secretary, including responsibilities with respect to infrastructure and cybersecurity. The Department of Energy must ensure that such functions are performed in coordination with relevant federal agencies.

Legislative History

On May 11, 2021, H.R. 3119 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 12, 2021. On June 9, 2021, the Subcommittee on Energy was discharged from further consideration of H.R. 3119.

On June 10, 2021, the Committee on Energy and Commerce met in open markup session to consider H.R. 3119 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On July 19, 2021, the Committee on Energy and Commerce reported H.R. 3119 to the House (H. Rept. 117-94), and the bill was placed on the Union Calendar (Calendar No. 68). On that same day, the House considered H.R. 3119 under suspension of the Rules and the bill passed, without amendment, by a voice vote.

On July 20, 2021, the Senate received H.R. 3119, read the bill twice, and referred it to the Senate Committee on Energy and Natural Resources. On March 1, 2022, the Senate Committee on Energy and Natural Resources held a hearing on the bill.

No further action was taken on H.R. 3119 in the 117th Congress.

PIPELINE AND LNG FACILITY CYBERSECURITY PREPAREDNESS ACT

H.R. 3078

To require the Secretary of Energy to carry out a program relating to physical security and cybersecurity for pipelines and liquefied natural gas facilities.

Summary

This bill requires the Department of Energy to implement a program to ensure the security, resiliency, and survivability of natural gas pipelines, hazardous liquid pipelines, and liquefied natural gas facilities.

Legislative History

On May 11, 2021, H.R. 3078 was introduced by Representative Upton and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 12, 2021. On June 9, 2021, the Subcommittee on Energy was discharged from further consideration of H.R. 3078.

On June 10, 2021, the Committee on Energy and Commerce met in open markup session to consider H.R. 3078 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

No further action was taken on H.R. 3078 in the 117th Congress.

ENHANCING GRID SECURITY THROUGH PUBLIC-PRIVATE PARTNERSHIPS ACT

H.R. 2931

To provide for certain programs and developments in the Department of Energy concerning the cybersecurity and vulnerabilities of, and physical threats to, the electric grid, and for other purposes.

Summary

This bill directs Department of Energy to implement a program to facilitate and encourage public-private partnerships in order to address and mitigate the physical security and cybersecurity risks of electric utilities. In carrying out the program, Department of Energy must take into consideration different sizes of electric utilities and the regions that such utilities serve, prioritize electric utilities with fewer available resources due to size or region, and utilize and leverage existing Department of Energy programs.

Legislative History

On April 30, 2021, H.R. 2931 was introduced by Representative McNerney and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 3, 2021. On June 9, 2021, the Subcommittee on Energy was discharged from further consideration of H.R. 2931.

On June 10, 2021, the Committee on Energy and Commerce met in open markup session to consider H.R. 2931 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On July 19, 2021, the Committee on Energy and Commerce reported H.R. 2931 to the House (H. Rept. 117-93), and the bill was placed on the Union

Calendar (Calendar No. 67). On that same day, the House considered H.R. 2931 under suspension of the Rules and the bill passed, without amendment, by a voice vote.

On July 20, 2021, the Senate received H.R. 2931, read the bill twice, and referred it to the Senate Committee on Energy and Natural Resources.

No further action was taken on H.R. 2931 in the 117th Congress.

CYBER SENSE ACT OF 2021

H.R. 2928

To require the Secretary of Energy to establish a voluntary Cyber Sense program to test the cybersecurity of products and technologies intended for use in the bulk-power system, and for other purposes.

Summary

This bill requires Department of Energy to establish a voluntary Cyber Sense program to test the cybersecurity of products and technologies intended for use in the bulk-power system. The bulk-power system includes facilities and control systems necessary for operating an interconnected electric energy transmission network.

Legislative History

On April 30, 2021, H.R. 2928 was introduced by Representative Latta and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on May 3, 2021. On June 9, 2021, the Subcommittee on Energy was discharged from further consideration of H.R. 2928.

On June 10, 2021, the Committee on Energy and Commerce met in open markup session to consider H.R. 2928 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On July 19, 2021, the Committee on Energy and Commerce reported H.R. 2928 to the House (H. Rept. 117-92), and the bill was placed on the Union Calendar (Calendar No. 66). On July 20, 2021, the House considered and passed H.R. 2928 under suspension of the Rules, without amendment.

On July 20, 2021, the Senate received H.R. 2928, read the bill twice, and referred it to the Senate Committee on Energy and Natural Resources.

No further action was taken on H.R. 2928 in the 117th Congress.

TRIBAL ENERGY INVESTMENT ACT OF 2022

H.R. 8068

To amend the Energy Policy Act of 2005 to include in a report the amount available to the Secretary of Energy to make certain loan guarantees, to amend the Energy Policy Act of 1992 to provide for direct loans to Indian tribes and tribal

energy development organizations for energy development, and for other purposes.

Summary

This bill amends the Energy Policy Act of 2005 to require the Secretary of Energy to submit a biennial report on the status of applications for, and projects receiving, guarantees under Title XVII of the Energy Policy Act of 2005. The bill also amends the Energy Policy Act of 1992 to permit the Secretary of Energy to issue direct loans to tribes and tribal energy development organizations for the purpose of energy development. Finally, it makes appropriations already available for the cost of loan guarantees also available for the cost of providing direct loans.

Legislative History

On June 15, 2022, H.R. 8068 was introduced by Representative Leger Fernandez (NM-03) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on June 16, 2022.

On June 22, 2022, the Subcommittee on Energy held a legislative hearing on six bills, including H.R. 8068. The witnesses included Andrew deLaski, Executive Director, Appliance Standards Awareness Project; Richard Frias, Executive Director, Native American Finance Officers Association; Dustin Mulvaney, Ph.D., Professor, Environmental Studies, San Jose State University; Joshua C. Greene, Esq., Corporate Vice President, Government and Industry Affairs, A.O. Smith Corporation; Lucian Pugliaresi, President, Energy Policy Research Foundation, Inc. (EPRINC); and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

No further action was taken on H.R. 8068 in the 117th Congress.

GRID ACT

H.R. 8053

To provide the Secretary of Energy with the authority to enter into contracts and cooperative agreements to improve the resilience of defense critical electric infrastructure and reduce the vulnerability of critical defense facilities to the disruption of the supply of electric energy to those facilities.

Summary

This bill amends section 215A of the Federal Power Act (FPA) to give the Secretary of Energy the authority to enter into contracts or cooperative agreements to improve the resilience of defense critical electric infrastructure and to reduce the vulnerability of disruption of electric energy supply at these facilities. Additionally, the bill amends Section 215A so that its definition of “defense critical infrastructure” applies to such infrastructure in all states and territories of the United States, instead of just the 48 contiguous states and the District of Columbia.

Legislative History

On June 14, 2022, H.R. 8053 was introduced by Representative Crow (CO-06) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on June 15, 2022.

On June 22, 2022, the Subcommittee on Energy held a legislative hearing on six bills, including H.R. 8053. The witnesses included Andrew deLaski, Executive Director, Appliance Standards Awareness Project; Richard Frias, Executive Director, Native American Finance Officers Association; Dustin Mulvaney, Ph.D., Professor, Environmental Studies, San Jose State University; Joshua C. Greene, Esq., Corporate Vice President, Government and Industry Affairs, A.O. Smith Corporation; Lucian Pugliaresi, President, Energy Policy Research Foundation, Inc. (EPRINC); and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

No further action was taken on H.R. 8053 in the 117th Congress.

TO AMEND THE ENERGY POLICY AND CONSERVATION ACT TO MODIFY THE
DEFINITION OF WATER HEATER UNDER ENERGY CONSERVATION STANDARDS, AND
FOR OTHER PURPOSES.

H.R. 7962

To amend the Energy Policy and Conservation Act to modify the definition of water heater under energy conservation standards, and for other purposes.

Summary

This bill modifies efficiency standards for commercial and residential water heaters and creates a new demand response program for residential water heaters. The bill clarifies several definitions under the Energy Policy and Conservation Act, including for residential water heaters, multi-input electric storage water heaters, and residential solar thermal-assisted electric storage water heaters. It establishes new criteria for certain electric storage water heaters used in commercial buildings that would otherwise be regulated as residential water heaters. The bill also specifies that water heaters excluded from the definition of a residential water heater will be regulated by the Department of Energy as a commercial product.

In addition, H.R. 7962 directs the Department of Energy to issue a final rule by the end of 2024 that would require electric storage water heaters have demand response capabilities, if the Secretary of Energy finds the requirement is technologically feasible and economically justified. States would be preempted from issuing their own demand response standards upon the effective date of a final demand response rule issued by the Department of Energy.

Legislative History

On June 7, 2022, H.R. 7962 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on June 8, 2022.

On June 22, 2022, the Subcommittee on Energy held a legislative hearing on six bills, including H.R. 7962. The witnesses included Andrew deLaski, Executive Director, Appliance Standards Awareness Project; Richard Frias, Executive Director, Native American Finance Officers Association; Dustin Mulvaney, Ph.D., Professor, Environmental Studies, San Jose State University; Joshua C. Greene, Esq., Corporate Vice President, Government and Industry Affairs, A.O. Smith Corporation; Lucian Pugliaresi, President, Energy Policy Research Foundation, Inc. (EPRINC); and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

No further action was taken on H.R. 7962 in the 117th Congress.

WEATHERIZATION ENHANCEMENT AND READINESS ACT OF 2022

H.R. 7947

To amend the Energy Conservation and Production Act to direct the Secretary of Energy to establish a weatherization readiness program, and for other purposes.

Summary

This bill amends the Energy Conservation and Production Act to make certain modifications to the Weatherization Assistance Program (WAP) and to establish a weatherization readiness program. The bill increases the statutory limit for the average amount a state can spend on weatherizing homes from \$6,000 to \$12,000. It also clarifies the limitation around re-weatherization for dwelling units that have previously received federal funds other than through the WAP and repeals the statutory limit for renewable energy systems. In addition, the bill directs the Secretary of Energy to establish a weatherization readiness program to provide grants to states and tribal organizations to implement measures that make dwelling units occupied by low-income residents ready to receive weatherization measures. This program is designed to address structural, roofing, and electrical issues; to reduce the deferral of weatherization measures; and to make dwelling units ready for weatherization measures and upgrades. The bill authorizes \$90 million annually for the weatherization readiness program for fiscal years 2023 through 2027.

Legislative History

On June 3, 2022, H.R. 7947 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on June 6, 2022.

On June 22, 2022, the Subcommittee on Energy held a legislative hearing on six bills, including H.R. 7947. The witnesses included Andrew deLaski, Executive Director, Appliance Standards Awareness Project; Richard Frias, Executive Director, Native American Finance Officers Association; Dustin Mulvaney, Ph.D., Professor, Environmental Studies, San Jose State University; Joshua C. Greene, Esq., Corporate Vice President, Government and Industry Affairs, A.O. Smith Corporation; Lucian Pugliaresi, President, Energy Policy

Research Foundation, Inc. (EPRINC); and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

No further action was taken on H.R. 7947 in the 117th Congress.

ENERGY ACCOUNTABILITY ACT

H.R. 5292

To amend title XVII of the Energy Policy Act of 2005 to specify that the Secretary of Energy may not make a loan guarantee under such title for a project if the applicable borrower has previously defaulted on an obligation guaranteed under such title, and for other purposes.

Summary

This bill amends title XVII of the Energy Policy Act of 2005 to specify that the Secretary of Energy may not make a loan guarantee for a project under Title XVII of the Energy Policy Act of 2005 if the borrower or any related or successor entity has previously defaulted on an obligation guaranteed through the program.

Legislative History

On September 17, 2021, H.R. 5292 was introduced by Representative Don Young (AK-00) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Energy on September 20, 2021.

On June 22, 2022, the Subcommittee on Energy held a legislative hearing on six bills, including H.R. 5292. The witnesses included Andrew deLaski, Executive Director, Appliance Standards Awareness Project; Richard Frias, Executive Director, Native American Finance Officers Association; Dustin Mulvaney, Ph.D., Professor, Environmental Studies, San Jose State University; Joshua C. Greene, Esq., Corporate Vice President, Government and Industry Affairs, A.O. Smith Corporation; Lucian Pugliaresi, President, Energy Policy Research Foundation, Inc. (EPRINC); and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

No further action was taken on H.R. 5292 in the 117th Congress.

SECURING AMERICA'S CRITICAL MINERALS SUPPLY ACT

H.R. 1599

To amend the Department of Energy Organization Act to secure the supply of critical energy resources, including critical minerals and other materials, and for other purposes.

Summary

This bill requires Department of Energy to conduct assessments and secure energy resources that have vulnerable supply chains and are essential to the United States' energy sector and systems. The bill amends the Department of

Energy Organization Act to secure the supply of critical mineral resources, including critical minerals and other materials. It also establishes ongoing assessments of energy resource criticality, resource supply chains, and vulnerabilities. Additionally, the bill directs the Secretary of Energy to strengthen critical energy resource supply chains, develop alternatives to resources, and improve technology that reuses and recycles critical energy resources.

Legislative History

On March 3, 2021, H.R. 1599 was introduced by Representative Upton and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 4, 2021.

On June 22, 2022, the Subcommittee on Energy held a legislative hearing on six bills, including H.R. 1599. The witnesses included Andrew deLaski, Executive Director, Appliance Standards Awareness Project; Richard Frias, Executive Director, Native American Finance Officers Association; Dustin Mulvaney, Ph.D., Professor, Environmental Studies, San Jose State University; Joshua C. Greene, Esq., Corporate Vice President, Government and Industry Affairs, A.O. Smith Corporation; Lucian Pugliaresi, President, Energy Policy Research Foundation, Inc. (EPRINC); and Ben Lieberman, Senior Fellow, Competitive Enterprise Institute.

No further action was taken on H.R. 1599 in the 117th Congress.

ENERGY PRODUCT RELIABILITY ACT

H.R. 6084

To require the Federal Energy Regulatory Commission to certify an Energy Product Reliability Organization which shall, subject to Commission review, establish and enforce energy product reliability standards, and for other purposes.

Summary

This bill directs FERC to certify an Energy Product Reliability Organization (EPRO) to oversee the reliable delivery of energy products on energy pipelines through mandatory and enforceable reliability standards. It is modeled after section 215 of the Federal Power Act, which established the statutory framework for FERC's current oversight of the reliability of the electric grid through an ERO.

The bill requires that any standard developed by the EPRO be submitted to FERC for approval before it becomes effective. In addition, the EPRO is required to issue standards that ensure the deliverability of energy products to support electric grid reliability and that protect against cybersecurity and physical security threats. The Energy Product Reliability Act further requires the EPRO to consult with Department of Energy and TSA in developing reliability standards relating to cybersecurity. It also gives FERC authority to establish emergency standards to address continuing or foreseeable emergency conditions under certain circumstances. Finally, the bill maintains much of the same structure included in section 215 of the Federal Power Act regarding rules for operation of the EPRO, enforcement mechanisms, and assessment and review of penalties.

Legislative History

On November 30, 2021, H.R. 6084 was introduced by Representative Rush and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on December 1, 2021.

On January 19, 2022, the Subcommittee on Energy held a legislative hearing on H.R. 6084. The witnesses included the Honorable Richard Glick, Chairman of the Federal Energy Regulatory Commission, and the Honorable David M. Turk, Deputy Secretary of the Department of Energy.

No further action was taken on H.R. 6084 in the 117th Congress.

PREVENT OUTAGES WITH ENERGY RESILIENT OPTIONS NATIONWIDE ACE

H.R. 1514

To amend the Federal Power Act to increase transmission capacity for clean energy, reduce congestion, and increase grid resilience.

Summary

This bill revises requirements governing the designation of a national interest electric transmission corridor. Currently, Department of Energy may designate any geographic area experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers. The bill expands the list of considerations Department of Energy may use to select and designate a corridor. Specifically, Department of Energy may consider whether the designation would (1) enhance the ability of facilities that generate or transmit renewable energy, low-emission energy, or emission-free energy to connect to the electric grid; (2) promote electrification of other sectors, including the transportation sector; or (3) facilitate other public policies to decarbonize the grid. Department of Energy may also consider whether the designation maximizes existing rights-of-way, avoids sensitive environmental areas and cultural heritage sites, and would lower the cost of electricity for consumers. The bill also revises the authority (i.e., backstop authority) of the Federal Energy Regulatory Commission to issue a permit for interstate transmission projects in such corridors when states and local governments fail to do so, including by specifying the timing for when FERC may issue such permits. In addition, the bill requires permit holders to make good faith efforts to engage landowners and other stakeholders early before exercising the right of eminent domain to purchase property needed to complete permit projects. Finally, the bill requires the Department of Energy to provide technical assistance to regional transmission siting agencies.

Legislative History

On March 2, 2021, H.R. 1514 was introduced by Representative Peters and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Energy on March 3, 2021.

On June 29, 2021, the Subcommittee on Energy held a legislative hearing on four bills, including H.R. 1514. The witnesses included Patricia Hoffman,

Acting Assistant Secretary, Office of Electricity, Department of Energy; Susan Tierney, Ph.D., Senior Advisor, Analysis Group; Rob Gramlich, Founder and President, Grid Strategies, LLC; Lee Anderson, Government Affairs Director, Utility Workers Union of America; and Tony Clark, Senior Advisor, Wilkinson Barker Knauer, LLP.

No further action was taken on H.R. 1514 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT, AND DIRECTING THE SECRETARY OF ENERGY, TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES CERTAIN INFORMATION RELATING TO PLANS TO PROTECT BASELOAD BULK POWER SYSTEM GENERATION AND TRANSMISSION TO MAINTAIN BULK POWER SYSTEM RELIABILITY.

H. RES. 1326

Of inquiry requesting the President, and directing the Secretary of Energy, to transmit to the House of Representatives certain information relating to plans to protect baseload bulk power system generation and transmission to maintain bulk power system reliability.

Summary

This bill requests the President, and directs the Secretary of Energy, to transmit to the House of Representatives, not later than 14 days after the date of the adoption of the resolution, information relating to plans to respond to the insufficient baseload electricity generation and transmission described by the North American Electric Reliability Corporation (NERC) in the document titled “2022 Summer Reliability Assessment.” The resolution also requests correspondence related to how the bulk power system will be affected by the EPA’s alternative closure requirements for coal ash landfills and surface impoundments and its Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standard.

Legislative History

On August 26, 2022, H. Res. 1326 was introduced by Representative Pence and referred to the Energy and Commerce Committee. The resolution was subsequently referred to the Subcommittee on Energy on August 29, 2022.

On September 21, 2022, the Committee on Energy and Commerce met in open markup session to consider H. Res. 1326 and ordered the resolution adversely reported to the House, without amendment, by a roll call vote of 30 yeas to 20 nays.

On September 30, 2022, the Committee on Energy and Commerce reported H. Res. 1326 adversely to the House (H. Rept. 117-535), and the bill was placed on the House Calendar (Calendar No. 141).

No further action was taken on H. Res. 1326 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT, AND DIRECTING THE SECRETARY OF ENERGY, TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES CERTAIN

INFORMATION RELATING TO PLANS TO DRAW DOWN AND SELL PETROLEUM
PRODUCTS FROM THE STRATEGIC PETROLEUM RESERVE AND PLANS TO REFILL THE
STRATEGIC PETROLEUM RESERVE.

H. RES. 1260

Of inquiry requesting the President, and directing the Secretary of Energy, to transmit to the House of Representatives certain information relating to plans to draw down and sell petroleum products from the Strategic Petroleum Reserve and plans to refill the Strategic Petroleum Reserve.

Summary

This bill requests the President, and directs the Secretary of Energy, to transmit to the House of Representatives, not later than 14 days after the date of the adoption of the resolution, information relating to plans to draw down and sell petroleum products from the SPR and plans to refill the SPR.

Legislative History

On July 26, 2022, H. Res. 1260 was introduced by Representative Armstrong and referred to the Energy and Commerce Committee. The resolution was subsequently referred to the Subcommittee on Energy on July 27, 2022.

On September 21, 2022, the Committee on Energy and Commerce met in open markup session to consider H. Res. 1260 and ordered the resolution adversely reported to the House, without amendment, by a roll call vote of 31 yeas to 20 nays.

On September 30, 2022, the Committee on Energy and Commerce reported H. Res. 1260 adversely to the House (H. Rept. 117-536), and the bill was placed on the House Calendar (Calendar No. 142).

No further action was taken on H. Res. 1260 in the 117th Congress.

OVERSIGHT ACTIVITIES

A SMARTER INVESTMENT: PATHWAYS TO A CLEAN ENERGY FUTURE

On February 18, 2021, the Subcommittee on Energy held a hearing entitled “A Smarter Investment: Pathways to a Clean Energy Future.” The purpose of this hearing was to examine current efforts and the importance of prioritizing clean and resilient energy infrastructure, clean energy standards, and comprehensive climate legislation to get us to a 100 percent clean economy by 2050. The Subcommittee received testimony from Dr. Stephen W. Pacala, Professor of Ecology and Evolutionary Biology, Princeton University; Ms. Paula R. Glover, President, Alliance to Save Energy; Mr. Craig Gordon, Senior Vice President, Government Affairs, Invenergy; Mr. Richard J. Powell, Executive Director, ClearPath Inc.; and Mr. Daniel C. Camp III, Chairman, Beaver County Commissioners.

GENERATING EQUITY: DEPLOYING A JUST AND CLEAN ENERGY FUTURE

On April 20, 2021, the Subcommittee on Energy held a hearing entitled “Generating Equity: Deploying a Just and Clean Energy Future.” The purpose of this hearing was to discuss how we can improve clean energy access and equitably distribute the benefits of reduced carbon emissions, lower and more stable energy prices, and job creation for low-income households. The Subcommittee received testimony from Subin DeVar, Director, Initiative for Energy Justice; Chandra Farley, Just Energy Director, Partnership for Southern Equity; Donnel Baird, Chief Executive Officer, BlocPower; Kiran Bhatraju, Chief Executive Officer, Arcadia; José L. Pérez, President and Chief Executive Officer, Hispanics In Energy; and Louise Carter-King, Mayor, City of Gillette.

THE FISCAL YEAR 2022 DOE BUDGET

On May 19, 2021, the Subcommittee on Energy held a hearing entitled “The Fiscal Year 2022 DOE Budget.” The purpose of this hearing was to examine the President’s fiscal year (FY) 2022 budget for the U.S. Department of Energy. The Subcommittee received testimony from the Honorable Jennifer M. Granholm, Secretary, U.S. Department of Energy.

KEEPING US SAFE AND SECURE: OVERSIGHT OF THE NUCLEAR REGULATORY COMMISSION

On July 14, 2021, the Subcommittee on Energy held a hearing entitled “Keeping Us Safe and Secure: Oversight of the Nuclear Regulatory Commission.” The purpose of this hearing was to examine the President’s fiscal year (FY) 2022 budget for the U.S. Nuclear Regulatory Commission (NRC), to discuss the oversight of safety and security protocols for our nation’s nuclear facilities and materials, and to explore the role of nuclear power in our decarbonization efforts. The Subcommittee received testimony from the Honorable Christopher T. Hanson, Chairman, Nuclear Regulatory Commission;

the Honorable Jeff Baran, Commissioner, Nuclear Regulatory Commission; and the Honorable David A. Wright, Commissioner, Nuclear Regulatory Commission.

THE CHANGING ENERGY LANDSCAPE: OVERSIGHT OF FERC

On July 27, 2021, the Subcommittee on Energy held a hearing entitled “The Changing Energy Landscape: Oversight of FERC.” The purpose of this hearing was to conduct oversight of the Federal Energy Regulatory Commission (FERC), and to evaluate FERC’s administration of the Federal Power Act and Natural Gas Act as the country transitions to clean and affordable energy. The Subcommittee received testimony from the Honorable Richard Glick, Chairman, Federal Energy Regulatory Commission; the Honorable Neil Chatterjee, Commissioner, Federal Energy Regulatory Commission; the Honorable James Danly, Commissioner, Federal Energy Regulatory Commission; the Honorable Allison Clements, Commissioner, Federal Energy Regulatory Commission; and the Honorable Mark C. Christie, Commissioner, Federal Energy Regulatory Commission.

OFFSHORE WIND, ONSHORE BENEFITS: GROWING THE DOMESTIC WIND ENERGY INDUSTRY

On October 21, 2021, the Subcommittee on Energy held a hearing entitled “Offshore Wind, Onshore Benefits: Growing the Domestic Wind Energy Industry.” The purpose of this hearing was to examine Congress’s role in promoting the offshore wind industry and to evaluate the state of the offshore wind supply chain and workforce. The Subcommittee received testimony from Heather Zichal, Chief Executive Officer, American Clean Power Association; David Hardy, Chief Executive Officer, Orsted Offshore North America; James Strong, Assistant to the Director, District 8 United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; and Mark Menezes, Former Deputy Secretary of Energy, United States Department of Energy.

CHARGING FORWARD: SECURING AMERICAN MANUFACTURING AND OUR EV FUTURE

On March 8, 2022, the Subcommittee on Energy held a hearing entitled “Charging Forward: Securing American Manufacturing and Our EV Future.” The purpose of this hearing was to discuss the economic opportunities related to supporting and developing a domestic electric vehicle industry and supply chain. The Subcommittee received testimony from Bob Holycross, Vice President, Sustainability, Environment and Safety Engineering, Ford Motor Company; Natalie King, Chief Executive Officer, Dunamis Clean Energy Partners, LLC; Cassandra Powers, Senior Managing Director, National Association of State Energy Officials; and Thomas Pyle, President, Institute for Energy Research

THE FISCAL YEAR 2023 DOE BUDGET

On April 28, 2022, the Subcommittee on Energy held a hearing entitled “The Fiscal Year 2023 DOE Budget.” The purpose of this hearing was to discuss the

investments made by the President's fiscal year 2023 budget request for the Department of Energy. The budget proposes investments in domestic clean energy manufacturing, environmental justice, tackling the climate crisis, and ensuring the safety and security of the nuclear weapons stockpile. The Subcommittee received testimony from The Honorable Jennifer M. Granholm, Secretary, U.S. Department of Energy.

SUBCOMMITTEE ON ENVIRONMENT AND CLIMATE CHANGE

LEGISLATIVE ACTIVITIES

INFRASTRUCTURE INVESTMENT AND JOBS ACT

PUBLIC LAW 117-58

(H.R. 3684 H.R. 3291, H.R. 2467, H.R. 4253, H.R. 3293, H.R. 7879, H.R. 1352, H.R. 3255, H.R. 2159, H.R. 4284, H.R. 3238, H.R. 4805, H.R. 3267, H.R. 3292)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Summary

H.R. 3684 provides funding for infrastructure projects, including roads, bridges, and major projects; passenger and freight rail; highway and pedestrian safety; public transit; broadband; ports and waterways; airports; water infrastructure; power and grid reliability and resiliency; resiliency; clean school buses and ferries; electric vehicle charging; addressing legacy pollution; and western water infrastructure.

Section 50102 of H.R. 3684 includes language identical to Section 103 of H.R. 3291, the “Assistance, Quality, and Affordability Act of 2021,” which, among other things, makes permanent requirements for projects receiving funds through the Drinking Water State Revolving Fund (SRF) to purchase American-made iron and steel projects.

Section 50109 of H.R. 3684 was inspired by H.R. 3293, the “Low-Income Water Customer Assistance Programs Act of 2021.” This section requires EPA to establish a pilot program to award grants to eligible entities to develop and implement programs to assist qualifying households in maintaining access to drinking water and wastewater treatment.

Section 70402 of H.R. 3684 incorporates H.R. 2159, the “RECYCLE Act.” This section requires EPA to establish a competitive grant program to improve the effectiveness of residential and community recycling programs through public education and outreach. In addition, EPA must develop a model recycling program toolkit for States, Tribes, and local governments. Further, this section amends the Solid Waste Disposal Act (SWDA) by directing the EPA Administrator to clarify federal agencies’ responsibilities related to the procurement of products containing recovered material. This section also increases how frequently EPA must review and revise federal procurement guidelines for products containing recovered materials.

Division J Title VI of H.R. 3684 was inspired by Title V of H.R. 1848, the “LIFT America Act,” appropriating \$1.5 billion for fiscal years 2022 to 2026 for EPA’s Brownfields redevelopment grants

Division J Title VI of H.R. 3684 was inspired by Section 106 of H.R. 3291, the “Assistance, Quality, and Affordability Act of 2021,” appropriating \$11.7 billion for fiscal years 2022 through 2026 for EPA’s Drinking Water SRF. Division J Title VI of H.R. 3684 was inspired by Section 107 of H.R. 3291, the

“Assistance, Quality, and Affordability Act of 2021,” appropriating \$15 billion for fiscal years 2022 through 2026 through EPA’s Drinking Water SRF for lead service line replacement projects.

Division J Title VI of H.R. 3684 was inspired by Section 109 of H.R. 3291, the “Assistance, Quality, and Affordability Act of 2021,” appropriating \$9 billion for fiscal years 2022 through 2026 through EPA’s Drinking Water SRF to address emerging contaminants with a focus on PFAS chemicals, \$5 billion of which are set-aside for disadvantaged communities.

Legislative History

On May 18, 2021, H.R. 3291 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3291. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

On June 16, 2021, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 3291 and ordered the bill favorably reported to the full Committee, amended, by a recorded vote of 14 yeas and nine nays.

On June 23, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.R. 3291 and ordered the bill favorably reported to the House, amended, by a recorded vote of 32 yeas and 24 nays.

On June 29, 2021, the Committee on Energy and Commerce reported H.R. 3291 to the House (H. Rept. 117-76), and the bill was placed on the Union Calendar (Calendar No. 52).

H.R. 3291 was passed as an amendment to H.R. 3684, the Infrastructure Investment and Jobs Act.

On April 13, 2021, H.R. 2467 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 14, 2021.

On June 16, 2021, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2467 and ordered the bill favorably reported to the full Committee, without amendment, by a recorded vote of 16 yeas and seven nays.

On June 23, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.R. 2467 and ordered the bill favorably reported to the House, without amendment by the Subcommittee on Environment and Climate Change, by a recorded vote of 33 yeas and 20 nays.

On July 13, 2021, the Committee on Transportation and Infrastructure was discharged of the bill, and the Committee on Energy and Commerce reported H.R. 2467 to the House (H. Rept. 117-86). That same day, the bill was placed on the Union Calendar (Calendar No. 61).

On July 21, 2021, the bill was considered under the provisions of H. Res. 535. An amendment offered by Representative Tonko (H. Amdt. 77) was agreed

to by a recorded vote of 226 yeas and 195 nays. The House passed H.R. 2467, as amended, by a recorded vote of 241 yeas to 183 nays. On July 22, 2021, the bill was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

No further action was taken on H.R. 2467 in the 117th Congress. The provisions of H.R. 2467 were included in H.R. 3684.

On June 30, 2021, H.R. 4253 was introduced by Representative Al Green (TX-09) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 1, 2021.

No further action was taken on H.R. 4253 in the 117th Congress. The provisions of H.R. 4253 were included in H.R. 3684.

On May 18, 2021, H.R. 3293 was introduced by Representative Blunt Rochester and referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce and Ways and Means. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3293. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

On June 16, 2021, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 3293 and ordered the bill favorably reported to the full Committee, amended, by a voice vote.

On June 23, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.R. 3293 and ordered the bill favorably reported to the House, as amended by the Subcommittee on Environment and Climate Change, by a recorded vote of 32 yeas and 24 nays.

On June 29, 2021, the Committee on Energy and Commerce reported H.R. 3293 to the House (H. Rept. 117-77).

No further action was taken on H.R. 3293 in the 117th Congress. The provisions of H.R. 3293 were included in H.R. 3684.

On May 27, 2022, H.R. 7879 was introduced by Representative Bush (D-MO) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services.

No further action was taken on H.R. 7879 in the 117th Congress. The provisions of H.R. 7879 were included in H.R. 3684.

On February 25, 2021, H.R. 1352 was introduced by Representative Lawrence (D-MI) and referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, and Agriculture. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 26, 2021.

No further action was taken on H.R. 1352 in the 117th Congress. The provisions of H.R. 1352 were included in H.R. 3684.

On May 14, 2021, H.R. 3255 was introduced by Representative Norcross (D-NJ) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 17, 2021.

No further action was taken on H.R. 3255 in the 117th Congress. The provisions of H.R. 3255 were included in H.R. 3684.

On March 23, 2021, H.R. 2159 was introduced by Representative Dean Phillips (D-MN) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 24, 2021.

No further action was taken on H.R. 2159 in the 117th Congress. The provisions of H.R. 2159 were included in H.R. 3684.

On June 30, 2021, H.R. 4284 was introduced by Representative Ruiz (D-CA) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change.

No further action was taken on H.R. 4284 in the 117th Congress. Provisions of H.R. 4284 were included in H.R. 3684.

On May 14, 2021, H.R. 3238 was introduced by Representative Escobar (D-TX) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 17, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3238. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3238 in the 117th Congress. Provisions of H.R. 3238 were included in H.R. 3684.

On July 29, 2021, H.R. 4805 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change.

No further action was taken on H.R. 4805 in the 117th Congress. Provisions of H.R. 4805 were included in H.R. 3684.

On May 17, 2021, H.R. 3267 was introduced by Representative Boyle (D-PA) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 18, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3267. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3267 in the 117th Congress. Provisions of H.R. 3267 were included in H.R. 3684.

On May 18, 2021, H.R. 3292 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3292. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3292 in the 117th Congress. Provisions of H.R. 3292 were included in H.R. 3684.

On June 4, 2021, H.R. 3684 was introduced by Representative DeFazio (OR-04) and referred to the Committee on Transportation and Infrastructure.

On June 22, 2021, the Committee on Transportation and Infrastructure reported H.R. 3684 to the House (H. Rept. 117-70) and filed a supplemental report (H. Rept. 117-70, Part II) on June 29, 2021. On July 1, 2021, H.R. 3684 was passed in the House by a recorded vote of 221 yeas to 201 nays (Roll Call No. 208).

On July 12, 2021, H.R. 3684 was received in the Senate. On August 10, 2021, H.R. 3684 passed the Senate with an amendment by a roll call vote of 69 yeas to 30 nays (Record Vote No. 314).

On September 27, 2021, pursuant to the provisions of H. Res. 601, Representative DeFazio moved that the House agree to the Senate amendment to H.R. 3684. On November 5, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 228 yeas to 206 nays (Roll no. 369).

On November 8, 2021, H.R. 3684 was presented to the President and signed into law (Public Law No. 117-58).

INFLATION REDUCTION ACT OF 2022

PUBLIC LAW 117-169

(H.R. 5376, H.R. 501, H.R. 806, H.R. 862, H.R. 2101, H.R. 2442, H.R. 3238, H.R. 3267, H.R. 3291, H.R. 3292, H.R. 3293, H.R. 4284, H.R. 4641, H.R. 4805)

To provide for reconciliation pursuant to title II of S. Con. Res. 14.

Summary

H.R. 5376 includes provisions on climate and energy spending, including tax credits to promote clean energy generation, electrification, greater use of clean fuels, wider adoption of electric vehicles, green technology retrofits for homes and buildings, among others.

Section 60102 of H.R. 5376 was inspired by H.R. 862, the “Climate Action Planning for Ports Act of 2021” and H.R. 501, the “Climate Smart Ports Act.” This section authorizes EPA to award grants and rebates to eligible entities to purchase or install zero-emission port equipment or technology, conduct relevant planning or permitting in connection with the purchase or installation of such zero-emission port equipment or technology, and develop qualified climate action plans.

Section 60104 of H.R. 5376 was inspired by H.R. 1335, the “Fostering and Realizing Electrification by Encouraging Zero Emission Refrigeration Trucks Act of 2021.” This section directs EPA to award grants, rebates, or low-cost revolving loans to identify and reduce diesel emissions resulting from goods movement facilities and vehicles servicing goods movement facilities in low-income and disadvantaged communities.

Section 60105 of H.R. 5376 was inspired by H.R. 8352, the “Public Health Air Quality Act of 2022.” This section requires EPA to enhance and expand its air monitoring network.

Section 60112 of H.R. 5376 was inspired by H.R. 5698, the “Manufacturing Assistance to Determine Emissions (MADE) Act.” This section directs EPA to improve the development, standardization, and transparency of environmental product declarations.

Section 60201 of H.R. 5376 was inspired by H.R. 2442, the “Climate Justice Grants Act.” This section establishes a grant program to assist tribal governments, local governments, nonprofits, or community-based organizations in addressing issues relating to climate justice and carrying out activities that address climate justice concerns of environmental justice communities.

Legislative History

On January 28, 2021, H.R. 501 was introduced by Representative Barragán and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 2, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 501. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 501 in the 117th Congress. Provisions of H.R. 501 were included in H.R. 5376.

On February 4, 2021, H.R. 806 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services; Transportation and Infrastructure; and Agriculture. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 5, 2021.

No further action was taken on H.R. 806 in the 117th Congress. The provisions of H.R. 806 influenced a section of H.R. 5376.

On February 5, 2021, H.R. 862 was introduced by Representative Blunt Rochester and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 8, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 862. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 862 in the 117th Congress. Provisions of H.R. 862 were included in H.R. 5376.

On March 19, 2021, H.R. 2101 was introduced by Representative Omar (D-MN) and referred to the Committee on Energy and Commerce. The bill was

subsequently referred to the Subcommittee on Environment and Climate Change on March 22, 2021.

No further action was taken on H.R. 2101 in the 117th Congress. Provisions of H.R. 2101 were included in H.R. 5376.

On April 12, 2021, H.R. 2442 was introduced by Representative Barragán and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

No further action was taken on H.R. 2442 in the 117th Congress. Provisions of H.R. 2442 were included in H.R. 5376.

On May 14, 2021, H.R. 3238 was introduced by Representative Escobar (D-TX) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 17, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3238. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3238 in the 117th Congress. Provisions of H.R. 3238 were included in H.R. 5376.

On May 17, 2021, H.R. 3267 was introduced by Representative Boyle (D-PA) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 18, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3267. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3267 in the 117th Congress. Provisions of H.R. 3267 were included in H.R. 5376.

On May 18, 2021, H.R. 3291 was introduced by Representative Tonko and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3291. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

On June 16, 2021, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 3291 and ordered the bill favorably reported to the full Committee, amended, by a recorded vote of 14 yeas and nine nays.

On June 23, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.R. 3291 and ordered the bill favorably reported to the House, amended, by a recorded vote of 32 yeas and 24 nays.

On June 29, 2021, the Committee on Energy and Commerce reported H.R. 3291 to the House (H. Rept. 117-76), and the bill was placed on the Union Calendar (Calendar No. 52).

H.R. 3291 was passed as an amendment to H.R. 3684, the Infrastructure Investment and Jobs Act. Provisions of H.R. 3291 were also included in H.R. 5376.

On May 18, 2021, H.R. 3292 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3292. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3292 in the 117th Congress. Provisions of H.R. 3292 were included in H.R. 5376.

On May 18, 2021, H.R. 3293 was introduced by Representative Blunt Rochester and referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce and Ways and Means. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3293. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

On June 16, 2021, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 3293 and ordered the bill favorably reported to the full Committee, amended, by a voice vote.

On June 23, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.R. 3293 and ordered the bill favorably reported to the House, as amended by the Subcommittee on Environment and Climate Change, by a recorded vote of 32 yeas and 24 nays.

On June 29, 2021, the Committee on Energy and Commerce reported H.R. 3293 to the House (H. Rept. 117-77).

No further action was taken on H.R. 3293 in the 117th Congress. Provisions of H.R. 3293 were included in H.R. 5376.

On June 30, 2021, H.R. 4284 was introduced by Representative Ruiz (D-CA) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change.

No further action was taken on H.R. 4284 in the 117th Congress. Provisions of H.R. 4284 were included in H.R. 5376.

On July 22, 2021, H.R. 4641 was introduced by Representative Eshoo and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 23, 2021.

No further action was taken on H.R. 4641 in the 117th Congress. Provisions of H.R. 4641 were included in H.R. 5376.

On July 29, 2021, H.R. 4805 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change.

No further action was taken on H.R. 4805 in the 117th Congress. Provisions of H.R. 4805 were included in H.R. 5376.

On September 13, 14, and 15, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. Subtitle A, “Budget Reconciliation Legislative Recommendations Relating to Air Pollution,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle B, “Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle K, “Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas to 25 nays. Subtitle L, “Budget Reconciliation Legislative Recommendations Relating to Wireless Connectivity,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle M, “Budget Reconciliation Legislative Recommendations Relating to Distance Learning,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle C, “Budget Reconciliation Legislative Recommendations Relating to Drinking Water,” was ordered transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle D, “Budget Reconciliation Legislative Recommendations Relating to Energy,” was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 30 yeas and 27 nays. The Committee on Energy and Commerce transmitted these subtitles to the Committee on Budget and they were incorporated into H.R. 5376.

On September 27, 2021, H.R. 5376 was introduced by Representative Yarmuth (D-KY) and referred to the Committee on Budget.

On September 27, 2021, the Committee on Budget reported H.R. 5376 to the House (H. Rept. 117-130). On November 19, 2021, H.R. 5376 was passed in the House by a recorded vote of 220 yeas to 213 nays (Roll Call No. 385).

On August 2, 2022, H.R. 5376 was received in the Senate, read twice, and referred to the Committee on Banking, Housing, and Urban Affairs. A hearing on the bill was held on August 4, 2022.

On August 7, 2022, H.R. 5376 passed the Senate with an amendment by a recorded vote of 51 yeas to 50 nays (Record Vote Number: 325).

On August 12, 2022, pursuant to the provisions of H. Res. 1316, the House agreed to the Senate amendment by a roll call vote of 220 yeas to 207 nays (Roll no. 420).

On August 15, 2022, H.R. 5376 was presented to the President and signed into law on August 16, 2022 (Public Law No. 117-169).

CLEAN FUTURE ACT

H.R. 1512

(H.R. 501, H.R. 861, H.R. 862, H.R. 1113, H.R. 2101, H.R. 2132, H.R. 2159, H.R. 2164, H.R. 2302, H.R. 2431, H.R. 2442, H.R. 5698)

To build a clean and prosperous future by addressing the climate crisis, protecting the health and welfare of all Americans, and putting the Nation on the path to a net-zero greenhouse gas economy by 2050, and for other purposes.

Summary

The bill establishes an interim goal to reduce greenhouse gas emissions to at least 50 percent below 2005 levels by 2030 as well as a national goal to achieve net-zero greenhouse gas emissions by 2050. Each federal agency must develop a plan to achieve the goals.

Beginning in 2023, retail electricity suppliers must provide an increasing percentage of electricity that is generated without the release of greenhouse gases into the atmosphere (zero-emission electricity). By 2035, the suppliers must provide 100 percent zero-emission electricity or demonstrate alternative means of compliance.

The bill also establishes a variety of requirements, programs, and incentives to reduce or eliminate greenhouse gas emissions by modernizing the electric grid and supporting clean energy microgrids; increasing the use of renewable energy and advanced nuclear power technologies; increasing energy efficiency in buildings, homes, and appliances; supporting clean transportation, including electric vehicles and related charging infrastructure; issuing greenhouse gas standards for certain vehicles, engines, and aircraft; promoting manufacturing and industrial decarbonization, including through buy-clean programs; supporting environmental justice efforts; and reducing methane, plastics, and super pollutants.

Sections 412 and 413 of H.R. 1512 incorporate H.R. 1113, the “Renewable Fuel Standard Integrity Act of 2021.” These sections revise requirements for exemptions from the Renewable Fuel Standard given to small refineries of crude oil.

Section 452 of H.R. 1512 incorporates H.R. 862, the “Climate Action for Ports Act of 2021” and H.R. 501, the “Climate Smart Ports Act.” This section establishes an EPA grant program to reduce greenhouse gas (GHG) emissions and other forms of air pollution at U.S. ports. Grants may be used to develop climate action plans and to implement measures that reduce emissions from port infrastructure and operations through the purchase and installation of zero-emission equipment and technology. This section also sets requirements for the use of funds through the program, including stringent labor standards and metrics by which EPA must prioritize consideration of proposed projects.

Sections 522 and 523 of H.R. 1512 incorporate H.R. 5698 the “Manufacturing Assistance to Determine Emissions (MADE) Act.” The sections direct the EPA Administrator, in consultation with the Secretary of Energy, the Director of the National Institute of Standards and Technology and the National Labs, to establish a program to enhance the transparency, quality, and availability of life cycle assessment data used to calculate GHG emissions of a product made primarily of eligible materials in an environmental product declaration. The Administrator must maintain a list of eligible materials for the program. Directs the Administrator, in consultation with the Secretary of Energy, the Director of the National Institute of Standards and Technology and the National Labs, to designate a single product category rule – developed by EPA or a third party – for products made primarily of eligible materials to be used in creating environmental

product declarations. The product category rule designations must be reviewed every five years and updated as necessary and can be reviewed more frequently in response to a petition. The Administrator is also required to establish a National Environmental Product Declaration Database for products made primarily of eligible materials, including imported products. The database can only include environmental product declarations that were created using designated product category rules. To aid manufacturers, the bill establishes technical and financial assistance programs to help develop and verify environmental product declarations and directs EPA to conduct public outreach about the database. This section also directs the Administrator to conduct a review and assessment of the quality and efficacy of environmental product declarations as a mechanism to account for the embodied emissions of products made primarily of eligible materials. The Administrator shall consider alternative mechanisms and provide an opportunity for public comment.

Section 608 of H.R. 1512 incorporates H.R. 861 the “Alerting Localities of Environmental Risks and Threats Act of 2021.” The section requires the owner or operator of a facility where hazardous chemicals are produced, used, or stored to hold a public meeting within 72 hours of the release of an extremely hazardous substance. The owner or operator must publish a notice in a local newspaper, giving at least 24 hours of notice before the public meeting. The bill also requires the owner or operator of a facility to hold an annual public meeting, where specified information regarding the extremely hazardous substances at the facility must be disclosed. Notice for such meeting must be published in a local newspaper at least a week in advance of the meeting. The bill provides for a civil penalty if public meeting and notice requirements are not met.

Section 610 of H.R. 1512 incorporates H.R. 2431, the “Voices for Environmental Justice Act.” The section authorizes EPA grants to enable communities to participate in decisions impacting their health and safety in connection with the permitting of solid waste and hazardous waste disposal facilities.

Section 617 of H.R. 1512 incorporates H.R. 2442, the “Climate Justice Grants Act.” This section requires EPA to establish a grant program to assist tribal governments, local governments, nonprofits, or community-based organizations in addressing issues relating to climate justice and carrying out activities that address climate justice concerns of environmental justice communities.

Section 623 of H.R. 1512 incorporates H.R. 2164, the “Safe Hydration is an American Right in Energy Development Act of 2021.” The section requires hydraulic fracturing operations to test for and report on underground sources of drinking water that are contaminated by such operations. Specifically, the section revises requirements governing state underground injection control programs. In order to obtain primary enforcement responsibility for such programs, states must prohibit the underground injection of fluids or propping agents pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities unless the hydraulic fracturing operations agree to test for and report on contamination of drinking water.

Section 624 of H.R. 1512 incorporates H.R. 2302, the “CLOSE Act.” The section repeals exemptions from the Clean Air Act which emissions from oil and gas wells and pipeline facilities are excluded from aggregation with emissions

from other similar units for purposes of determining major sources. The EPA excludes oil and gas production wells from being listed as area sources. Additionally, the section requires the EPA to issue a final rule adding hydrogen sulfide to the list of hazardous air pollutants under the Clean Air Act and revising such list to include categories and subcategories of major sources and area sources of hydrogen sulfide, including oil and gas wells.

Section 625 of H.R. 1512 incorporates H.R. 2132, the “Closing Loopholes and Ending Arbitrary and Needless Evasion of Regulations Act of 2021.” This section directs EPA to determine whether such waste meets the criteria for hazardous waste; promulgate regulations concerning the disposal of such waste if the EPA determines it hazardous; and revise regulations applicable to solid waste management and disposal facilities to address such waste that is nonhazardous.

Sections 921 through 927 incorporate H.R. 2101, the “ZERO WASTE Act.” The sections require EPA to establish a competitive grant program for nonprofit organizations and state, local, and tribal governments to carry out projects that utilize specified zero-waste practices. Zero-waste is defined as “the conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning or otherwise destroying embodied energy; and a discharge to land, water, or air that results in adverse human health or environmental effects.” In addition, EPA must establish a grant program for developing and implementing new requirements that reduce the amount of waste disposed of in landfills.

Sections 931 and 932 incorporate H.R. 2159, the “RECYCLE Act.” The sections require EPA to establish a competitive grant program to improve the effectiveness of residential and community recycling programs through public education and outreach. In addition, EPA must develop a model recycling program toolkit for States, Tribes, and local governments. Further, these sections amend the Solid Waste Disposal Act (SWDA) by directing the EPA Administrator to clarify federal agencies’ responsibilities related to the procurement of products containing recovered material. These sections also increase how frequently EPA must review and revise federal procurement guidelines for products containing recovered materials.

Legislative History

On January 28, 2021, H.R. 501 was introduced by Representative Barragán and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 2, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 501. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 501 in the 117th Congress. Provisions of H.R. 501 were included in H.R. 5376.

On February 5, 2021, H.R. 861 was introduced by Representative Blunt Rochester and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 8, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 861. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 861 in the 117th Congress. Provisions of H.R. 861 were included in H.R. 1512.

On February 5, 2021, H.R. 862 was introduced by Representative Blunt Rochester and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 8, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 862. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 862 in the 117th Congress. Provisions of H.R. 862 were included in H.R. 1512.

On February 18, 2021, H.R. 1113 was introduced by Representative Craig and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 19, 2022.

No further action was taken on H.R. 1113 in the 117th Congress. Provisions of H.R. 1113 were included in H.R. 1512.

On March 19, 2021, H.R. 2101 was introduced by Representative Omar (D-MN) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 22, 2021.

No further action was taken on H.R. 2101 in the 117th Congress. Provisions of H.R. 2101 were included in H.R. 1512.

On March 23, 2021, H.R. 2132 was introduced by Representative Cartwright and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 24, 2021.

No further action was taken on H.R. 2132 in the 117th Congress. The provisions of H.R. 2132 were included in H.R. 1512.

On March 23, 2021, H.R. 2159 was introduced by Representative Dean Phillips (D-MN) and referred to the Committee on Energy and Commerce. The

bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 24, 2021.

No further action was taken on H.R. 2159 in the 117th Congress. Provisions of H.R. 2159 were included in H.R. 1512.

On March 23, 2021, H.R. 2164 was introduced by Representative Schakowsky and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 24, 2021.

No further action was taken on H.R. 2164 in the 117th Congress. Provisions of H.R. 2164 were included in H.R. 1512.

On April 1, 2021, H.R. 2302 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 2, 2021.

No further action was taken on H.R. 2302 in the 117th Congress. Provisions of H.R. 2302 were included in H.R. 1512.

On April 8, 2021, H.R. 2431 was introduced by Representative Ruiz and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 2431. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 2431 in the 117th Congress. Provisions of H.R. 2431 were included in H.R. 1512.

On April 12, 2021, H.R. 2442 was introduced by Representative Barragán and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

No further action was taken on H.R. 2442 in the 117th Congress. Provisions of H.R. 2442 were included in H.R. 1512.

On October 22, 2021, H.R. 5698 was introduced by Representative Lamb (D-PA) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Reform, and Science, Space, and Technology. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on October 25, 2021.

No further action was taken on H.R. 5698 in the 117th Congress. Provisions of H.R. 5698 were included in H.R. 1512.

On March 2, 2021, H.R. 1512 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure; Oversight and Reform, Education and Labor; Ways and Means; Natural Resources; Armed Services; Foreign Affairs; Science, Space, and Technology; Intelligence (Permanent

Select); and Financial Services. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 3, 2021.

The Subcommittee on Energy held three legislative hearings on H.R. 1512 on the following dates: March 24, 2021; May 5, 2021; and June 29, 2021. The Subcommittee on Environment and Climate Change held five legislative hearings on H.R. 1512 on the following dates: March 18, 2021; April 15, 2021; May 13, 2021; May 25, 2021; and June 30, 2022.

No further action was taken on H.R. 1512 in the 117th Congress.

PFAS ACTION ACT OF 2021

H.R. 2467

(H.R. 4692, H.R. 3267, H.R. 7142, H.R. 4463, H.R. 4381, H.R. 4567, H.R. 7897)

To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Summary

H.R. 2467 would create a comprehensive regulatory regime for PFAS chemicals, from development to disposal.

Section 2 of the bill requires the Administrator to designate PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), frequently referred to as “Superfund.” The bill also requires EPA to review all other PFAS chemicals over a five-year period and decide whether to list them under Superfund.

Section 3 of H.R. 2467 incorporates H.R. 4692, the “PFAS Testing Act of 2021”. The section requires the Administrator to promulgate a test rule under Section 4 of the Toxic Substances Control Act (TSCA) to require comprehensive testing of all PFAS chemicals. EPA is instructed to identify relevant subclasses of PFAS and tailor testing requirements to those subclasses.

Section 4 establishes a five-year moratorium on the introduction of new PFAS into commerce under TSCA Section 5. It also prohibits the introduction into commerce of PFAS chemicals under review-exemptions such as the low volume exemption (LVE).

Section 5 of H.R. 2467 incorporates H.R. 3267, the “Protect Drinking Water from PFAS Act of 2021”. The section requires EPA to promulgate a drinking water standard for PFAS that is protective of the health of vulnerable and disproportionately exposed subpopulations. The standard would cover PFOA and PFOS at a minimum and could cover additional PFAS at the discretion of the Administrator.

Section 6 provides a five-year grace period during which no financial penalties will be assessed for water systems that violate the PFAS drinking water standard promulgated under Section 5. This grace period is intended to provide time for water systems to implement necessary treatment changes to come into compliance.

Section 7 creates a new grant program to provide financial support to drinking water systems that need to implement treatment changes to remove PFAS from their finished water. The section authorizes \$550 million over fiscal years 2022 through 2026 for the program.

Section 8 of H.R. 2467 incorporates H.R. 7142, the “PROTECT Act of 2022”. The section directs the Administrator to promulgate a rule adding PFOA and its salts and PFOS and its salts to the list of hazardous air pollutants under the Clean Air Act (CAA). This section would also set a five-year deadline for EPA to determine whether other PFAS should be listed as hazardous air pollutants. Lastly, this section sets a one-year deadline for EPA to issue a rule identifying major source categories of PFAS under the CAA.

Section 9 of H.R. 2467 incorporates H.R. 4463, the “PFAS Safe Disposal Act”. The section requires the Administrator to promulgate regulations under Subtitle C of the Solid Waste Disposal Act (commonly referred to as the Resource Conservation and Recovery Act, or RCRA) to prohibit incineration of materials containing PFAS or aqueous film forming foam if the incineration violates the CAA or fails to eliminate the PFAS in the material.

Section 10 directs the Administrator to revise the Safer Choice Standard of the Safer Choice Program to develop a voluntary PFAS-free label for cookware and other consumer products. The products include pots, pans, cooking utensils, carpets, rugs, clothing, upholstered furniture, and stain, water, or grease resistant coatings that do not contain PFAS.

Section 11 of H.R. 2467 incorporates H.R. 4381. The section requires the Administrator, in consultation with the head of the U.S. Fire Administration, Federal Aviation Administration, and other relevant Federal agencies, to issue guidance for first responders to minimize their exposure to firefighting foam and other related equipment that contain PFAS chemicals. Covered first responders may include firefighters, police officers, paramedics, emergency medical technicians, and others.

Section 12 directs the Administrator to investigate methods and means to prevent contamination by GenX of surface waters, including source waters used for drinking water purposes.

Section 14 of H.R. 2467 incorporates H.R. 4567, the “Test Your Well Water Act.” The section directs the Administrator, in coordination with the Secretary of Health and Human Services, the Secretary of Agriculture, and appropriate State agencies, to establish a website containing information relating to the testing of household well water.

Section 15 directs the Administrator to develop a risk-communication strategy to inform the public about the hazards of PFAS. The strategy would include dissemination of information about the risks posed by PFAS in land, air, water, and products, notification of the public about exposure pathways and mitigation measures, and consultation with States that have demonstrated effective risk-communication strategies for best practices.

Section 16 makes U.S. territories eligible for financial assistance designated for addressing emerging contaminants, including PFAS.

Section 17 directs the Administrator to promulgate a rule under the Federal Water Pollution Control Act establishing effluent limitations and pretreatment standards for the introduction or discharge of PFAS. This section authorizes \$200 million per year from fiscal years 2022 through 2026 for a grant

program that provides financial assistance to owners and operators of publicly owned treatment works to implement a PFAS pretreatment standard.

Section 18 directs the EPA Administrator to establish a grant program for schools to test drinking water for PFAS and to install and maintain filtration systems. This section authorizes \$100 million per year from FY 2022-2026.

Section 19 of H.R. 2467 incorporates H.R. 7897, the “PFAS Reference Standards Act.” The section directs manufacturers to provide analytical reference standards for all PFAS chemicals, enabling EPA to accurately identify and track more of the large class of PFAS.

Legislative History

On July 26, 2021, H.R. 4692 was introduced by Representative Sean Patrick Maloney (D-NY) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 27, 2021.

No further action was taken on H.R. 4692 in the 117th Congress. Provisions of H.R. 4692 were included in H.R. 2467.

On May 17, 2021, H.R. 3267 was introduced by Representative Boyle (D-PA) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 18, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3267. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3267 in the 117th Congress. Provisions of H.R. 3267 were included in H.R. 2467.

On March 17, 2022, H.R. 7142 was introduced by Representative Stevens (D-MI) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 18, 2022.

No further action was taken on H.R. 7142 in the 117th Congress. Provisions of H.R. 7142 were included in H.R. 2467.

On July 16, 2021, H.R. 4463 was introduced by Representative Levin (D-MI) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 19, 2021.

No further action was taken on H.R. 4463 in the 117th Congress. Provisions of H.R. 4463 were included in H.R. 2467.

On July 9, 2021, H.R. 4381 was introduced by Representative Fletcher and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 12, 2021.

No further action was taken on H.R. 4381 in the 117th Congress. Provisions of H.R. 4381 were included in H.R. 2467.

On July 20, 2021, H.R. 4567 was introduced by Representative Kildee (D-MI) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 21, 2021.

No further action was taken on H.R. 4567 in the 117th Congress. Provisions of H.R. 4567 were included in H.R. 2467.

On July 26, 2021, H.R. 4692 was introduced by Representative Sean Patrick Maloney (D-NY) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 27, 2021.

No further action was taken on H.R. 4692 in the 117th Congress. Provisions of H.R. 4692 were included in H.R. 2467.

On May 27, 2022, H.R. 7897 was introduced by Representative Sarbanes and referred to the Committee on Energy and Commerce.

No further action was taken on H.R. 7897 in the 117th Congress. Provisions of H.R. 7897 were included in H.R. 2467.

On April 13, 2021, H.R. 2467 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 14, 2021.

On June 16, 2021, the Subcommittee on Environment and Climate Change met in open markup session to consider H.R. 2467 and ordered the bill favorably reported to the full Committee, without amendment, by a recorded vote of 16 yeas and seven nays.

On June 23, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.R. 2467 and ordered the bill favorably reported to the House, without amendment by the Subcommittee on Environment and Climate Change, by a recorded vote of 33 yeas and 20 nays.

On July 13, 2021, the Committee on Transportation and Infrastructure was discharged of the bill, and the Committee on Energy and Commerce reported H.R. 2467 to the House (H. Rept. 117-86). That same day, the bill was placed on the Union Calendar (Calendar No. 61).

On July 21, 2021, the bill was considered under the provisions of H. Res. 535. An amendment offered by Representative Tonko (H. Amdt. 77) was agreed to by a recorded vote of 226 yeas and 195 nays. The House passed H.R. 2467, as amended, by a recorded vote of 241 yeas to 183 nays. On July 22, 2021, the bill was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

No further action was taken on H.R. 2467 in the 117th Congress.

ENVIRONMENTAL JUSTICE MAPPING AND DATA COLLECTION ACT OF 2021

H.R. 516

To establish the Environmental Justice Mapping Committee, and for other purposes.

Summary

The bill authorizes funding to identify the demographic factors, environmental burdens, socioeconomic conditions, and public health concerns related to environmental justice, as well as collect data through community

engagement and a government-wide interagency process. These data would be used to build layered maps identifying environmental justice communities.

Legislative History

On January 28, 2021, H.R. 516 was introduced by Representative Cori Bush (MO-01) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 2, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 516. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 516 in the 117th Congress.

ENVIRONMENTAL JUSTICE FOR ALL ACT

H.R. 2021

To restore, reaffirm, and reconcile environmental justice and civil rights, and for other purposes.

Summary

This bill establishes several environmental justice requirements, advisory bodies, and programs to address the disproportionate adverse human health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. Specifically, the bill prohibits disparate impacts on the basis of race, color, or national origin as discrimination. Aggrieved persons may seek legal remedy when faced with such discrimination. In addition, the bill directs agencies to follow certain requirements concerning environmental justice. For example, agencies must prepare community impact reports that assess the potential impacts of their actions on environmental justice communities under certain circumstances. Further, it creates a variety of advisory bodies and positions, such as the White House Environmental Justice Interagency Council. Among other things, the council must issue an environmental justice strategy. It also establishes requirements and programs concerning chemicals or toxic ingredients in certain products. For example, the bill (1) requires certain products (e.g., cosmetics) to include a list of ingredients or warnings; and (2) provides grants for research on designing safer alternatives to chemicals in certain consumer, cleaning, toy, or baby products that have an inherent toxicity or that are associated with chronic adverse health effects. Finally, it creates a variety of funding programs, such as a grant program to enhance access to park and recreational opportunities in urban areas.

Legislative History

On March 18, 2021, H.R. 2021 was introduced by Representative Grijalva (AZ-03) and referred to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources; Judiciary; Transportation and Infrastructure; Agriculture; and Education and Labor. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 19, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 2021. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 2021 in the 117th Congress.

CLIMATE JUSTICE ACT OF 2021

H.R. 2394

To provide for the establishment of a Climate Justice Working Group to help guide the Nation's just and equitable transition towards a clean, climate-resilient, zero-emission economy, and for other purposes.

Summary

The bill directs the President to establish the "Climate Justice Working Group," a committee to advise on the nation's just and equitable transition towards a clean, climate-resilient, zero-emission economy. The bill also defines "climate justice" to recognize that climate change has different social, economic, public health, and other adverse impacts on underprivileged communities, and that its impacts are not felt equitably among all communities.

Legislative History

On April 8, 2021, H.R. 2394 was introduced by Representative Clarke and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 2394. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 2394 in the 117th Congress.

ENSURING SAFE DISPOSAL OF COAL ASH ACT

H.R. 2396

To amend the Solid Waste Disposal Act to ensure the safe disposal of coal combustion residuals.

Summary

The bill amends the Solid Waste Disposal Act to require stronger protections for communities, public health, and groundwater from unsafe coal ash disposal. Specifically, H.R. 2396 requires financial assurances for coal ash residuals units sufficient to cover all post-use care and correction actions, prohibits use of unlined impoundments for coal ash, limits fugitive dust emissions from impoundments, and requires permit limits and safety standards. The bill also increases monitoring and protection for nearby groundwater sources.

Legislative History

On April 8, 2021, H.R. 2396 was introduced by Representative Cohen (D-TN) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 2396. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 2396 in the 117th Congress.

ENVIRONMENTAL JUSTICE ACT OF 2021

H.R. 2434

To require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes.

Summary

The bill codifies the requirements of Executive Order 12898 on environmental justice, makes significant changes to permitting under the CAA and CWA, and requires consideration of cumulative impacts in certain permitting decisions.

Legislative History

On April 8, 2021, H.R. 2434 was introduced by Representative Ruiz and referred to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources; Transportation and Infrastructure; and Judiciary. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 2434. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 2434 in the 117th Congress.

PROTECTION FROM CUMULATIVE EMISSIONS AND UNDERENFORCEMENT OF ENVIRONMENTAL LAW ACT OF 2021

H.R. 2397

To advance environmental justice by addressing cumulative impacts and underenforcement, and for other purposes.

Summary

The bill instructs EPA to advance environmental justice by implementing enforcement strategies in 100 communities overburdened by serious environmental non-compliance problems. The bill also instructs EPA to research the cumulative risks posed by multiple pollution sources, and to incorporate this information into EPA health assessments.

Legislative History

On April 8, 2021, H.R. 2397 was introduced by Representative DeGette and referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on April 13, 2021.

On April 15, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 2397. The witnesses included Mildred McClain, Ph.D., Executive Director, Harambee House/Citizens for Environmental Justice; Angelo Logan, Campaign Director, Moving Forward Network; Elizabeth Yeampierre, J.D., Executive Director, UPROSE; Derrick Hollie, Founder, Reaching America; Shay Hawkins, President, Opportunity Funds Association; and Adrienne Hollis, Ph.D., J.D., Senior Climate Justice and Health Scientist, Union of Concerned Scientists.

No further action was taken on H.R. 2397 in the 117th Congress.

H.R. 616

To prohibit water shutoffs during the COVID–19 emergency period, provide drinking and waste water assistance to households, and for other purposes.

Summary

The bill creates a grant program, administered by the Department of Health and Human Services (HHS), to provide funds to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services. Any entity that receives financial assistance under this grant program must ensure that no home energy service or public water system service is or remains disconnected or interrupted during the coronavirus disease of 2019 (COVID-19) public health emergency.

Legislative History

On January 28, 2021, H.R. 616 was introduced by Representative Tlaib (MI-13) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on February 2, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 616. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 616 in the 117th Congress.

DRINKING WATER FUNDING FOR THE FUTURE ACT OF 2021

H.R. 3282

To reauthorize funding for drinking water programs under the Safe Drinking Water Act and America’s Water Infrastructure Act of 2018, and for other purposes.

Summary

The bill extends the authorizations for several drinking water grant programs, including the Drinking Water SRF and the Water Infrastructure Finance and Innovation Act (WIFIA), without making any other changes.

Legislative History

On May 17, 2021, H.R. 3282 was introduced by Representative McKinley (WV-01) and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 18, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3282. The witness was

Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3282 in the 117th Congress.

EMERGENCY OASIS ACT

H.R. 3286

To amend the Safe Drinking Water Act to require drinking water distribution systems to be flushed under certain circumstances, and for other purposes.

Summary

H.R. 3286 amends SDWA to direct the EPA Administrator to issue regulations requiring the flushing of drinking water distribution systems under certain circumstances. The bill specifically addresses systems where the concentration of a contaminant in the drinking water within the system has exceeded the national standard for longer than six months, or the drinking water in the distribution system has stood stagnant for longer than six months.

Legislative History

On May 17, 2021, H.R. 3286 was introduced by Representative Ruiz and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 18, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3286. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3286 in the 117th Congress.

GET THE LEAD OUT ACT

H.R. 3300

To amend the Safe Drinking Water Act with respect to replacement of lead service lines, and for other purposes.

Summary

H.R. 3300 amends the Safe Drinking Water Act (SDWA) to require the full replacement of lead service lines by all community water systems within ten years. Under the plan, community water systems would develop plans to inventory and replace all lead service lines in their distribution system and submit such plans for EPA approval. The bill authorizes \$10 million for each of FY 2022 and 2023 for planning activities and \$46.5 billion, through the Drinking Water SRF, over ten years for lead line replacement.

Legislative History

On May 18, 2021, H.R. 3300 was introduced by Representative Christopher Smith (NJ-04) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on May 19, 2021.

On May 25, 2021, the Subcommittee on Environment and Climate Change held a legislative hearing on 10 bills, including H.R. 3300. The witness was Jennifer McLain, Ph.D., Director, Office of Ground Water and Drinking Water at the Environmental Protection Agency.

No further action was taken on H.R. 3300 in the 117th Congress.

METHANE EMISSIONS

H.J. RES. 34

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review”.

Summary

The joint resolution provides for Congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by EPA relating to Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review, published on September 14, 2020. If enacted, the 2020 rule shall be treated as though such rule had never taken effect. The joint resolution reinstates the methane and volatile organic compound pollution reduction requirements for the oil and natural gas sectors, established under Clean Air Act regulations finalized in 2012 and 2016.

Legislative History

On March 26, 2021, H.J. Res. 34 was introduced by Representative DeGette and referred to the Committee on Energy and Commerce. The joint resolution was subsequently referred to the Subcommittee on Environment and Climate Change on March 29, 2021.

On June 10, 2021, the full Committee on Energy and Commerce met in open markup session to consider H.J. Res. 34 and ordered the joint resolution favorably reported to the House, without amendment, by the Subcommittee on Environment and Climate Change, by a recorded vote of 30 yeas and 22 nays.

On June 17, 2021, the Committee on Energy and Commerce reported H.J. Res. 34 to the House (H. Rept. 117-64), and it was placed on the Union Calendar (Calendar No. 45).

No further action was taken on H.J. Res. 34 in the 117th Congress.

RECYCLING AND COMPOSTING ACCOUNTABILITY ACT

H.R. 8059

To require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes.

Summary

H.R. 8059 requires the EPA Administrator to carry out activities to improve recycling and composting in the United States. The bill directs the Administrator to prepare a report on domestic composting infrastructure capabilities, and a report on federal agency recycling practices. Further, it requires the Administrator to conduct a study on the diversion of recyclable and compostable materials from a circular market and to establish an inventory of Materials Recovery Facilities (MRFs) in the United States. The bill also directs EPA to establish comprehensive baseline data on recycling and composting programs; types of materials, accessibility, and barriers; inbound contamination; and average cost to states, units of local government, and Tribes of recycling and composting programs. Based on the data collected, the bill directs the Administrator to develop best practices that states, units of local government, and Tribes may use to enhance recycling and composting. The bill authorizes such sums as are necessary to carry out the Act.

Legislative History

On June 14, 2022, H.R. 8059 was introduced by Representative Neguse (CO-02) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on June 15, 2022.

On June 30, 2022, the Subcommittee on Environment and Climate Change held a legislative hearing on four bills, including H.R. 8059. The witnesses included David Allaway, Senior Policy Analyst, Department of Environmental Quality, State of Oregon; Lynn Hoffman, Co-President of Eureka Recycling, National Coordinator of the Alliance of Mission Based Recyclers; Stephanie Erwin, Director of Circular Economy, American Sustainable Business Network; Yvette Arellano, Founder and Executive Director, Fenceline Watch; William Johnson, Chief Lobbyist, Institute of Scrap Recycling Industries, Inc.; and Matt Seaholm, Chief Executive Officer, Plastics Industry Association.

No further action was taken on H.R. 8059 in the 117th Congress.

RECYCLING INFRASTRUCTURE AND ACCESSIBILITY ACT OF 2022

H.R. 8183

To establish a pilot grant program to improve recycling accessibility, and for other purposes.

Summary

H.R. 8183 directs the EPA Administrator to create a pilot program to award grants of between \$500,000 and \$15 million to states, local governments, Indian tribes, and public-private partnerships to improve recycling accessibility.

The grant funds may be used to increase the number of transfer stations, expand curbside recycling collection programs, and leverage public-private partnerships to reduce the costs associated with collecting and transporting recyclable materials. The bill requires EPA to set aside at least 70 percent of the funds for proposed projects or programs in underserved communities. It authorizes such sums as are necessary to carry out the Act annually from fiscal years 2023 through 2027.

Legislative History

On June 22, 2022, H.R. 8183 was introduced by Representative McKinley and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on June 23, 2022.

On June 30, 2022, the Subcommittee on Environment and Climate Change held a legislative hearing on four bills, including H.R. 8183. The witnesses included David Allaway, Senior Policy Analyst, Department of Environmental Quality, State of Oregon; Lynn Hoffman, Co-President of Eureka Recycling, National Coordinator of the Alliance of Mission Based Recyclers; Stephanie Erwin, Director of Circular Economy, American Sustainable Business Network; Yvette Arellano, Founder and Executive Director, Fenceline Watch; William Johnson, Chief Lobbyist, Institute of Scrap Recycling Industries, Inc.; and Matt Seaholm, Chief Executive Officer, Plastics Industry Association.

No further action was taken on H.R. 8183 in the 117th Congress.

BREAK FREE FROM PLASTIC POLLUTION ACT OF 2021

H.R. 2238

To amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes.

Summary

H.R. 2238 amends the Solid Waste Disposal Act (SWDA) to reduce the production and use of certain single-use plastic products. The bill requires producers relying on plastic and other covered packaging materials to design, manage, and finance programs to process waste and participate in a Producer Responsibility Organization (PRO). PROs are required to develop EPA-approved stewardship plans that detail how each PRO will meet the minimum required performance targets for covered products and to conduct outreach and education efforts for consumers. The bill also includes a 10 cent per unit national deposit requirement for all beverage containers, to be refunded to customers when they return the containers. The bill institutes a fee on the use of non-reusable carryout bags and a ban on the most common single-use plastic products, with exceptions for persons with disabilities. H.R. 2238 also directs EPA to establish certain

mandatory targets for post-consumer recycled content in new plastic beverage bottles, and to conduct a study on technical and safe post-recycled consumer content standards for other covered products and non-plastic beverage containers. The bill implements a pause of up to three years on the permitting of new plastic-producing facilities under various environmental laws to allow EPA to update regulations and investigate cumulative impacts of such facilities on the air, water, and climate.

Legislative History

On March 26, 2021, H.R. 2238 was introduced by Representative Lowenthal (CA-47) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on March 29, 2021.

On June 30, 2022, the Subcommittee on Environment and Climate Change held a legislative hearing on four bills, including H.R. 2238. The witnesses included David Allaway, Senior Policy Analyst, Department of Environmental Quality, State of Oregon; Lynn Hoffman, Co-President of Eureka Recycling, National Coordinator of the Alliance of Mission Based Recyclers; Stephanie Erwin, Director of Circular Economy, American Sustainable Business Network; Yvette Arellano, Founder and Executive Director, Fenceline Watch; William Johnson, Chief Lobbyist, Institute of Scrap Recycling Industries, Inc.; and Matt Seaholm, Chief Executive Officer, Plastics Industry Association.

No further action was taken on H.R. 2238 in the 117th Congress.

YEAR-ROUND FUEL CHOICE ACT OF 2021

H.R. 4410

To amend the Clean Air Act to modify the ethanol waiver for the Reid Vapor Pressure limitations under that Act, and for other purposes.

Summary

The bill amends the Clean Air Act to address the limitations on Reid Vapor Pressure (RVP) that are placed on gasoline during the summer ozone season. The bill extends the RVP requirements that are applicable to gasoline blended with 10 percent ethanol (E10) to gasoline blended with more than 10 percent ethanol. Thus, the volatility waiver given to E10 gasoline, which allows for an increase in the RVP, is extended to higher-blend fuels such as gasoline blended with 15 percent ethanol (E15). This would allow for the sale of E15 gasoline during summer high-ozone season.

Legislative History

On July 13, 2021, H.R. 4410 was introduced by Representative Craig (D-MN) and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Environment and Climate Change on July 14, 2021.

No further action was taken on H.R. 4410 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS TO THE
HOUSE OF REPRESENTATIVES RELATING TO PLANS TO EXPLOIT THE ENERGY CRISIS
TO PURSUE A RADICAL CLIMATE AGENDA.

H. RES. 1265

Of inquiry requesting the President to provide certain documents to the House of Representatives relating to plans to exploit the energy crisis to pursue a radical climate agenda.

Summary

H. Res. 1265 requests the President provide certain documents to the House of Representatives relating to plans to exploit the energy crisis to pursue a radical climate agenda.

Legislative History

On July 26, 2022, H. Res. 1265 was introduced by Representative Duncan and referred to the Committee on Energy and Commerce. The resolution was subsequently referred to the Subcommittee on Environment and Climate Change on July 27, 2022.

On September 21, 2022, the Subcommittee on Environment and Climate was discharged of the resolution. That same day, the full Committee on Energy and Commerce met in open markup session to consider H. Res. 1265 and ordered the resolution adversely reported to the House, without amendment, by a recorded vote of 31 yeas and 22 nays.

On September 29, 2022, the Committee on Energy and Commerce reported H. Res. 1265 to the House (H. Rept. 117-524), and it was placed on the Union Calendar (Calendar No. 131).

No further action was taken on H. Res. 1265 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS TO THE
HOUSE OF REPRESENTATIVES RELATING TO PLANS TO DECLARE A "CLIMATE
EMERGENCY" IN ORDER TO INVOKE EMERGENCY AUTHORITIES TO IMPOSE
REGULATIONS ON INDUSTRIAL ACTIVITY, OR THE SUPPLY AND DELIVERY OF ENERGY
OR ELECTRIC POWER, IN THE UNITED STATES.

H. RES. 1272

Of inquiry requesting the President to provide certain documents to the House of Representatives relating to plans to declare a "climate emergency" in order to invoke emergency authorities to impose regulations on industrial activity, or the supply and delivery of energy or electric power, in the United States.

Summary

H. Res. 1272 requests the President to provide certain documents to the House of Representatives relating to plans to declare a "climate emergency" in order to invoke emergency authorities to impose regulations on industrial activity, or the supply and delivery of energy or electric power, in the United States.

Legislative History

On July 26, 2022, H. Res. 1272 was introduced by Representative Bill Johnson (R-OH) and referred to the Committee on Energy and Commerce. The resolution was subsequently referred to the Subcommittee on Environment and Climate Change on July 27, 2022.

On September 21, 2022, the Subcommittee on Environment and Climate was discharged of the resolution. That same day, the full Committee on Energy and Commerce met in open markup session to consider H. Res. 1272 and ordered the resolution adversely reported to the House, without amendment, by a recorded vote of 31 yeas and 21 nays.

On September 29, 2022, the Committee on Energy and Commerce reported H. Res. 1272 to the House (H. Rept. 117-525), and it was placed on the Union Calendar (Calendar No. 132).

No further action was taken on H. Res. 1272 in the 117th Congress.

OVERSIGHT ACTIVITIES

BACK IN ACTION: RESTORING FEDERAL CLIMATE LEADERSHIP

On February 9, 2021, the Subcommittee on Environment and Climate Change held a hearing entitled “Back in Action: Restoring Federal Climate Leadership.” The purpose of this hearing was to examine the federal government’s renewed focus on climate change and environmental justice, demonstrated by the Biden Administration’s executive actions that aim to address climate change and protect public health. The Subcommittee received testimony from Anna Fendley, M.P.H., Director of Regulatory and State Policy, United Steelworkers; Christy Goldfuss, Senior Vice President, Energy and Environment Policy, Center for American Progress; Mark Mills, Senior Fellow, The Manhattan Institute; and Kerene N. Tayloe, Esq., Director of Federal Legislative Affairs, WE ACT for Environmental Justice.

THE FISCAL YEAR 2022 EPA BUDGET

On April 29, 2021, the Subcommittee on Environment and Climate Change held a hearing entitled “The Fiscal Year 2022 EPA Budget.” The purpose of this hearing was to examine the President’s fiscal year 2022 budget for the U.S. Environmental Protection Agency. The Subcommittee received testimony from the Honorable Michael S. Regan, Administrator, U.S. Environmental Protection Agency.

TSCA AND PUBLIC HEALTH: FULFILLING THE PROMISE OF THE LAUTENBERG ACT

On October 27, 2021, the Subcommittee on Environment and Climate Change held a hearing entitled “TSCA and Public Health: Fulfilling the Promise of the Lautenberg Act.” The purpose of this hearing was to examine the U.S. Environmental Protection Agency’s assessment and management of chemical risks under the Toxic Substances Control Act (TSCA). The Subcommittee received testimony from the Honorable Michal Ilana Freedhoff, Ph.D., Assistant Administrator, Office of Chemical Safety and Pollution Prevention, U.S. Environmental Protection Agency.

SECURING AMERICA’S FUTURE: SUPPLY CHAIN SOLUTIONS FOR A CLEAN ENERGY ECONOMY

On November 16, 2021, the Subcommittee on Environment and Climate Change and the Subcommittee on Energy held a joint hearing entitled “Securing America’s Future: Supply Chain Solutions for a Clean Energy Economy.” The purpose of this hearing was to examine opportunities to develop domestic supply chains for clean energy technologies and their components. The Subcommittees received testimony from Ethan Zindler, Head of Americas, BloombergNEF; Roxanne Brown, International Vice President at Large, United Steelworkers; Jackson Switzer, Ph.D., Senior Director of Business Development, Redwood Materials; and Lucian Pugliaresi, President, Energy Policy Research Foundation, Inc.

BACK FROM THE BRINK: RESTORING BROWNFIELD SITES TO ECONOMIC ENGINES

On February 15, 2022, the Subcommittee on Environment and Climate Change held a hearing entitled “Back from the Brink: Restoring Brownfield Sites to Economic Engines.” The purpose of this hearing was to review the impact of past updates to the Brownfields program, to determine if additional updates to the program are needed, and to examine the benefits of continuous and robust funding provided by the Infrastructure and Jobs Act (IIJA). The Subcommittee received testimony from the Honorable J. Christian Bollwage, Mayor, the City of Elizabeth, NJ, on behalf of U.S. Conference of Mayors and the National League of Cities; the Honorable Michael Largent, Commissioner, Whitman County Board of Commissioners, Whitman County, WA, on behalf of National Association of Counties; Lee Ilan, Chief of Planning, Mayor’s Office of Environmental Remediation, the City of New York, New York, on behalf of National Brownfields Coalition; Jason Seyler, Brownfields Coordinator, Montana Department of Environmental Quality, on behalf of Association of State and Territorial Solid Waste Management Officials; and Patrick B. Ford, Business Development Director, Frontier Group of Companies.

TRUSTING THE TAP: UPGRADING AMERICA’S DRINKING WATER INFRASTRUCTURE

On March 29, 2022, the Subcommittee on Environment and Climate Change held a hearing entitled “Trusting the Tap: Upgrading America’s Drinking Water Infrastructure.” The purpose of this hearing was to examine the impact of funding from and implementation of the Bipartisan Infrastructure Law on drinking water infrastructure, including PFAS contamination cleanup and lead service line replacement. The subcommittee received testimony from Erik D. Olson Senior Strategic Director for Health & Food, Natural Resources Defense Council; Lori J. Mathieu, Public Health Branch Chief, Environmental Health & Drinking Water Branch, Connecticut Department of Public Health, President, Association of Drinking Water Administrators; Kareem Adeem, Director of Water and Sewer Utilities, the City of Newark, New Jersey; Richard Diaz, Midwest Regional Field Organizer, BlueGreen Alliance; and Jim McGoff, Chief Operating Officer and Director of Environmental Programs, Indiana Finance Authority, on behalf of Council of Infrastructure Financing Authorities.

THE FISCAL YEAR 2023 EPA BUDGET

On May 17, 2022, the Subcommittee on Environment and Climate Change held a hearing entitled “The Fiscal Year 2023 EPA Budget.” The purpose of this hearing was to examine the proposed EPA budget for Fiscal Year 2023. The subcommittee received testimony from the Honorable Michael S. Regan, Administrator, U.S. Environmental Protection Agency.

SUBCOMMITTEE ON HEALTH
LEGISLATIVE ACTIVITIES

AMERICAN RESCUE PLAN ACT OF 2021

PUBLIC LAW 117-2
(H.R. 1319, H.R. 871, H.R. 1373, H.R. 1914, H.R. 3345)

To provide additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.

Summary

Title X, Subtitle J, Section 9812 incorporates H.R. 3345 to temporarily allow states to provide one year of postpartum coverage under Medicaid.

Title X, Subtitle J, Section 9813 incorporates H.R. 1914 to temporarily allow state Medicaid programs to cover certain community-based mobile crisis intervention services for individuals experiencing a mental health or substance-use disorder crisis outside of a facility setting.

Title X, Subtitle J, Section 9814 incorporates H.R. 871 to temporarily increase the FMAP for states that elect to participate in Medicaid expansion (pursuant to the Patient Protection and Affordable Care Act) if they have not already done so.

Title X, Subtitle J, Section 9815 incorporates H.R. 1373 to temporarily apply a 100% FMAP to services provided through Urban Indian Organizations, Native Hawaiian Health Centers, and other specified entities.

Legislative History

On February 24, 2021, H.R. 1319 was introduced by Representative Yarmouth (KY-03) and referred to the Committee on Budget.

On February 25, 2021, the Committee on Budget reported H.R. 1319 to the House (H. Rept. 117-7), and the bill was placed on the Union Calendar (Calendar No. 1). The next day, H.R. 1319 was considered in the House pursuant to the provisions of H. Res. 166 and the bill, as amended, was passed by a recorded vote of 219 yeas to 212 nays (Roll Call No. 49).

On March 2, 2021, H.R. 1319 was received in the Senate and placed on the Senate Legislative Calendar under General Orders (Calendar No. 10). On March 6, 2021, H.R. 1319 passed the Senate with an amendment by a roll call vote of 50 yeas to 49 nays (Record Vote Number: 110).

On March 10, 2021, the House agreed to a motion that the House agree to the Senate amendment by a roll call vote of 220 yeas to 211 nays (Roll no. 72).

On March 11, 2021, H.R. 1319 was presented to the President and signed into law (Public Law No. 117-2).

CONSOLIDATED APPROPRIATIONS ACT, 2022

PUBLIC LAW 117-103 (H.R. 2471, H.R. 2630, H.R. 654)

Provides appropriations to federal agencies for the remainder of FY2022, provides supplemental appropriations for activities to support Ukraine, and modifies or establishes various programs that address a wide range of policy areas.

Summary

Division P, Title I, Subtitle E, Section 151 incorporates H.R. 2630 to extend the temporary scheduling order issued by the Drug Enforcement Agency to place fentanyl-related substances in schedule I of the Controlled Substances Act. The scheduling order has subsequently been extended multiple times since this bill became law.

Division P, Title I, Subtitle F, Section 161 incorporates H.R. 654 to waive a federal grantee's matching requirements during the COVID-19 pandemic if they are unable to meet the match for the Drug-Free Communities Support Program, which is a program that supports community-based drug prevention coalitions in the United States.

Legislative History

On April 13, 2021, H.R. 2471 was introduced by Representatives Jeffries (NY-08) and Waltz (FL-06) and referred to the Committee on Foreign Affairs. On April 21, 2021, the Committee on Foreign Affairs held a markup and H.R. 2471 was reported to the House, amended, by a voice vote.

On June 28, 2021, H.R. 2471 was considered in the House under suspension of the rules. The next day, H.R. 2471, as amended, passed the House under suspension of the rules.

On July 12, 2021, H.R. 2471 was received in the Senate, read twice, and referred to the Committee on Foreign Relations. On January 13, 2022, the Senate Committee on Foreign Relations discharged consideration by unanimous consent. That same day, H.R. 2471 passed the Senate with an amendment by a voice vote.

On March 9, 2022, Representative DeLauro moved that the House agree with an amendment to the Senate amendment. A motion to agree in the Senate amendment with an amendment (divisions B, C, F, X, Z, titles 2 and 3 of division N) passed by a record vote of 361 yeas to 69 nays (Roll no. 65). A motion to agree in the Senate amendment with another amendment (remaining divisions) passed by a record vote of 260 yeas to 171 nays, 1 present (Roll no. 66). The motion that the House agree with an amendment to the Senate amendment was agreed to by voice vote.

On March 10, 2022, the House amendment to Senate amendment was received in the Senate and agreed to by a record vote of 68 yeas to 31 nays (Record Vote Number: 78).

On March 14, 2022, H.R. 2471 was presented to the President. On March 15, 2022, H.R. 2471 was signed by the President and became Public Law No. 117-103.

INFLATION REDUCTION ACT OF 2022

PUBLIC LAW 117-169 (H.R. 5376, H.R. 3, H.R. 369)

To provide for reconciliation pursuant to title II of S. Con. Res. 14.

Summary

Subtitle B, Sections 11001-11004 incorporate H.R. 3 to require Medicare to negotiate the cost of prescription drugs and impose an inflation rebate on pharmaceutical manufacturers that increase the prices of their products more than the rate of inflation.

Subtitle B, Sections 11201-11202 incorporate H.R. 3 to institute a \$2,000 annual cap for Medicare beneficiaries' Part D spending starting in 2025, provide assistance for beneficiaries between 125 percent and 150 percent of the federal poverty level, limit Part D premium cost growth at six percent from 2024 to 2029, and limit cost-sharing for insulin products in Medicare Part D to \$35 per month.

Subtitle C, Section 12001 incorporates H.R. 369 to extend through 2025 certain adjustments and expansions of Affordable Care Act Marketplace premium subsidies, including to allow taxpayers with income above 400 percent of the federal poverty line to qualify for the premium tax credit.

Legislative History

On September 13, 14, and 15, 2021, the Committee on Energy and Commerce met in virtual markup to consider legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. Subtitle A, "Budget Reconciliation Legislative Recommendations Relating to Air Pollution," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle B, "Budget Reconciliation Legislative Recommendations Relating to Hazardous Materials," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle K, "Budget Reconciliation Legislative Recommendations Relating to Next Generation 9-1-1," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas to 25 nays. Subtitle L, "Budget Reconciliation Legislative Recommendations Relating to Wireless Connectivity," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle M, "Budget Reconciliation Legislative Recommendations Relating to Distance Learning," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 26 nays. Subtitle C, "Budget Reconciliation Legislative Recommendations Relating to Drinking Water," was ordered transmitted favorably to the Committee on Budget, amended, by a roll call vote of 31 yeas and 25 nays. Subtitle D, "Budget Reconciliation Legislative Recommendations Relating to Energy," was transmitted favorably to the Committee on Budget, amended, by a roll call vote of 30 yeas and 27 nays. The Committee on Energy and Commerce transmitted these subtitles to the Committee on Budget and they were incorporated into H.R. 5376.

On September 27, 2021, H.R. 5376 was introduced by Representative Yarmuth (KY-3) and referred to the Committee on Budget.

On September 27, 2021, the Committee on Budget reported H.R. 5376 to the House (H. Rept. 117-130). On November 19, 2021, H.R. 5376 was passed in the House by a recorded vote of 220 yeas to 213 nays (Roll Call No. 385).

On August 2, 2022, H.R. 5376 was received in the Senate, read twice, and referred to the Committee on Banking, Housing, and Urban Affairs. A hearing on the bill was held on August 4, 2022.

On August 7, 2022, H.R. 5376 passed the Senate with an amendment by a recorded vote of 51 yeas to 50 nays (Record Vote Number: 325).

On August 12, 2022, pursuant to the provisions of H.Res. 1316, the House agreed to the Senate amendment by a roll call vote of 220 yeas to 207 nays (Roll no. 420).

On August 15, 2022, H.R. 5376 was presented to the President and signed into law on August 16, 2022 (Public Law No. 117-169).

MAXIMIZING OUTCOMES THROUGH BETTER INVESTMENTS IN LIFESAVING
EQUIPMENT (MOBILE) FOR HEALTH CARE ACT

PUBLIC LAW 117-204 (S. 958, H.R. 5141)

Allows Federally Qualified Health Centers to use New Access Point grants for establishing mobile health units, building renovation, and acquisition and construction costs to increase access to health care in rural and underserved communities.

Summary

Allows Federally Qualified Health Centers to use New Access Point grants for establishing mobile health units, building renovation, and acquisition and construction costs to increase access to health care in rural and underserved communities.

Legislative History

On August 31, 2021, H.R. 5141 was introduced by Representatives Lee (NV-03), Hudson (NC-08), Ruiz (CA-36), and Herrera Beutler (WA-03). Subsequently, on September 1, 2021, the bill was referred to the Subcommittee on Health.

On September 14, 2022, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 5141 and four other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Hudson, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 29 yeas to 0 nays.

On September 21, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 5141 and 23 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 5141 reported

favorably to the House, as amended by the Subcommittee on Health, by a roll call vote of 52 yeas to 0 nays.

On September 28, 2022, the Committee on Energy and Commerce reported H.R. 5141 to the House (H. Rept. 117-513), and the bill was placed on the Union Calendar (Calendar No. 384).

No further action was taken on H.R. 5141 in the 117th Congress.

On September 28, 2022, the House considered the Senate companion to H.R. 5141, S. 958, which passed the Senate on September 6, 2022. On September 29, 2022, the House passed S. 958 under suspension of the rules.

On October 17, 2022, S. 958 was presented to the President and signed S. 958 into law (Public Law No. 117-204).

CONSOLIDATED APPROPRIATIONS ACT, 2023

PUBLIC LAW 117-__

(H.R. 2617, H.R. 432, H.R. 1384, H.R. 1475, H.R. 1717, H.R. 1738, H.R. 1791, H.R. 1880, H.R. 2067, H.R. 2161, H.R. 2355, H.R. 2356, H.R. 2364, H.R. 2376, H.R. 2379, H.R. 2454, H.R. 2565, H.R. 2877, H.R. 2929, H.R. 2981, H.R. 3259, H.R. 3297, H.R. 3320, H.R. 3345, H.R. 3630, H.R. 3635, H.R. 3753, H.R. 3927, H.R. 4040, H.R. 4217, H.R. 4251, H.R. 4369, H.R. 4406, H.R. 4407, H.R. 4511, H.R. 5030, H.R. 5218, H.R. 5442, H.R. 5478, H.R. 5515, H.R. 5583, H.R. 5585, H.R. 5594, H.R. 5626, H.R. 5950, H.R. 6279, H.R. 6305, H.R. 6363, H.R. 6584, H.R. 6636, H.R. 6888, H.R. 6963, H.R. 6973, H.R. 6980, H.R. 6988, H.R. 7035, H.R. 7045, H.R. 7073, H.R. 7076, H.R. 7105, H.R. 7192, H.R. 7232, H.R. 7233, H.R. 7234, H.R. 7235, H.R. 7237, H.R. 7238, H.R. 7241, H.R. 7248, H.R. 7249, H.R. 7255, H.R. 7383, H.R. 7483, H.R. 7640, H.R. 7658, H.R. 7857, H.R. 8151, H.R. 8163, H.R. 8878, H.R. 8878, H.R. 8879, H.R. 8890, H.R. 9297)

Summary

Division FF, Title I, Subtitle A, Chapter 1, Section 1101 incorporates provisions from H.R. 7232 to establish the Behavioral Health Crisis Coordinating Office within the Substance Abuse and Mental Health Services Administration (SAMHSA) to convene partners and provide technical assistance to enhance access to crisis care.

Division FF, Title I, Subtitle A, Chapter 1, Section 1102 incorporates provisions from H.R. 7232 to require the Secretary of Health and Human Services (HHS) to facilitate the publication of best practices for a crisis response continuum of care not later than one year after the date of enactment for use by health care providers, crisis services administrators, and crisis services providers; and, three years later, to facilitate the identification of any updates of such best practices, as appropriate. It directs the Government Accountability Office (GAO) to assess the extent to which relevant programs related to mental health and substance use disorder crises utilize best practices and recommendations identified under this section and submit its findings to Congress within three years.

Division FF, Title I, Subtitle A, Chapter 1, Section 1103 incorporates H.R. 2981 to reauthorize and expand the National Suicide Prevention Lifeline Program.

It requires SAMHSA to develop a plan to ensure the provision of high-quality service and strengthens agreements, as appropriate, to facilitate the transmission of epidemiological data from the program to the Centers for Disease Control and Prevention (CDC) and ensure relevant analyses are made available to state and local agencies. It also requires the Secretary of HHS, acting through the Assistant Secretary for Mental Health and Substance Use, to implement a pilot program focused on innovative technologies for suicide prevention. The section also directs HHS to develop, implement, and complete a study on the goals and objectives of its plan and submit a report of its findings to Congress, and requires a GAO study of the program.

Division FF, Title I, Subtitle A, Chapter 2, Sections 1111-1112 incorporate H.R. 7073 to reauthorize section 317L-1 of the Public Health Service Act (PHSA) to award grants to states, Tribes, and Tribal organizations to establish, improve, or maintain maternal mental health and substance use disorder programs for pregnant or postpartum women, establishing a national hotline to provide information and resources for pregnant and postpartum women at risk of, or affected by, maternal mental health and substance use disorders, establishing a task force to make recommendations to coordinate and improve federal activities related to maternal mental health conditions, and extending the residential treatment pilot program for pregnant and postpartum women.

Division FF, Title I, Subtitle A, Chapter 2, Section 1113 incorporates H.R. 4217 to establish a task force to make recommendations to coordinate and improve federal activities related to maternal mental health conditions.

Division FF, Title I, Subtitle A, Chapter 3, Sections 1121–1123 incorporate provisions from H.R. 7237 to reauthorize the National Mental Health and Substance Abuse Policy Laboratory, the Interdepartmental Serious Mental Illness Coordinating Committee, and the Priority Mental Health Needs of Regions of National Significance. It also establishes the Mental Health Crisis Response Partnership pilot program to allow for mobile crisis response teams. It also reauthorizes the Mental Health Awareness Training (MHAT) Grant program and expands access to technical assistance for MHAT grantees. The section also reauthorizes and improves Adult Suicide Prevention program. It reauthorizes the Assertive Community Treatment Grant. It requires a related report to Congress by the end of fiscal year (FY) 2026. It also reauthorizes the Assisted Outpatient Treatment Grant Program and directs GAO to examine the efficacy of the program compared to other community-based outpatient treatment programs and services and submit a report to respective Committees of jurisdiction within three years of enactment.

Division FF, Title I, Subtitle A, Chapter 3, Section 1124 incorporates H.R. 7483 to require a study to determine the true costs of untreated serious mental illness on families, health care systems, public housing, and law enforcement in America.

Division FF, Title I, Subtitle A, Chapter 4, Section 1131 incorporates H.R. 7249 to authorize the SAMHSA National Center of Excellence for Eating Disorders to award competitive subgrants or subcontracts to develop and provide training and technical assistance for primary and mental health providers and other paraprofessionals and relevant individuals. It also authorizes the center to collaborate and coordinate with SAMHSA, CDC, and the Health Resources and

Services Administration (HRSA) on the identification, treatment, and ongoing support of individuals with eating disorders.

Division FF, Title I, Subtitle A, Chapter 5, Section 1141 incorporates H.R. 7241 to reauthorize the Community Mental Health Services Block Grants for states, territories, Tribes, and Tribal organizations to support community mental health services for adults with serious mental illness and children with serious emotional disturbance, and to support the collection of performance and outcome data. It requires five percent of the funds to be used for crisis-care services.

Division FF, Title I, Subtitle A, Chapter 6, Section 1151 incorporates H.R. 2929 to authorize grants for consumer-run nonprofit organizations, Tribes and Tribal organizations, Urban Indian organizations, or Tribal consortia to provide peer-supported mental health services, including virtual peer support.

Division FF, Title I, Subtitle B, Chapter 1, Section 1201 incorporates H.R. 4251 to authorize resources to provide services for the prevention of, treatment of, and recovery from mental health and substance use disorders for American Indians, Alaska Natives, and Native Hawaiians.

Division FF, Title I, Subtitle B, Chapter 2, Section 1211–1221 incorporates provisions from H.R. 7234, with Section 1215 incorporating provisions from H.R. 7105 as well, to reauthorize SAMHSA programs that support mental health and substance use disorder prevention, treatment, and recovery services, including: the Formula Grants for the Benefit of Homeless Individuals; the Substance Use Disorder Treatment Programs of Regional and National Significance (PRNS); Prescription Opioid and Heroin Treatment and Interventions Demonstration Grants; Substance Use Disorder Prevention PRNS; to reauthorize underage drinking prevention programs at SAMHSA, including the Community-based Coalition Enhancement Grants to Prevent Underage Drinking, a National Media Campaign to Prevent Underage Drinking, and grants to Organizations Representing Pediatric Providers and Other Related Health Professionals. It also authorizes a National Academies of Sciences, Engineering, and Medicine (NASEM) review and report to Congress; Grants for Jail Diversion Program; Grants for Reducing Overdose Deaths program, including supporting the development of strategic opioid crisis response plans; Opioid Overdose Reversal Medication Access, Education, and Co-prescribing Grants; and Emergency Department Alternatives to Opioids Demonstration Grants. It also extends the Secretary's authority to allocate funds for Projects for Assistance in Transition from Homelessness formula grants to states.

Division FF, Title I, Subtitle B, Chapter 3, Section 1231–1236 incorporates H.R. 2376 to require the Secretary, acting through the Assistant Secretary for Mental Health and Substance Use, to collaborate with federal agencies and relevant stakeholders to promote the availability of high-quality recovery housing and services for individuals with substance use disorders. It requires the Secretary to develop and periodically update consensus-based best practices for operating, and promoting the availability of, high-quality recovery housing. It requires the Secretary, acting through the Assistant Secretary for Mental Health and Substance Use and the Secretary of Housing and Urban Development, to convene an interagency working group and report to Congress on its activities to increase federal collaboration and coordination, develop a long-term plan to support state, Tribal, and local efforts to operate recovery housing consistent with best practices, and coordinate fair housing practices and data collection on the

quality of recovery housing. It also requires a NASEM study on the quality and effectiveness of recovery housing, including recommendations to promote the availability of recovery housing. It permits SAMHSA to provide grants to states, Tribes, and territories for technical assistance to promote and maintain recovery housing according to best practices and to develop related state promotion plans. It authorizes \$5 million for recovery housing activities for the period of FY 2023 through FY 2027.

Division FF, Title I, Subtitle B, Chapter 4, Section 1241–1247 incorporates H.R. 7235 to reauthorize and renames SAMHSA’s Substance Abuse Prevention and Treatment Block Grant as the “Substance Use Prevention, Treatment, and Recovery Services Block Grant,” to provide states and Tribes with funding to plan, carry out, and evaluate substance use disorder prevention, treatment, and recovery support services for individuals, families, and communities impacted by substance use disorders. It requires that states’ plans describe the recovery support service activities supported by block grant funds, including number of individuals served, target populations, priority needs, and the amount of funds allocated to recovery support services disaggregated by type of activity. It requires states’ reports to include the amount of funds provided to each grant recipient the previous fiscal year. It requires the Secretary to conduct a study to develop a model needs assessment process for states. It also replaces “substance abuse” with “substance use” and updates the statutory language with regard to Tribes and Tribal organizations.

Division FF, Title I, Subtitle B, Chapter 5, Section 1251 incorporates H.R. 7238 to eliminate the requirement that an individual have an opioid use disorder for at least one year before being admitted for treatment by an Opioid Treatment Program.

Division FF, Title I, Subtitle B, Chapter 5, Section 1252 incorporates H.R. 6279 to change federal opioid treatment standards to allow an OTP to operate one or more mobile units to dispense medications at locations other than the registrant’s principal place of business or professional practice under the same registration (previously, each mobile unit had to be separately registered).

Division FF, Title I, Subtitle B, Chapter 6, Section 1262 incorporates H.R. 1384 to eliminate the X-Waiver, a requirement for health care practitioners registered to dispense controlled substances to apply for a separate waiver through the DEA to dispense buprenorphine for opioid use disorder maintenance or detoxification treatment.

Division FF, Title I, Subtitle B, Chapter 6, Section 1263 incorporates H.R. 2067 to require health care providers, as a condition of receiving or renewing a DEA registration to prescribe controlled substances, to meet a one-time 8-hour training requirement on identifying and treating patients with substance use disorders.

Division FF, Title I, Subtitle B, Chapter 6, Section 1264 incorporates H.R. 5950 to increase the time limit for health care providers to hold long-acting injectable (LAI) buprenorphine before administration to a patient, if received through a specialty pharmacy, from 14 to 45 days.

Division FF, Title I, Subtitle B, Chapter 7, Section 1271 incorporates provisions from H.R. 2355 to require the development and dissemination of training materials for pharmacists who may decline to fill a prescription, under certain circumstances. It allows the CDC to prioritize jurisdictions with a high

burden of drug overdoses or drug overdose deaths when awarding grants to prevent overdoses of controlled substances.

Division FF, Title I, Subtitle B, Chapter 7, Section 1272 incorporates H.R. 2364 to require HHS to conduct a public education campaign about synthetic opioids (including fentanyl and its analogues), disseminate information about synthetic opioids to health care providers, and develop a training guide and webinar for first responders and other individuals at high risk of exposure to synthetic opioids that details measures to prevent exposure.

Division FF, Title I, Subtitle B, Chapter 7, Section 1273 incorporates H.R. 2379 to authorize State Opioid Response (SOR) Grants and Tribal Opioid Response (TOR) Grants.

Division FF, Title I, Subtitle C, Chapter 1, Section 1301 incorporates H.R. 5218 to reauthorize a SAMHSA program to increase uptake and access to integrated care services. States receiving funds through the program that partner with primary care practices may use funds to implement evidence-based or evidence-informed integrated models of care, including the psychiatric collaborative care model (CoCM). Depending on the availability of appropriations, allocates ten percent of such funds to support primary care practices implementing CoCM.

Division FF, Title I, Subtitle C, Chapter 2, Section 1311 incorporates H.R. 5583 to reauthorize the Behavioral Health Workforce Education and Training (BHWET) Program, which updates advanced degree references for occupational therapists, and emphasizes support for children and adolescents that have experienced trauma. It also reauthorizes HRSA's Training Demonstration Program related to graduate fellowship training opportunities, updates eligibility to include nurses and counselors, and places emphasis on trauma-informed care and pediatric populations.

Division FF, Title I, Subtitle C, Chapter 2, Section 1312 incorporates H.R. 7857 to reauthorize SAMHSA's Minority Fellowship Program supporting individuals pursuing a graduate degree in various fields of mental health and substance use disorder counseling.

Division FF, Title I, Subtitle C, Chapter 3, Section 1321 incorporates H.R. 7045 to require self-funded, non-federal governmental plans to comply with mental health parity requirements starting six months after the date of enactment or longer contingent on the terms of the plan agreement.

Division FF, Title I, Subtitle C, Chapter 4, Section 1331 incorporates H.R. 3753 to authorize grants to states to enforce and ensure compliance with mental health parity requirements.

Division FF, Title I, Subtitle D, Chapter 1, Section 1401–1402 incorporates a provision from H.R. 7076 to reauthorize SAMHSA's Infant and Early Childhood Mental Health Grant program and allows the Secretary of HHS to provide technical assistance for grantees. It also requires the Secretary of HHS to provide technical assistance to school-based health centers (SBHC) through private, nonprofit entities with demonstrated expertise related to SBHCs. This technical assistance shall support SBHCs in providing services to improve physical and mental health.

Division FF, Title I, Subtitle D, Chapter 1, Section 1404 incorporates H.R. 2877 to require HHS to develop and submit a report to congressional committees

of jurisdiction that identifies best practices related to using behavioral and mental health intervention teams in educational settings.

Division FF, Title I, Subtitle D, Chapter 2, Section 1411–1412 incorporates H.R. 7248 to reauthorize the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances Grants and the Enhancement and Expansion of Treatment and Recovery Services for Adolescents, Transitional Aged Youth, and their Families (Youth and Family TREE) Grants.

Division FF, Title I, Subtitle D, Chapter 3, Section 1421–1424 incorporates H.R. 7255 to reauthorize the Garrett Lee Smith Memorial Grants including the Suicide Prevention Resource Center, the State and Tribal Youth Suicide Prevention and Early Intervention Grants Program, the Mental Health Youth Suicide Prevention Campus Grants, and the renamed Mental and Behavioral Health Public Outreach and Education at Institutions of Higher Education program, newly requiring that representatives from minority-serving institutions and community colleges be included within the program’s working group.

Division FF, Title I, Subtitle D, Chapter 4, Section 1431 incorporates H.R. 1475 to direct the Secretary of HHS to, as appropriate, conduct or support research on smartphone and social media use by adolescents and the effects of such use on their health and development, including any disparities in mental health outcomes of rural, minority, or other underserved populations.

Division FF, Title I, Subtitle D, Chapter 4, Section 1432 incorporates H.R. 2161 to require the National Institutes of Health (NIH) to fund conduct or support research regarding the effects of media on infants, children, and adolescents. Such research must, as appropriate, examine the impacts of multimedia (e.g., social media, television, video games) on cognitive, physical, and social development.

Division FF, Title II, Subtitle A, Chapter 2, Section 2113 incorporates H.R. 8163 to reauthorize programs to improve the provision of trauma care, including in rural areas, by increasing coordination and situational awareness within emergency medical and trauma systems and identifying and disseminating best practices. It directs the Administration for Strategic Preparedness and Response (ASPR) to support the improvement and coordination of emergency medical services and trauma care during a public health emergency, which may include issuing guidance to support patient movement and triage and disseminating best practices and related information.

Division FF, Title II, Subtitle B, Chapter 3, Section 2221 incorporates H.R. 3297 to reauthorize the Public Health Workforce Loan Repayment Program to provide loan repayment to individuals in exchange for working in a state, Territorial, Tribal, or local public health department. It also incorporates H.R. 5602 to establish a Bio-Preparedness Workforce Pilot Program to provide for loan repayment for health professionals with expertise in infectious diseases and emergency preparedness and response activities to ensure an adequate supply of such professionals. It also requires GAO to conduct an evaluation of the public health workforce in the U.S. during the COVID-19 pandemic.

Division FF, Title II, Subtitle B, Chapter 3, Section 2222 incorporates H.R. 8151 to reauthorize a community health worker program to promote healthy behaviors and outcomes in medically underserved communities through the use of community health workers. It directs funds to be used to recruit, hire, train, and retain community health workers; support community health workers in

providing education and outreach in their communities; and to educate community members. It also requires GAO to submit a report to Congress on the outcomes and effectiveness of the program, as well as coordination with programs operated by HRSA.

Division FF, Title II, Subtitle B, Chapter 3, Section 2224 incorporates H.R. 3320 to provide authority to HRSA to increase educational opportunities in physical therapy, occupational therapy, respiratory therapy, audiology, and speech-language pathology professions, for individuals from disadvantaged backgrounds or individuals who are underrepresented in such professions.

Division FF, Title II, Subtitle B, Chapter 3, Section 2227 incorporates H.R. 7383 to reauthorize awards to community health centers and rural health clinics for accredited continuing medical education for their primary care providers. It supports access to specialty care through existing service delivery locations and allows for clinical training components between primary care providers and clinical specialists.

Division FF, Title II, Subtitle C, Chapter 3, Section 2321 incorporates H.R. 5478 to require certain researchers to disclose participation in foreign talent programs.

Division FF, Title II, Subtitle C, Chapter 3, Section 2322 incorporates H.R. 5515 to develop and implement an HHS research security framework for research involving identifiable, sensitive information.

Division FF, Title II, Subtitle C, Chapter 3, Section 2323 incorporates H.R. 5626 to add additional duties for the Director of NIH related to research security.

Division FF, Title II, Subtitle C, Chapter 3, Section 2324 incorporates H.R. 6305 to require the HHS Secretary to consult with the National Security Advisor, the Director of National Intelligence, the Director of the FBI, and the heads of other relevant agencies, research institutions and advocacy groups, to identify ways to improve the protection of intellectual property and other types of sensitive information in biomedical research.

Division FF, Title II, Subtitle C, Chapter 3, Section 2325 incorporates H.R. 6363 to authorize a GAO assessment of the extent to which HHS funds are used for human genomic sequencing services or genetic services provided by entities, or subsidiaries of such entities, organized under the laws of a country or countries of concern, as determined by the Director of National Intelligence or the head of another Federal departments and agencies

Division FF, Title II, Subtitle C, Chapter 3, Section 2326 incorporates H.R. 5442 to require an annual HHS report to Congress on actions taken to address cases of research misconduct related to foreign influence.

Division FF, Title II, Subtitle C, Chapter 4, Section 2331 incorporates H.R. 5585 to establish the Advanced Research Projects Agency for Health (ARPA-H) within NIH to accelerate innovation in health and medicine by investing in novel, broadly applicable, high-risk, high-reward research projects. This section requires the President to appoint the Director of ARPA-H, who shall report to the Secretary of HHS. The provision provides a number of authorities and flexibilities related to personnel, hiring, funding mechanisms, facilities, peer review, annual reporting, and evaluations, among other components.

Division FF, Title II, Subtitle D, Sections 2402–2407 incorporates provisions from H.R. 3635 to amend the Strategic National Stockpile (SNS) Annual Threat-Based Review to include an assessment of the supply chains and

any vulnerabilities for products that SNS plans to purchase during the period covered by the Review. It also clarifies that, as part of the procedures of the SNS, the Secretary should ensure that items in the stockpile are in working condition so they can be readily deployed when needed. It requires the Secretary to issue guidance on how states, territories, and Tribes can access the SNS and other countermeasures, and factors the Secretary considers when making decisions related to product distribution. It requires the Secretary to convene annual meetings with public health officials, the private sector, and other stakeholders to share information around the maintenance and use of the SNS and future procurement plans. It authorizes the Secretary to enter into contracts to enhance surge capacity and supply chain flexibility for supplies intended for the SNS through vendor-managed inventory and warm-base domestic manufacturing capacity arrangements. It requires a report to Congress on the use of these authorities. It authorizes the Secretary to sell excess products from the SNS to other entities when the cost of maintaining these products in the SNS is not appropriate to meet the needs of the SNS and the transfer of these products does not compromise national security. It authorizes a pilot program to establish, expand, or maintain state strategic stockpiles of appropriate drugs, vaccines, medical devices, and other medical supplies. It requires a report to Congress after two years on the use of this authority and requires the Secretary to report regularly to Congress on SNS content deployment and replenishment plans during a public health emergency.

Division FF, Title III, Subtitle A, Section 3101 incorporates H.R. 7658 to reauthorize the Critical Path Public-Private Partnership.

Division FF, Title III, Subtitle A, Section 3107 incorporates H.R. 7640 to reauthorize orphan drug grants through 2027.

Division FF, Title III, Subtitle B, Chapter 1, Section 3201 incorporates H.R. 7035 to align certain reporting requirements for biologics with the reporting requirements for drugs by requiring holders of approved biologics license applications to report to the Food and Drug Administration (FDA) when withdrawing a product from the market and requiring holders of approved biologics license applications to submit a one-time report to confirm that their products listed in the Purple Book are still available for sale. It also requires FDA to update the Purple Book for changes related to the status of biologics.

Division FF, Title III, Subtitle B, Chapter 1, Section 3202 incorporates provisions from H.R. 6888 to require FDA to submit a report summarizing its activities relating to designating, approving, and licensing drugs used to treat rare diseases no later than September 30, 2026. It requires FDA to finalize the draft guidance document entitled “Rare Diseases: Common Issues in Drug Development.” It also requires the Secretary to enter into a contract with the National Academies of Sciences, Engineering, and Medicine to study processes for evaluating the safety and efficacy of drugs for rare diseases in the United States and the European Union. The section also requires FDA to convene one or more public meetings to solicit input from stakeholders regarding approaches to improving engagement with rare disease condition patients, patient groups, and experts. It also adds the science of small population studies as a topic for consultation with external experts on issues related to the review of drugs for rare diseases. Finally, it requires the GAO to conduct a study on FDA’s activities regarding the review of drugs for rare diseases.

Division FF, Title III, Subtitle B, Chapter 1, Section 3203 incorporates H.R. 6988 to authorize the Emerging Technology Program at FDA, a collaborative program wherein industry representatives, academics, and others can meet with FDA officials to support the adoption and improve the development of innovative approaches to drug design and manufacturing. It requires FDA to issue guidance regarding requirements related to such approaches and report to Congress regarding allocation of funds and staff utilization in this program.

Division FF, Title III, Subtitle B, Chapter 1, Section 3204 incorporates H.R. 4369 to authorize FDA to award grants to institutions of higher education designated as a National Center of Excellence in Advanced and Continuous Pharmaceutical Manufacturing to support the advancement and development of continuous and advanced pharmaceutical manufacturing technologies and practices.

Division FF, Title III, Subtitle B, Chapter 1, Section 3209 incorporates H.R. 2565 to clarify that drug application sponsors can use alternative testing methods to animal testing in evaluating the safety and effectiveness of human drugs. It clarifies that sponsors of biosimilar applications can demonstrate biosimilarity to a reference product using alternative testing methods to animal studies.

Division FF, Title III, Subtitle B, Chapter 1, Section 3210 incorporates provisions from H.R. 6963 to require FDA to specify conditions for required postapproval studies for drugs approved under accelerated approval, which may include enrollment targets and milestones, including the target date for study completion, by the time the drug is approved. It authorizes FDA to require postapproval studies to be underway at the time of approval or within a specified time period following approval for such drugs, and requires FDA to explain any instances where it does not require such studies. The section clarifies that existing authority to withdraw approvals where sponsors fail to conduct studies with due diligence applies with respect to the approval conditions and streamlines the procedures for withdrawal of approval. To withdraw an accelerated approval, it requires FDA to provide an explanation for the withdrawal, an opportunity for written appeal, a meeting with the Commissioner or their designee, responses to public comment, and, upon request, an advisory committee meeting if there was not previously one on the withdrawal. It also requires more frequent reports on postapproval study progress and lists failure to file reports and conduct accelerated approval postapproval studies with due diligence as a prohibited act. The section also requires FDA to report to Congress on the use of real world evidence to support postapproval studies and issue guidance on novel surrogate endpoints and clinical trial designs. Finally, it requires the Secretary to establish an intra-agency coordinating council within FDA to ensure the consistent and appropriate use of the accelerated approval pathway.

Division FF, Title III, Subtitle B, Chapter 1, Section 3213 incorporates provisions from H.R. 3927 to require FDA to initiate a program for designating methods of manufacturing as advanced manufacturing technologies. A method of manufacturing is eligible for designation if such method both: incorporates a novel technology or uses an established technology in a novel way and will substantially improve the manufacturing process and maintain equivalent or superior drug quality. Designated technologies qualify for expedited application development and review and allow the holder of such designation, or a person

authorized by the designation holder, to reference or rely upon, in a drug or biologic application, data and information about the designated technology for use in manufacturing drugs in the same context of use for which FDA granted the designation. It requires FDA to hold a public meeting, issue guidance, and report to Congress regarding this program, which sunsets on October 1, 2032.

Division FF, Title III, Subtitle B, Chapter 2, Section 3224 incorporates H.R. 6973 to provide that a generic drug is eligible for approval notwithstanding differences between its proposed labeling and that of the listed drug due to revisions made to the labeling of the listed drug approved by FDA within 90 days of when the generic application is otherwise eligible for approval. It preserves the provisions requiring that the revisions not be to the “Warnings” section of the labeling. The generic sponsor must submit revised labeling within 60 days of approval, and otherwise meet applicable requirements for approval.

Division FF, Title III, Subtitle C, Section 3302 incorporates provisions from H.R. 7192 to require the Medical Devices Advisory Committee to meet at least once a year through 2027 to provide FDA advice on topics related to medical devices in pandemic preparedness and response, including issues related to in vitro diagnostics.

Division FF, Title III, Subtitle F, Chapter 1, Section 3601–3604 incorporates provisions from H.R. 6584 to require sponsors of phase 3 and other pivotal studies of new drugs and sponsors of studies of devices to develop and implement a diversity action plan, subject to certain exceptions. Such plan must include the sponsor’s goals for enrollment in the clinical studies, the sponsor’s rationale for such goals, and an explanation for how the sponsor intends to meet such goals. It requires FDA to issue new guidance or update existing guidance specifying the form and content of diversity action plans regarding the sponsor’s goals for enrollment, disaggregated into certain demographic categories, including regarding the rationale for such goals, and how they will be met. It requires FDA, in consultation with drug sponsors, medical device manufacturers, patients, and other stakeholders, not later than one year after enactment, to convene one or more public workshops to solicit input from stakeholders on increasing the enrollment of historically underrepresented populations in clinical studies. It requires FDA, not later than two years after enactment, and annually thereafter, to submit to Congress, and publish on the public website of FDA, a report that summarizes information related to the diversity action plans received pursuant to Section 505(z) or 520(g)(9) of the Food, Drug, and Cosmetic Act. The section notes that nothing in this section shall be construed to authorize FDA to disclose any information that is a trade secret or confidential.

Division FF, Title III, Subtitle F, Chapter 1, Section 3606 incorporates provisions from H.R. 5030 and H.R. 6000 to require FDA, not later than one year after enactment, to issue draft guidance that addresses considerations for decentralized clinical studies, including regarding the engagement, enrollment, and retention of a meaningfully diverse clinical population with respect to race, ethnicity, age, sex, and geographic location, when appropriate. FDA is required to finalize this guidance no later than one year after the public comment for the draft guidance ends.

Division FF, Title III, Subtitle F, Chapter 2, Section 3615 incorporates provisions from H.R. 6980 to require FDA to conduct a pilot program in which FDA increases the conduct of unannounced surveillance inspections of foreign

drug establishments, evaluates the differences between such inspections of domestic and foreign establishments, including the impact of announcing inspections, and post a report of its findings and recommendations on the FDA website.

Division FF, Title III, Subtitle F, Chapter 2, Section 3616–3617 incorporates provisions from H.R. 3927 to advance intra-agency coordination between field investigators and drug shortage staff at FDA. It requires FDA to include additional information in an annual report with respect to FDA domestic and foreign inspections and FDA recognition of foreign government inspections. It also requires FDA to include additional information in an annual report with respect to the timing of inspections and regulatory and enforcement actions. The section harmonizes the timing of the FDA annual reporting requirement on inspections under Section 902 of the Food and Drug Administration Reauthorization Act to align with reporting requirements related to the PDUFA user fee program. It amends the information FDA must annually report regarding inspections on its website pursuant to section 902 of the FDA Reauthorization Act of 2017 (FDARA), including by adding to this information the time between a request from FDA and the beginning of an inspection for certain generic drugs, drugs subject to discontinuance reporting, and drugs on the shortage list.

Division FF, Title III, Subtitle F, Chapter 3, Section 3629 drew from H.R. 4511 to require FDA to issue or revise guidance on the use of real-world data and real-world evidence to support regulatory decision making, including with respect to real-world data and real-world evidence from products authorized for emergency use.

Division FF, Title III, Subtitle F, Chapter 3, Section 3630 incorporated H.R. 9297 to provide that no drug or medical device shall be considered misbranded as a result of the provision of information regarding investigational drugs or medical devices or uses to payors, formulary committees, or other similar entities under specified conditions. It requires the information to include a clear statement that the drug or medical device has not been approved and that the safety and efficacy of the drug or medical device has not been established. Additional required disclosures include information about studies the drug or medical device is undergoing, how the studies relate to the overall plan for the development of the drug or medical device, whether an application for the drug or medical device has been submitted to FDA, and if not, when such submission is planned.

Division FF, Title IV, Subtitle A, Section 4103 incorporates H.R. 2454 to extend a number of add-on payments for ground ambulance services under the Medicare fee schedule through December 31, 2024.

Division FF, Title IV, Subtitle B, Section 4113 incorporates H.R. 4040 to extend all of the Medicare telehealth flexibilities that were extended in the Consolidated Appropriations Act, 2022, through December 31, 2024.

Division FF, Title IV, Subtitle C, Section 4121 incorporates H.R. 432 to establish Medicare coverage for services provided by marriage and family therapists and licensed professional counselors beginning on January 1, 2024.

Division FF, Title IV, Subtitle C, Section 4124 incorporates H.R. 8878 to revise Medicare's partial hospitalization benefit beginning on January 1, 2024 to provide coverage of intensive outpatient services.

Division FF, Title IV, Subtitle C, Section 4125 incorporates H.R. 8879 to direct HHS to begin collecting (no later than October 1, 2023) data and other information necessary to revise the existing Medicare prospective payment system (PPS) for inpatient psychiatric hospitals and psychiatric units (IPFs). The HHS Secretary is required to update the methodology for determining payment rates under the IPF PPS beginning in rate year 2025.

Division FF, Title IV, Subtitle C, Section 4126 incorporates H.R. 8890 to add a new exception to the Stark Law to allow for hospitals and other entities to provide evidence-based programs for physicians to improve their mental health, increase resiliency, and prevent suicide among physicians.

Division FF, Title IV, Subtitle D, Section 4133 incorporates H.R. 3630 to provide Medicare Part B coverage for compression garments for the treatment of lymphedema, beginning on January 1, 2024.

Division FF, Title IV, Subtitle D, Section 4135 incorporates H.R. 3259 to provide a separate Medicare payment, from 2025 through 2027, for non-opioid treatments that are currently packaged into the payment for surgeries under Medicare's Outpatient Prospective Payment System (OPPS). The section also caps the separate payment at 18 percent of the estimated average OPPS payment amount for the surgeries and other services for which the non-opioid is used in conjunction with.

Division FF, Title IV, Subtitle D, Section 4136 incorporates H.R. 2356 to adjust payment for disposable negative pressure wound therapy devices by using the supply price to determine the relative value for the service.

Division FF, Title IV, Subtitle D, Section 4143 incorporates H.R. 4407 to eliminate the annual cap on total payments and excludes any resulting increase from factoring into calculations for nursing and allied health education payments for such hospitals for 2010 through 2019.

Division FF, Title V, Subtitle A, Section 5101 incorporates H.R. 4406 to extend Puerto Rico's higher federal medical assistance percentage (FMAP) of 76 percent through FY 2027 and permanently extends a higher FMAP of 83 percent for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the U.S. Virgin Islands. In addition, this section increases Puerto Rico's federal Medicaid allotments for the next five fiscal years. The section also makes programmatic improvements to the territories' Medicaid programs, including requiring increased provider payment rates and improving contracting practices for Puerto Rico and providing funding for data system improvements for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the U.S. Virgin Islands.

Division FF, Title V, Subtitle B, Section 5111 incorporates H.R. 1791 to extend funding for the Children's Health Insurance Program (CHIP) for two years through FY 2029.

Division FF, Title V, Subtitle B, Section 5112 incorporates H.R. 1738 to require children to be provided with 12 months of continuous coverage in Medicaid and CHIP effective the first full quarter that is one year after the date of enactment.

Division FF, Title V, Subtitle B, Section 5113 incorporates H.R. 3345 to make permanent a state option to allow states to continue to provide 12 months of continuous coverage during the postpartum period in Medicaid or CHIP.

Division FF, Title V, Subtitle B, Section 5114 incorporates H.R. 1880 to extend funding for the Medicaid Money Follows the Person Rebalancing Demonstration program at \$450 million per year through FY 2027.

Division FF, Title V, Subtitle B, Section 5115 incorporates H.R. 1717 to extend protections against spousal impoverishment for Medicaid recipients of home- and community-based services through FY 2027.

Division FF, Title V, Subtitle C, Section 5121 incorporates H.R. 7233 to require states to provide justice-involved youth who are eligible for Medicaid or CHIP with screening, diagnostic, and case management services in the 30-day period prior to their release from incarceration in a post-adjudication setting. In addition, this section requires, for at least 30 days following release, such youth to be provided with targeted case management services, including referrals to appropriate care and services.

Division FF, Title V, Subtitle C, Section 5122 incorporates H.R. 6636 to allow states to receive federal matching funds through Medicaid and CHIP for health care services provided to justice-involved youth who are incarcerated in public institutions pending disposition of their charges. These provision takes effect the first full quarter that is two years after the date of enactment.

Legislative History

On April 16, 2021, H.R. 2617 was introduced by Representatives Connolly (VA-11) and Hice (GA-10) and was referred to the Committee on Oversight and Reform.

On May 25, 2021, the Committee on Oversight and Reform held a markup of the bill and ordered H.R. 2617 reported favorably to the House, amended, by a voice vote.

On July 26, 2021, the House considered H.R. 2617 under suspension of the rules. On July 26, 2021, the Chair announced that further proceedings on the motion to suspend the rules and pass H.R. 2617 would be postponed.

On September 28, 2021, H.R. 2617 was considered in the House as unfinished business. That same day, H.R. 2617 passed the House under suspension of the rules, as amended, by a record vote of 414 yeas to 10 nays (Roll no. 304).

On September 29, 2021, H.R. 2617 was received in the Senate, read twice, and referred to the Committee on Homeland Security and Governmental Affairs.

On November 3, 2021, the Committee on Homeland Security and Governmental Affairs ordered H.R. 2617 to be reported favorably, without amendment.

On September 27, 2022, the Committee on Homeland Security and Governmental Affairs ordered H.R. 2617 to the Senate with amendments (report No. 117-164).

On November 15, 2022, H.R. 2617 passed the Senate with amendments by unanimous consent.

On December 14, 2022, the House agreed to Senate amendments numbered 1, 2, 3, and 5, and the House agreed to Senate amendment numbered 4 with an amendment pursuant to H. Res. 1518. On December 15, 2022, the message on the House amendment to Senate amendment 4 was received in the Senate. On December 20, 2022, the motion to proceed to consideration of the House message

to accompany H.R. 2617 was agreed by a record vote of 70 yeas to 25 nays (Record Vote Number: 403).

On December 22, 2022, the Senate concurred in the House amendment to Senate amendment to H.R. 2617 with an amendment by a record vote of 68 yeas to 29 nays (Record Vote Number: 421).

On December 23, 2022, the House agreed to the Senate amendment to the House amendment to the Senate amendment by record vote of 225 yeas to 201 nays, 1 Present (Roll no. 549).

On December 28, 2022, H.R. 2617 was presented to the President and signed by the President on December 29, 2022.

Several provisions in H.R. 2617 previously passed in H.R. 1319, the “American Rescue Plan Act Of 2021,” H.R. 7666, the “Restoring Hope For Mental Health And Well-Being Act Of 2022,” and H.R. 7667, the “Food And Drug Amendments Of 2022.”

On May 18, 2021, H.R. 3297 was introduced by Representatives Crow (CO-06), Burgess (TX-26), Eshoo (CA-18), and Guthrie (KY-2) and referred to the Committee on Energy and Commerce and the Committee on Ways and Means. Subsequently, on May 19, 2021, the bill was referred to the Subcommittee on Health.

On November 4, 2021, the Subcommittee on Health held a hybrid markup on H.R. 3297 and eight other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Eshoo was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

No further action was taken on H.R. 3297 in the 117th Congress.

On May 18, 2021, H.R. 3320 was introduced, by Representatives Rush (IL-01) and Mullin (OK-02) and referred to Committee on Energy and Commerce. Subsequently, on May 19, 2021, the bill was referred to the Subcommittee on Health. The Subcommittee held a legislative hearing on the bill on October 26, 2021. The Subcommittee received testimony from Corey Feist, Founder, Dr. Lorna Breen Foundation; Lisa Macon Harrison, M.P.H., President, National Association of County and City Health Officials (NACCHO); Brooks A. Keel, Ph.D., President, Augusta University; Alan Levine, Executive Chairman, President, and CEO, Ballad Health; Jeanne Marrazzo, M.D., Board Member, Infectious Disease Society of America, Infectious Disease Division Chief, University of Alabama at Birmingham; Stephanie Monroe, J.D., Director of Equity and Access, UsAgainstAlzheimer’s, Executive Director, AfricanAmericansAgainstAlzheimer’s; and Victoria Garcia Wilburn, D.H.Sc., O.T.R., F.A.O.T.A., Assistant Professor in Occupational Therapy, IUPUI School of Health & Human Sciences.

On November 4, 2021, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 3320 and eight other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Matsui was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On November 17, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 3320 and 11 other bills. No amendments

were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 3320 reported favorably to the House, as amended, by a voice vote.

On December 8, 2021, the Committee on Energy and Commerce reported H.R. 3320 to the House (H. Rept. 117-214).

No further action was taken on H.R. 3320 in the 117th Congress.

On July 28, 2021, H.R. 3630 was introduced, by Representative Schakowsky (IL-09) and was referred to the Committee on Energy and Commerce and the Committee on Ways and Means. Subsequently, on June 22, 2022, the bill was referred to the Subcommittee on Health.

On July 12, 2022, the Subcommittee on Health discharged consideration of the bill. On July 13, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 3630 and four other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Schakowsky, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 3630 reported favorably to the House, amended, by a voice vote.

On July 22, 2022, the Committee on Energy and Commerce reported H.R. 3630 to the House (H. Rept. 117-430, Part I), and the Committee on Ways and Means discharged further consideration of the bill. On November 14, 2022, H.R. 3630 was considered in the House under suspension of the rules. On November 17, 2022, H.R. 3630 passed the House under suspension of the rules by a record vote of 402 yeas to 13 nays (Roll no. 485).

On November 17, 2022, H.R. 3630 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on H.R. 3630 in the 117th Congress.

On May 28, 2021, H.R. 3635 was introduced by Representative Slotkin (MI-08) and 15 original bipartisan cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on May 31, 2021, the bill was referred to the Subcommittee on Health.

On October 19, 2021, H.R. 3635 was considered in the House under suspension of the rules. On October 20, 2021, H.R. 3635 passed the House under suspension of the rules by a record vote of 397 yeas to 22 nays (Roll no. 322).

On October 21, 2021, H.R. 3635 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 3635 in the 117th Congress.

On June 22, 2021, H.R. 4040 was introduced by Representatives Cheney (WY-AL) and Dingell (MI-12) and referred to the Committee on Energy and Commerce and the Committee on Ways and Means. Subsequently, on June 23, 2021, the bill was referred to the Subcommittee on Health.

On July 27, 2022, H.R. 4040 was considered in the House under suspension of the rules. That same day, H.R. 4040 passed the House under suspension of the rules by a record vote of 416 yeas to 12 nays (Roll no. 400).

On July 28, 2022, H.R. 4040 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on H.R. 4040 in the 117th Congress.

On July 6, 2021, H.R. 4369 was introduced by Representatives Pallone (NJ-06) and Representative Guthrie (KY-02) and was referred to the Committee on Energy and Commerce. Subsequently, on July 7, 2021, H.R. 4369 was referred to the Subcommittee on Health.

On July 15, 2021, the Subcommittee on Health met in a hybrid open markup session, pursuant to notice, to consider H.R. 4369. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Chairman Pallone was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee ordered H.R. 4369 reported favorably to the full Committee, amended, by a voice vote.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4369 and 23 other bills. During consideration of the bill, an amendment offered by Chairman Pallone was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Chairman Pallone to order H.R. 4369 reported favorably to the House, amended, by a voice vote.

On October 19, 2021, the Committee on Energy and Commerce reported H.R. 4369 to the House (H. Rept. 117-151). That same day, H.R. 4369 was considered in the House under suspension of the rules and passed the House under suspension of the rules by a record vote of 368 yeas to 56 nays (Roll no. 318).

On October 20, 2021, H.R. 4369 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 4369 in the 117th Congress.

On July 13, 2021, H.R. 4406 was introduced by Representative Soto (FL-09) and six original bipartisan cosponsors and was referred to the Committee on Energy and Commerce. Subsequently, on July 14, 2021, H.R. 4406 was referred to the Subcommittee on Health.

On July 15, 2021, the Subcommittee on Health met in a hybrid open markup session, pursuant to notice, to consider H.R. 4406. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee ordered H.R. 4406 reported favorably to the full Committee, without amendment, by a voice vote.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4406 and 23 other bills. During consideration of the bill, an amendment offered by Representative Soto was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Chairman Pallone to order H.R. 4406 reported favorably to the House, amended, by a voice vote.

No further action was taken on H.R. 4406 in the 117th Congress.

On September 30, 2021, H.R. 5442 was introduced by Representative Curtis (UT-03) and was referred to the Committee on Energy and Commerce. Subsequently, on October 1, 2021, H.R. 5442 was referred to the Subcommittee on Health. The Subcommittee on Health held a legislative hearing on June 29, 2022, on the bill. The Subcommittee received testimony from Kirsten Bibbins-Domingo, Ph.D., M.D., M.A.S., Professor of Epidemiology and Biostatistics and the Lee Goldman, M.D. Professor of Medicine, University of California, San Francisco; Kevin Croston, M.D., CEO, North Memorial Health; Tanika Gray Valbrun, Founder and President, The White Dress Project; Michael D. Shannon, Executive/President of Government Solutions, IPTalons, Inc.; Desiree Sweeney,

CEO, NEW Health; and Leslie R. Walker-Harding, M.D., F.A.A.P., F.S.A.H.M., Ford/Morgan Endowed Professor Chair Department of Pediatrics/Associate Dean, University of Washington; Chief Academic Officer/Senior Vice President, Seattle Children's Hospital.

No further action was taken on H.R. 5442 in the 117th Congress.

On October 5, 2021, H.R. 5478 was introduced by Representative Bilirakis (FL-12) and was referred to the Committee on Energy and Commerce. Subsequently, on October 6, 2021, H.R. 5478 was referred to the Subcommittee on Health. The Subcommittee on Health held a legislative hearing on June 29, 2022, on the bill. The Subcommittee received testimony from Kirsten Bibbins-Domingo, Ph.D., M.D., M.A.S., Professor of Epidemiology and Biostatistics and the Lee Goldman, M.D. Professor of Medicine, University of California, San Francisco; Kevin Croston, M.D., CEO, North Memorial Health; Tanika Gray Valbrun, Founder and President, The White Dress Project; Michael D. Shannon, Executive/President of Government Solutions, IPTalons, Inc.; Desiree Sweeney, CEO, NEW Health; and Leslie R. Walker-Harding, M.D., F.A.A.P., F.S.A.H.M., Ford/Morgan Endowed Professor Chair Department of Pediatrics/Associate Dean, University of Washington; Chief Academic Officer/Senior Vice President, Seattle Children's Hospital.

No further action was taken on H.R. 5478 in the 117th Congress.

On October 15, 2021, H.R. 5585 was introduced by Representative Eshoo and was referred to the Committee on Energy and Commerce. Subsequently, on October 18, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2022, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 5585 and five other bills. During consideration of the bill, no amendments were offered. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, without amendment, by a voice vote.

On May 18, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 5585 and five other bills. An amendment in the nature of a substitute (AINS), offered by Representative Eshoo, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 5585 reported favorably to the House, amended, by a roll call vote of 53 yeas to 3 nays.

On June 13 2022, the Committee on Energy and Commerce reported H.R. 5585 to the House (H. Rept. 117-365). On June 22, 2022, H.R. 5585 was considered in the House under suspension of the rules. During consideration of the bill, an amendment was agreed to by a record vote of 381 yeas to 40 nays (Roll no. 287). That same day, H.R. 5855 passed the House, amended, by a record vote of 336 yeas to 85 nays (Roll no. 288).

On June 23, 2022, H.R. 5855 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 5585 in the 117th Congress.

On October 15, 2021, H.R. 5594 was introduced by Representative Joyce (PA-13) and referred to Committee on Energy and Commerce. Subsequently, on October 18, 2021, the bill was referred to the Subcommittee on Health. The Subcommittee held a legislative hearing on the bill on October 26, 2021. The Subcommittee received testimony from Corey Feist, Founder, Dr. Lorna Breen

Foundation; Lisa Macon Harrison, M.P.H., President, National Association of County and City Health Officials (NACCHO); Brooks A. Keel, Ph.D., President, Augusta University; Alan Levine, Executive Chairman, President, and CEO, Ballad Health; Jeanne Marrazzo, M.D., Board Member, Infectious Disease Society of America, Infectious Disease Division Chief, University of Alabama at Birmingham; Stephanie Monroe, J.D., Director of Equity and Access, UsAgainstAlzheimer's, Executive Director, AfricanAmericansAgainstAlzheimer's; and Victoria Garcia Wilburn, D.H.Sc., O.T.R., F.A.O.T.A., Assistant Professor in Occupational Therapy, IUPUI School of Health & Human Sciences.

No further action was taken on H.R. 5594 in the 117th Congress.

On December 16, 2021, H.R. 6305 was introduced by Representative Hudson and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on December 17, 2021.

The Subcommittee on Health held a legislative hearing on June 29, 2022, on the bill. The Subcommittee received testimony from Kirsten Bibbins-Domingo, Ph.D., M.D., M.A.S., Professor of Epidemiology and Biostatistics and the Lee Goldman, M.D. Professor of Medicine, University of California, San Francisco; Kevin Croston, M.D., CEO, North Memorial Health; Tanika Gray Valbrun, Founder and President, The White Dress Project; Michael D. Shannon, Executive/President of Government Solutions, IPTalons, Inc.; Desiree Sweeney, CEO, NEW Health; and Leslie R. Walker-Harding, M.D., F.A.A.P., F.S.A.H.M., Ford/Morgan Endowed Professor Chair Department of Pediatrics/Associate Dean, University of Washington; Chief Academic Officer/Senior Vice President, Seattle Children's Hospital.

No further action was taken on H.R. 6305 in the 117th Congress.

On June 21, 2022, H.R. 8151 was introduced by Representative Ruiz and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 22, 2022.

The Subcommittee on Health held a legislative hearing on June 29, 2022, on the bill. The Subcommittee received testimony from Kirsten Bibbins-Domingo, Ph.D., M.D., M.A.S., Professor of Epidemiology and Biostatistics and the Lee Goldman, M.D. Professor of Medicine, University of California, San Francisco; Kevin Croston, M.D., CEO, North Memorial Health; Tanika Gray Valbrun, Founder and President, The White Dress Project; Michael D. Shannon, Executive/President of Government Solutions, IPTalons, Inc.; Desiree Sweeney, CEO, NEW Health; and Leslie R. Walker-Harding, M.D., F.A.A.P., F.S.A.H.M., Ford/Morgan Endowed Professor Chair Department of Pediatrics/Associate Dean, University of Washington; Chief Academic Officer/Senior Vice President, Seattle Children's Hospital.

No further action was taken on H.R. 8151 in the 117th Congress.

On June 21, 2022, H.R. 8163 was introduced by Representative O'Halleran and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 22, 2022.

The Subcommittee on Health held a legislative hearing on June 29, 2022, on the bill. The Subcommittee received testimony from Kirsten Bibbins-Domingo, Ph.D., M.D., M.A.S., Professor of Epidemiology and Biostatistics and the Lee Goldman, M.D. Professor of Medicine, University of California, San Francisco; Kevin Croston, M.D., CEO, North Memorial Health; Tanika Gray Valbrun,

Founder and President, The White Dress Project; Michael D. Shannon, Executive/President of Government Solutions, IPTalons, Inc.; Desiree Sweeney, CEO, NEW Health; and Leslie R. Walker-Harding, M.D., F.A.A.P., F.S.A.H.M., Ford/Morgan Endowed Professor Chair Department of Pediatrics/Associate Dean, University of Washington; Chief Academic Officer/Senior Vice President, Seattle Children's Hospital.

On September 14, 2022, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 8163 and four other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Eshoo, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On September 21, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 8163 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative O'Halleran, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 8163 reported favorably to the House, amended, by a roll call vote of 55 yeas and 1 nay.

On September 28, 2022, the Committee on Energy and Commerce reported H.R. 8163 to the House (H. Rept. 117-514), and the bill was placed on the Union Calendar (Calendar No. 385).

On September 29, 2022, H.R. 8163 was considered and passed in the House, as amended, under suspension of the rules.

On October 11, 2022, H.R. 8163 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 8163 in the 117th Congress.

RESTORING HOPE FOR MENTAL HEALTH AND WELL-BEING ACT OF 2022

H.R. 7666 (H.R. 201, H.R. 721, H.R. 768, H.R. 1384, H.R. 1475, H.R. 1480, H.R. 2067, H.R. 2161, H.R. 2355, H.R. 2364, H.R. 2376, H.R. 2379, H.R. 2877, H.R. 2929, H.R. 2981, H.R. 3753, H.R. 5218, H.R. 5260, H.R. 5352, H.R. 5583, H.R. 5611, H.R. 5950, H.R. 6279, H.R. 7073, H.R. 7076, H.R. 7232, H.R. 7233, H.R. 7234, H.R. 7235, H.R. 7237, H.R. 7238, H.R. 7241, H.R. 7248, H.R. 7249, H.R. 7254, H.R. 7255, H.R. 7483, H.R. 7857)

Reauthorizes through FY2027, expands, and modifies programs, grants, and activities that focus on mental and behavioral health, and expands access to opioid and other substance use disorder prevention, treatment, and recovery support services.

Summary

Title I, Subtitle A, Section 101 incorporates H.R. 7232 to establish the Behavioral Health Crisis Coordinating Office within the Substance Abuse and Mental Health Services Administration (SAMHSA) to convene partners and

provide technical assistance to enhance access to crisis care, authorized at \$5 million annually for fiscal year (FY) 2023 through FY 2027.

Title I, Subtitle A, Section 102 incorporates H.R. 5611 to require the Secretary of Health and Human Services (HHS) to publish best practices for a crisis response continuum of care not later than one year after the date of enactment for use by health care providers, crisis services administrators, and crisis services providers.

Title I, Subtitle A, Section 103 incorporates H.R. 2981 to expand the requirements for the National Suicide Prevention Lifeline Program such that SAMHSA must: (1) develop a plan to ensure the provision of high-quality service, (2) strengthen data-sharing agreements to facilitate the transmission of epidemiological data from the program to the Centers for Disease Control and Prevention, and (3) implement a pilot program focused on using other communications platforms (e.g., social media and texting) for suicide prevention. It also directs the Government Accountability Office (GAO) to study the program.

Title I, Subtitle B, Sections 111-113 incorporate H.R. 7073 to reauthorize section 317L-1 of the Public Health Service Act (PHSA) to award Screening and Treatment for Maternal Mental Health and Substance Use Disorders grants to states to establish, improve, or maintain programs for screening, assessment, and treatment services for women who are postpartum, pregnant, or have given birth within the preceding 12 months, for maternal mental health and substance use disorders. It authorizes \$24 million annually for FY 2023 through FY 2027. It establishes a national hotline to provide information, brief intervention, and mental health and substance use disorder resources to pregnant and postpartum women at risk of, or affected by, maternal mental health and substance use disorders, and authorizes \$10 million annually for FY 2023 through FY 2027. It establishes a task force to make recommendations to coordinate and inform a national strategy to improve Federal and State responses to maternal mental health conditions. It requires a report to Congress and to Governors and State leaders two years after the first meeting of the task force.

Title I, Subtitle C, Sections 121-123 incorporate H.R. 7237 to establish an authorization for the Mental Health Crisis Response Partnership Pilot Program at \$10 million annually for FY 2023 through FY 2027. It reauthorizes seven additional SAMHSA programs to address mental health needs, provide crisis response care, and prevent suicide among adults for FY 2023 through FY 2027, including: the National Mental Health and Substance Abuse Policy Laboratory, authorized at \$10 million for each fiscal year; Interdepartmental Serious Mental Illness Coordinating Committee; Mental Health Needs Priority Regions of National Significance (PRNS), authorized at \$599.036 million for each fiscal year; Mental Health Awareness Training (MHAT) Grants, authorized at \$24.963 million for each fiscal year; Adult Suicide Prevention initiatives, authorized at \$30 million for each fiscal year; Assertive Community Treatment Grants, authorized at \$9 million for each fiscal year; and Assisted Outpatient Treatment Grant Program for Individuals with Serious Mental Illness, authorized at \$22 million for each fiscal year.

Title I, Subtitle C, Section 124 incorporates H.R. 7483 to require a study to determine the true costs of untreated serious mental illness on families, health care systems, public housing, and law enforcement in America.

Title I, Subtitle D, Section 131 incorporates H.R. 7249 to establish an authorization for the SAMHSA National Center of Excellence for Eating Disorders at \$1 million annually for FY 2023 through FY 2027 to award competitive subgrants or subcontracts for the development and provision of training and technical assistance to primary and behavioral health providers and non-clinical community support workers as well as collaboration and coordination with SAMHSA, the Centers for Disease Control and Prevention, and the Health Resources and Services Administration (HRSA) on the identification, effective treatment, and ongoing support of individuals with eating disorders.

Title I, Subtitle E, Section 141 incorporates H.R. 7241 to reauthorize the Community Mental Health Services Block Grants for states, territories, Tribes, and Tribal organizations to support community mental health services for adults with serious mental illness and children with serious emotional disturbance, and to support the collection of performance and outcome data. It requires that five percent of the funds granted be used for crisis-care services and allows for up to five percent of funds for early intervention activities. It authorizes \$857.571 million annually for FY 2023 through FY 2027.

Title I, Subtitle F, Section 151 incorporates H.R. 2929 to authorize \$13 million annually for FY 2023 through 2027 for grants to consumer-led nonprofits, Tribes and Tribal organizations, Urban Indian organizations, or Tribal consortium to provide peer-supported mental health services, including virtual peer support.

Title I, Subtitle G, Section 161 incorporates H.R. 5352 to require the Department of Defense to carry out a two-year pilot program aimed at preventing suicides amongst active-duty members of the Armed Forces by pre-downloading resources onto smart devices issued to members of the Armed Forces and to provide training on the use of these resources.

Title II, Subtitle A, Section 201 incorporates H.R. 201 to reauthorize the Alcohol and Drug Prevention or Treatment Services for Indians and Native Alaskans Grant Program to provide culturally appropriate mental health and substance use disorder prevention, treatment, and recovery services to American Indians, Alaska Natives, and Native Hawaiians. It requires the convening of a negotiated rulemaking committee composed of representatives of the federal government, Tribal Governments, and Urban Indian Organizations to establish a funding formula and program evaluation standards. Authorizes \$40 million annually for FY 2023 through 2027.

Title II, Subtitle B, Sections 211-222 incorporate H.R. 7234 to reauthorize 11 SAMHSA programs that support mental health and substance use disorder prevention, treatment, and recovery services activities for FY 2023 through FY 2027, including: Formula Grants for the Benefit of Homeless Individuals, authorized at \$41.304 million for each fiscal year; Substance Use Disorder Treatment Programs of Regional and National Significance (PRNS), authorized at \$521.517 million for each fiscal year; Prescription Opioid and Heroin Treatment and Interventions Demonstration Grants, authorized at \$25 million for each fiscal year; Substance Use Disorder Prevention PRNS, authorized at \$218.219 million for each fiscal year; Programs to Reduce Underage Drinking, Community-based Coalition Enhancement Grants to Prevent Underage Drinking, Pediatric Provider Screening and Brief Intervention Grants, data collection and research, authorized for a collective \$23 million for each fiscal year; a National Academy of Sciences review and report to Congress authorized at \$500,000 for FY 2023; Jail Diversion

Program and Grants, authorized at \$14 million each fiscal year; Projects for Assistance in Transition from Homelessness Program, authorized at \$64.635 million for each fiscal year; Grants for Reducing Overdose Deaths, including supporting the development of strategic opioid crisis response plans, authorized at \$5 million for each fiscal year; Opioid Overdose Reversal Medication Access, Education, and Co-prescribing Grants, requiring health care practitioners to prescribe an opioid reversal drug when prescribing an opioid for certain patients, authorized at \$5 million for each fiscal year; State and Local Integrated Comprehensive Opioid Use Disorder Response initiatives, authorized at \$5 million for each fiscal year; and Emergency Department Alternatives to Opioids Demonstration Grants, authorized at \$10 million for each fiscal year.

Title II, Subtitle C, Sections 231-237 incorporate H.R. 2376 to require the Secretary, acting through the SAMHSA Assistant Secretary, to collaborate with federal agencies and relevant stakeholders to promote the availability of high-quality recovery housing and services for individuals with substance use disorders. It requires the Secretary to develop and periodically update consensus-based best practices for operating, and promoting the availability of, high-quality recovery housing. It requires the Secretary, acting through the SAMHSA Assistant Secretary, and the Secretary of Housing and Urban Development to convene an interagency working group and report to Congress on its activities to increase federal collaboration and coordination, develop a long-term plan to support state, Tribal, and local efforts to operate recovery housing consistent with best practices, and coordinate fair housing practices and data collection on the quality of recovery housing. It permits SAMHSA to provide grants to states, Tribes, and territories for technical assistance to promote and maintain recovery housing according to best practices and to develop related state promotion plans. It reauthorizes \$5 million for the period of FY 2023 through 2027.

Title II, Subtitle D, Sections 241-248 incorporate H.R. 7235 to reauthorize and renames SAMHSA's Substance Abuse Prevention and Treatment Block Grant as the "Substance Use Prevention, Treatment, and Recovery Services Block Grant," to provide states and Tribes with funding to plan, carry out, and evaluate substance use disorder prevention, treatment, and recovery support services for individuals, families, and communities impacted by substance use disorders, authorized at \$1.908 billion annually for FY 2023 through FY 2027. It requires that states' plans describe the recovery support service activities supported by block grant funds, including number of individuals served, target populations, priority needs, and the amount of funds allocated to recovery support services disaggregated by type of activity. It updates the basis by which states are designated as required to provide HIV related services based on HIV case rate rather than AIDS case rate effective in FY 2025. It requires states receiving block grant funds to provide viral hepatitis screening and referrals to providers whose practice includes viral hepatitis vaccination and treatment. It requires states' reports to include the amount of funds provided to each grant recipient the previous fiscal year. It requires the Secretary to conduct a study to develop a model needs assessment process for states. It also replaces "substance abuse" with "substance use" and updates the statutory language with regard to Tribes and Tribal organizations.

Title II, Subtitle E, Sections 251 incorporates part of H.R. 6279 to require the Assistant Secretary for Mental Health and Substance Use to conduct a study and

report within 180 days on the impacts of treatment flexibilities allowed during the pandemic on Opioid Treatment Program (OTP) effectiveness and safety.

Title II, Subtitle E, Section 252 incorporates H.R. 7238 to eliminate the requirement that an individual have an opioid use disorder for at least one year before being admitted for treatment by an OTP. This section also incorporates part of H.R. 6279 to change federal opioid treatment standards to allow an OTP to operate one or more mobile units to dispense medications at locations other than the registrant's principal place of business or professional practice under the same registration (previously, each mobile unit had to be separately registered) and require the Secretary to establish criteria for OTP to allow certain patients to receive take home medications.

Title II, Subtitle F, Section 262 incorporates H.R. 1384 to eliminate the X-Waiver, a requirement for health care practitioners registered to dispense controlled substances to apply for a separate waiver through the DEA to dispense buprenorphine for opioid use disorder maintenance or detoxification treatment.

Title II, Subtitle F, Section 263 incorporates H.R. 2067 to require health care providers, as a condition of receiving or renewing a DEA registration to prescribe controlled substances, to meet a one-time 8-hour training requirement on identifying and treating patients with substance use disorders.

Title II, Subtitle F, Section 264 incorporates H.R. 5950 to increase the time limit for health care providers to hold long-acting injectable (LAI) buprenorphine before administration to a patient, if received through a specialty pharmacy, from 14 to 60 days.

Title II, Subtitle F, Section 265 incorporates H.R. 768 to amend the Controlled Substances Act to clarify the process for registrants to exercise due diligence upon discovering a suspicious order of controlled substances. It requires registrants to establish a record of the due diligence performed upon receipt of a suspicious shipment; decline to fill an order if the due diligence fails to resolve the suspicious indicators; and report to the DEA.

Title II, Subtitle G, Section 271 incorporates H.R. 2355 to encourage the expanded use of electronic prescribing for opioids similar to the mandate for Medicare Part D opioid prescriptions under current law, incentivize states to maintain and fully utilize prescription drug monitoring programs (PDMP), and require HHS to work with the CDC, DEA, and FDA to offer materials and guidance to pharmacists on how to verify the identity patients to help facilitate safe and responsible opioid prescriptions.

Title II, Subtitle G, Section 272 incorporates H.R. 2364 to require HHS to conduct a public education campaign about synthetic opioids (including fentanyl and its analogues), disseminate information about synthetic opioids to health care providers, and develop a training guide and webinar for first responders and other individuals at high risk of exposure to synthetic opioids that details measures to prevent exposure.

Title II, Subtitle G, Section 283 incorporates H.R. 2379 to authorize State Opioid Response (SOR) Grants and Tribal Opioid Response (TOR) Grants for 5 years at \$1.75 billion per year, with a 5% set-aside for TOR.

Title III, Subtitle A, Section 301 incorporates H.R. 5218 to amend section 520k of the Public Health Service Act and reauthorize a program that allows HHS to award grants to states that partner with a community program, a Federally Qualified Health Center, Rural Health Clinic, or a primary health care physician

practice to implement and evaluate specified models of care that integrate behavioral health and primary care services. In awarding such grants, the Secretary is authorized to give priority to recipients who provide care to medically underserved populations and in areas where the prevalence of behavioral health conditions exceeds the national average. It also authorizes incentive payments for recipients that use appropriate billing codes and quality measures for behavioral health services as well as grants for national and regional organizations that provide technical assistance to improve integration of such services. It reauthorizes \$60 million annually for FY 2023 through FY 2027.

Title III, Subtitle B, Section 311 incorporates H.R. 5583 to reauthorize multiple programs to support and strengthen the mental health care workforce, including Liability Protections for Health Professional Volunteers, reauthorized through October 1, 2027; Mental and Behavioral Health Education and Training Grants including updates to the education reference for occupational therapists, reauthorized at \$50 million for FY 2023 through FY 2027; and the Training Demonstration Program, reauthorized at \$37.1 million annually for FY 2023 through FY 2027. It also updates the Minority Fellowship Program to include those “in the fields of crisis care management.”

Title III, Subtitle B, Section 312 incorporates H.R. 7857 to reauthorize SAMHSA’s Minority Fellowship Program supporting individuals pursuing masters or doctoral degrees in various fields of mental health and substance use disorder counseling. The program is authorized at \$25 million for each fiscal year for FY 2023 through FY 2027.

Title III, Subtitle C, Section 321 incorporates part of H.R. 7254 to require self-funded, non-federal governmental plans to comply with mental health parity requirements starting six months after the date of enactment or longer contingent on the terms of the plan agreement.

Title III, Subtitle D, Section 331 incorporates H.R. 3753 to authorize \$10 million for each of the five years beginning the fiscal year after the date of enactment for grants to States to enforce and ensure compliance with mental health parity requirements.

Title III, Subtitle E, Section 341 incorporates H.R. 1480 to establish a series of programs relating to the behavioral health of law enforcement officers, first responders, 9-1-1 operators, and other public safety officers and health care providers, including: a public safety officer suicide-reporting system at the CDC; a grant program for peer-support behavioral health and wellness programs within fire departments and emergency medical services agencies; and a grant program for behavioral health and wellness programs for health care providers.

Title IV, Subtitle A, Sections 401-402 incorporate H.R. 7076 to reauthorize HRSA’s Pediatric Mental Health Care Access grant program that promotes behavioral health integration into pediatric primary care by supporting pediatric mental health care telehealth access programs in states at \$14 million annually for FY 2023 through FY 2025 and \$30 million annually for FY 2026 through FY 2027. It also reauthorizes SAMHSA’s Infant and Early Childhood Mental Health Grant Program, intended to improve outcomes for children from birth to age 12 by developing, maintaining, or enhancing mental health promotion, intervention, and treatment services at \$50 million for the period of FY 2023 through FY 2027.

Title IV, Subtitle A, Section 403 incorporates H.R. 721 to revise Project AWARE, which is administered by SAMHSA, to provide comprehensive school-

based mental health services, including screening, treatment, and outreach programs.

Title IV, Subtitle A, Section 405 incorporates H.R. 2877 to require HHS to develop best practices for establishing behavioral intervention teams in educational settings.

Title IV, Subtitle B, Sections 411-412 incorporate H.R. 7248 to reauthorize the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances Grants and updates the definition of eligible family to “parents or kinship caregivers.” It authorizes at \$125 million annually for FY 2023 through FY 2027. Reauthorizes the Enhancement and Expansion of Treatment and Recovery Services for Adolescents, Transitional Aged Youth, and their Families (Youth and Family TREE) Grants at \$29.605 million annually for FY 2023 through FY 2027.

Title IV, Subtitle C, Sections 421-424 incorporate H.R. 7255 to reauthorize the Suicide Prevention Resource Center at \$9 million annually for FY 2023 through FY 2027. It reauthorizes the State and Tribal Youth Suicide Prevention and Early Intervention Grants Program at \$40 million annually for FY 2023 through FY 2027 and provides the allowable use of funds for supplies to securely store commonly used means of suicide within a household. Reauthorizes the Mental Health Youth Suicide Prevention Campus Grants at \$7 million for each fiscal year. It reauthorizes and renames the Mental and Behavioral Health Public Outreach and Education at Institutions of Higher Education program at \$1 million for FY 2023 through FY 2027 and specifies that representatives from minority-serving institutions and community colleges be included on the program’s working group.

Title IV, Subtitle D, Section 431 incorporates part of H.R. 1475 to require the Secretary of HHS to conduct or support research and submit to Congress a report on smartphone and social media use by adolescents and the effects of such use on their health and development and any disparities in mental health outcomes of rural, minority, or other underserved populations.

Title IV, Subtitle D, Section 432 incorporates H.R. 2161 to require NIH to fund research regarding the effects of media on infants, children, and adolescents. Such research must examine the positive and negative impacts of multimedia (e.g., social media, television, video games) on cognitive, physical, and social-emotional development.

Title V, Sections 501-506 incorporates H.R. 7233, which included H.R. 6636, H.R. 1397, and H.R. 7236. These sections require state Medicaid programs and Children’s Health Insurance Programs (CHIP) to provide medical and behavioral health screenings to incarcerated juveniles prior to their release, direct CMS to issue guidance on reducing administrative barriers to school-based services and obtaining payments for such services under the Medicaid program, direct CMS to issue guidance on how to expand access to mental, emotional, and behavioral health services covered by Medicaid, direct CMS to issue guidance on existing Medicaid flexibilities to support children in crisis who made need intensive services, require CMS to regularly update its guidance to states on how to increase access to telehealth under Medicaid, and eliminate the inmate exclusion for children on Medicaid who are in pre-trial detention, allowing for eligible children to maintain coverage and ensure continuity of services during detainment and, if applicable, upon release from detention.

Title VI, Section 602 incorporates part of H.R. 5260 to require health insurance issuers offering group health insurance coverage, entities providing pharmacy benefit management services on behalf of a group health plan, or an issuer providing group health insurance coverage to submit reports to plan sponsors every six months on information related to the drugs covered by such plan, issuer, or entity providing pharmacy benefit management services that was dispensed during that reporting period—including the total net spending on prescription drugs by the health plan or health insurance coverage during the reporting period and the amounts paid directly or indirectly in rebates, fees, or any other type of remuneration. It also requires the Comptroller General of the United States to submit a report to Congress on pharmacy networks of group health plans, health insurance issuers, and entities providing pharmacy management services under such group health plan or group or individual health insurance coverage.

Legislative History

On May 6, 2022, H.R. 7666 was introduced by Representatives Pallone (NJ-06) and Rodgers (WA-05) and referred to the Committee on Energy and Commerce and the Committee on the Judiciary. Subsequently, on May 9, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

On May 11, 2022, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 7666 and five other bills. During consideration of the bill, no amendments were offered. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, without amendment, by a roll call vote of 32 yeas to zero nays.

On May 18, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 7666 and five other bills. An amendment in the nature of a substitute (AINS), offered by Representative Pallone, was agreed to by a voice vote. An amendment to the AINS, offered by Representative Tonko (NY-20), was agreed to by a roll call vote of 45 yeas to 10 nays. An amendment to the Tonko amendment to the AINS, offered by Representative Burgess (TX-26), was

withdrawn. An amendment to the AINS, offered by Representative Trahan (MA-03), was agreed to by a roll call vote of 46 yeas to 8 nays. An amendment to the AINS, offered by Representative Upton (MI-06), was agreed to by a roll call vote of 55 yeas to one nay. An amendment to the AINS, offered by Representative Cárdenas (CA-29), was agreed to by a roll call vote of 31 yeas to 24 nays. An amendment to the bill, offered by Representative Curtis (UT-03), was withdrawn. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 7666 reported favorably to the House, amended, by a voice vote.

On June 13, 2022, the Committee on Energy and Commerce reported H.R. 7666, amended, to the House (H. Rept. 117-364, Part I). That same day, the Committee on the Judiciary discharged consideration.

On June 22, 2022, H.R. 7666 was considered in the House and passed the House by a record vote of 402 yeas to 20 nays (Roll no. 286).

On June 23, 2022, H.R. 7666 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 7666 in the 117th Congress. Provisions of H.R. 7666 were incorporated into H.R. 2617, the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2023.”

On February 2, 2021, H.R. 721 was introduced by Representative Napolitano (CA-32) and 62 original cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on February 3, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2021, H.R. 721 was considered in the House under suspension of the rules. The next day, H.R. 721 passed the House under suspension of the rules.

On May 13, 2021, H.R. 721 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 721 in the 117th Congress.

On February 3, 2021, H.R. 768 was introduced by Representatives McKinley (WV-01) and Dingell (MI-12) and referred to the Committee on Energy and Commerce and the Committee on Judiciary. Subsequently, on February 4, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2021, H.R. 768 was considered in the House under suspension of the rules. The next day, H.R. 768 passed the House under suspension of the rules.

On May 13, 2021, H.R. 768 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 768 in the 117th Congress.

On February 25, 2021, H.R. 1384 was introduced by Representatives McKinley (WV-01) and Dingell (MI-12) and referred to the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Judiciary. Subsequently, on February 26, 2021, the bill was referred to the Subcommittee on Health.

On April 14, 2021, the Subcommittee on Health held a legislative hearing on the bill. The Subcommittee received testimony from Regina M. LaBelle, Acting Director, White House Office of National Drug Control Policy; Geoffrey M. Laredo, Principal, Santa Cruz Strategies, LLC; Patricia L. Richman, National Sentencing Resource Counsel, Federal Public and Community Defenders; Mark

Vargo, Pennington County State's Attorney, Legislative Committee Chairman, National District Attorneys Association; Timothy Westlake, M.D., F.F.S.M.B., F.A.C.E.P., Emergency Department Medical Director, Pro Health Care Oconomowoc Memorial Hospital; and J. Deanna Wilson, M.D., M.P.H., Assistant Professor of Medicine and Pediatrics, University of Pittsburgh School of Medicine.

No further action was taken on H.R. 1384 in the 117th Congress.

On March 1, 2021, H.R. 1475 was introduced by Representative Watson Coleman (NJ-12) and 49 original bipartisan cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on March 2, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2021, H.R. 1475 was considered in the House under suspension of the rules. The next day, H.R. 1475 passed the House under suspension of the rules.

On May 13, 2021, H.R. 1475 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1475 in the 117th Congress.

On March 2, 2021, H.R. 1480 was introduced by Representative Bera (CA-07) and 30 original bipartisan cosponsors and referred to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology. Subsequently, on March 3, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2021, H.R. 1480 was considered in the House under suspension of the rules. The next day, H.R. 1480 passed the House under suspension of the rules.

On May 13, 2021, H.R. 1480 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 1480 in the 117th Congress.

On March 18, 2021, H.R. 2067 was introduced by Representative Trahan (MA-03) and five original bipartisan cosponsors and referred to the Committee on Energy and the Committee on Judiciary. Subsequently, on March 19, 2021, the bill was referred to the Subcommittee on Health.

On April 14, 2021, the Subcommittee on Health held a legislative hearing on the bill. The Subcommittee received testimony from Regina M. LaBelle, Acting Director, White House Office of National Drug Control Policy; Geoffrey M. Laredo, Principal, Santa Cruz Strategies, LLC; Patricia L. Richman, National Sentencing Resource Counsel, Federal Public and Community Defenders; Mark Vargo, Pennington County State's Attorney, Legislative Committee Chairman, National District Attorneys Association; Timothy Westlake, M.D., F.F.S.M.B., F.A.C.E.P., Emergency Department Medical Director, Pro Health Care Oconomowoc Memorial Hospital; and J. Deanna Wilson, M.D., M.P.H., Assistant Professor of Medicine and Pediatrics, University of Pittsburgh School of Medicine.

No further action was taken on H.R. 2067 in the 117th Congress.

On April 5, 2021, H.R. 2355 was introduced by Representatives Davis (IL-13), Bilirakis (FL-12), and Wagner (MO-02) and referred to the Committee on Energy and Commerce. Subsequently, on April 13, 2021, the bill was referred to the Subcommittee on Health.

On July 15, 2021, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 2355 and 18 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Bilirakis was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 2355 and 23 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone (NJ-06), Chairman of the Committee, to order H.R. 2355 reported favorably to the House, as amended, by a voice vote.

On November 30, 2021, the House Committee on Energy and Commerce reported H.R. 2355 to the House (H. Rept. 117-180). On December 8, 2021, a motion to suspend the rules and pass the bill, as amended was agreed to by a record vote of 410 yeas to 15 nays (Roll no. 422). On December 9, 2021, H.R. 2355 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2355 in the 117th Congress.

On April 5, 2021, H.R. 2364 was introduced by Representatives Kim (NJ-03) and Pappas (NH-01) and referred to the Committee on Energy and Commerce. Subsequently, on April 13, 2021, H.R. 2364 was referred to the Subcommittee on Health. On April 14, 2021, the Subcommittee on Health held a legislative hearing on the bill. The Subcommittee received testimony from Regina M. LaBelle, Acting Director, White House Office of National Drug Control Policy; Geoffrey M. Laredo, Principal, Santa Cruz Strategies, LLC; Patricia L. Richman, National Sentencing Resource Counsel, Federal Public and Community Defenders; Mark Vargo, Pennington County State's Attorney, Legislative Committee Chairman, National District Attorneys Association; Timothy Westlake, M.D., F.F.S.M.B., F.A.C.E.P., Emergency Department Medical Director, Pro Health Care Oconomowoc Memorial Hospital; and J. Deanna Wilson, M.D., M.P.H., Assistant Professor of Medicine and Pediatrics, University of Pittsburgh School of Medicine.

On July 15, 2021, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 2364 and 18 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Trahan was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 2364 and 23 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 2364 reported favorably to the House, as amended, by a voice vote.

On November 30, 2021, the House Committee on Energy and Commerce reported H.R. 2364 to the House (H. Rept. 117-181). On December 8, 2021, a motion to suspend the rules and pass the bill, as amended was agreed to by a record vote of 411 yeas to 14 nays (Roll no. 423). On December 9, 2021, H.R.

2364 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2364 in the 117th Congress.

On April 5, 2021, H.R. 2376 was introduced by Representatives Trone (MD-06), Chu (CA-27), Levin (CA-49), and McKinley (WV-01) and referred to the Committee on Energy and Commerce. Subsequently, on April 6, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 2376 in the 117th Congress.

On April 8, 2021, H.R. 2379 was introduced Representatives David Trone (MD-06) and Mikie Sherrill (NJ-11) and it was referred to the Committee on Energy and Commerce. Subsequently, on April 13, 2021, H.R. 2379 was referred to the Subcommittee on Health. A legislative hearing was held on the bill on April 14, 2021.

On July 15, 2021, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 2379 and 18 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Trahan was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 2379 and 23 other bills. An amendment offered by Representative Trahan was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 2379 reported favorably to the House, amended, by a voice vote.

On October 19, 2021, the House Committee on Energy and Commerce reported H.R. 2379 to the House (H. Rept. 117-149). On October 20, 2021, a motion to suspend the rules and pass the bill, as amended was agreed to by a record vote of 380 yeas to 46 nays (Roll no. 320). On October 21, 2021, H.R. 2379 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2379 in the 117th Congress.

On April 28, 2021, H.R. 2877 was introduced by Representatives Ferguson (GA-03), Burgess (TX-26), Peters (CA-52), and Panetta (CA-20) and referred to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology. Subsequently, on April 29, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2021, H.R. 2877 was considered in the House under suspension of the rules. On May 13, 2021, H.R. 2877 passed the House under suspension of the rules by a record vote of 323 yeas to 93 nays, 2 Present (Roll no. 142).

On May 17, 2021, H.R. 2877 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2877 in the 117th Congress.

On April 30, 2021, H.R. 2929 was introduced by Representative Lee (NV-03) and 12 original cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on May 3, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 2929 in the 117th Congress.

On May 4, 2021, H.R. 2981 was introduced by Representatives Katko (NY-24), Napolitano (CA-32), and Beyer (VA-08) and referred to the Committee on Energy and Commerce. Subsequently, on May 5, 2021, the bill was referred to the Subcommittee on Health.

On May 11, 2021, H.R. 2981 was considered in the House under suspension of the rules. On May 12, 2021, H.R. 2981 passed the House under suspension of the rules.

On May 13, 2021, H.R. 2981 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on H.R. 2981 in the 117th Congress.

On September 10, 2021, H.R. 5218 was introduced by Representatives Fletcher (TX-07), and Herrera Beutler (WA-03) and referred to the Committee on Energy and Commerce. Subsequently, on September 13, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon,

Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 5218 in the 117th Congress.

On March 15, 2022, H.R. 7073 was introduced by Representative Clark (MA-05) and five original bipartisan cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on March 16, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7073 in the 117th Congress.

On March 15, 2022, H.R. 7076 was introduced by Representatives Schrier (WA-08) and Miller-Meeks (IA-02) and referred to the Committee on Energy and Commerce. Subsequently, on March 16, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of

Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7076 in the 117th Congress.

On March 28, 2022, H.R. 7232 was introduced by Representative Cárdenas (CA-29) and seven original bipartisan cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Communications and Technology.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7232 in the 117th Congress.

On March 28, 2022, H.R. 7233 was introduced by Representatives Hudson (NC-08) and Kuster (NH-02) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association

of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

On May 11, 2022, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 7233 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS), offered by Representative Hudson, was agreed to by a voice vote. Two amendments to the AINS, one filed by Representative Eshoo (D-CA) and the other filed by Representative Blunt Rochester (DE-AL), were both agreed to by a voice vote. Two amendments filed by Representative Burgess (TX-26) were offered and withdrawn. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 32 yeas to 0 nays.

On May 18, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 7233 and five other bills. An AINS, offered by Representative Hudson, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 7233 reported favorably to the House, amended, by a roll call vote of 52 yeas to 0 nays.

On June 16, 2022, the Committee on Energy and Commerce reported the bill to the House (H. Rept. 117-374).

No further action was taken on H.R. 7233 in the 117th Congress.

On March 28, 2022, H.R. 7234 was introduced by Representatives Spanberger (VA-07), O'Halleran (AZ-01), Salazar (FL-27), and Armstrong (ND-AL) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7234 in the 117th Congress.

On March 28, 2022, H.R. 7235 was introduced by Representatives Tonko (NY-20), Guthrie (KY-02), Wild (PA-07), and McKinley (WV-01) and referred

to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7235 in the 117th Congress.

On March 28, 2022, H.R. 7237 was introduced by Representatives Griffith (VA-09), Tenney (NY-22), Davids (KS-03), and Craig (MN-02) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7237 in the 117th Congress.

On March 28, 2022, H.R. 7238 was introduced by Representatives Bucshon (IN-08), Axne (IA-03), Miller-Meeks, and Pappas (NH-01) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance

Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7238 in the 117th Congress.

On March 28, 2022, H.R. 7241 was introduced by Representatives Crenshaw (TX-02), Butterfield (NC-01), Garcia (CA-25), and Luria (VA-02) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7241 in the 117th Congress.

On March 28, 2022, H.R. 7248 was introduced by Representatives Joyce (PA-13), Sarbanes (MD-03), Gimenez (FL-26), and Underwood (IL-14) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and

Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7248 in the 117th Congress.

On March 28, 2022, H.R. 7249 was introduced by Representatives Matsui (CA-06), McKinley, Deutch (FL-22), and Van Drew (NJ-02) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7249 in the 117th Congress.

On March 28, 2022, H.R. 7254 was introduced by Representatives Porter (CA-45) and Dingell (MI-12) and referred to the Committee on Energy and Commerce and the Committee on Judiciary. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director,

Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7254 in the 117th Congress.

On March 28, 2022, H.R. 7255 was introduced by Representatives Rodgers (WA-05), Trahan (MA-05), and Axne (IA-03) and referred to the Committee on Energy and Commerce. Subsequently, on March 29, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on April 5, 2022, on the bill. The Subcommittee received testimony from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, Substance Abuse and Mental Health Services Administration; Carole Johnson, M.A., Administrator, Health Resources and Services Administration; Rebecca W. Brendel, M.D., J.D., President-Elect, American Psychiatric Association; Sandy L. Chung, M.D., F.A.A.P., F.A.C.H.E., President-Elect, American Academy of Pediatrics; Steven Adelsheim, M.D., Clinical Professor of Psychiatry and Director, Stanford Center for Youth Mental Health and Wellbeing, Stanford University School of Medicine, Stanford Children's Health; Debra Pinals, M.D., Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services, On behalf of the National Association of State Mental Health Program Directors; Cassandra Price, M.B.A., Director, Office of Addictive Diseases, Georgia Department of Behavioral Health and Developmental Disabilities, On behalf of the National Association of State Alcohol and Drug Abuse Directors; and LeVail W. Smith, C.P.S.S., Peer Support Specialist Instructor and Mentor.

No further action was taken on H.R. 7255 in the 117th Congress.

FOOD AND DRUG AMENDMENTS OF 2022

H.R. 7667 (H.R. 2565, H.R. 3927, H.R. 4511, H.R. 5030, H.R. 5566, H.R. 6000, H.R. 6584, H.R. 6888, H.R. 6963, H.R. 6973, H.R. 6980, H.R. 6988, H.R. 7006, H.R. 7008, H.R. 7032, H.R. 7035, H.R. 7084, H.R. 7192, H.R. 7640, H.R. 7649, H.R. 7658)

Reauthorizes Food and Drug Administration (FDA) user fee programs for certain drugs and devices, establishes requirements to increase diversity in clinical trials, and modifies requirements relating to the overall supply chain for drugs and devices.

Summary

Title V, Sections 501-505 incorporates parts of H.R. 6584 to improve diversity in clinical trials. These sections require premarket reporting of diversity action plans for clinical trials. It also requires FDA to publish an annual report aggregating and analyzing the data provided by sponsors on their progress toward and strategies for improving diversity in clinical trials. It also requires FDA to hold a workshop to assess how sponsors utilized the clinical trial flexibilities

initiated during the COVID-19 public health emergency and their impact on improving access to clinical trials in underserved populations.

Title V, Section 506 incorporates part of H.R. 5030 and H.R. 6000 to require FDA to issue draft guidance that addresses considerations for decentralized clinical trials, including regarding the engagement, enrollment, and retention of a meaningfully diverse clinical population, with respect to race, ethnicity, age, gender, and geographic location, when appropriate.

Title VI, Section 601 incorporates H.R. 7032 to allow FDA to provide generic drug sponsors information regarding any differences in ingredients between their generic drug and the reference listed drug to which they are compared, to facilitate generic drug development and review.

Title VI, Section 602 incorporates H.R. 6973 to allow a generic drug to be approved even if its proposed labeling differs from that of the brand drug if the differences are limited to FDA approved changes made within 90 days of when the generic application is otherwise eligible for approval.

Title VII, Subtitle A, Section 701 incorporates H.R. 2565 to allow an applicant for new drug approval to use methods other than animal testing to support clinical testing and establish effectiveness in certain circumstances.

Title VII, Subtitle A, Section 702 incorporates H.R. 6988 to authorize the Emerging Technologies Program at FDA, a collaborative program where industry representatives, academics, and others can meet with FDA officials to support the adoption and improve the development of innovative approaches to drug design and manufacturing. The section requires FDA to issue guidance regarding requirements related to such approaches and report to Congress regarding allocation of funds and staff utilization in this program. It authorizes FDA to make grants to carry out the program and authorizes \$20 million each year for FY 2023 through FY 2027 to carry out the program.

Title VII, Subtitle A, Section 703 incorporates H.R. 6888 to require the Secretary to submit a report summarizing FDA's activities relating to designating, approving, and licensing drugs used to treat rare diseases no later than four years after enactment. It requires FDA to study processes for evaluating drugs for rare diseases in the United States and the European Union. It requires FDA to convene one or more public meetings to solicit input from stakeholders regarding approaches to improving engagement with rare disease condition patients, patient groups, and experts. It incorporates experts on the science of small population studies in FDA's existing list of external consultants on rare disease drugs and biologics.

Title VII, Subtitle A, Section 704 incorporates H.R. 5566 to require the Secretary to issue draft guidance to industry and hold a public workshop to assist entities seeking approval or licensure for antifungal therapies intended to treat and preventative vaccines for coccidioidomycosis, commonly known as Valley Fever.

Title VII, Subtitle A, Section 706 incorporates H.R. 3927 to require FDA to initiate a pilot program to designate an advanced manufacturing technology. A method of manufacturing is eligible for designation if such method incorporates a novel technology or uses an established technology in a novel way that will substantially improve the manufacturing process and maintain equivalent or superior drug quality. Designated technologies qualify for expedited application development and review and allow the designated technology application holder, or a person authorized by the application holder, to reference or rely upon a data

and information in a drug or biologic application about the advanced manufacturing technology in the same context of use. It also requires FDA to hold a public meeting, issue guidance, and report to Congress regarding this pilot, which sunsets in 2029.

Title VII, Subtitle A, Section 712 incorporates H.R. 7640 to reauthorize orphan drug grants through 2027 and expand uses of such grants to include the development of regulatory science and manufacturing and controls related to individualized medical products to treat those with rare diseases or conditions.

Title VII, Subtitle A, Section 711 incorporates H.R. 7658 to reauthorize the Critical Path Public-Private Partnership at \$10 million annually through 2027.

Title VII, Subtitle B, Section 723 incorporates H.R. 7006 to enhance FDA's inspection tools and require study of when and how those tools are used. Allows FDA to consider the compliance history of establishments in a country or region as a factor when establishing a schedule for risk-based inspections. Allows the Secretary to use any records or other information collected for the purposes of or in lieu of an inspection to satisfy requirements that may pertain to a preapproval or risk-based surveillance inspection, and to resolve deficiencies found in such inspections, if applicable and appropriate. Allows the recognition of foreign government inspections as sufficient for preapproval inspections if the Secretary has entered into an agreement with that foreign government. Requires a periodic assessment of whether additional arrangements with foreign governments are appropriate.

Title VII, Subtitle B, Section 725 incorporates H.R. 6980 to require FDA to conduct a pilot program in which FDA increases the conduct of unannounced surveillance inspections of foreign drug establishments, evaluates the differences between such domestic and foreign establishments, including the impact of announcing such inspections, and post a report of its findings and recommendations on the FDA website.

Title VII, Subtitle B, Sections 727-729 incorporate H.R. 3927 to enhance intra-agency coordination and public health assessment with regard to compliance activities, report mutual recognition agreements for inspections and review activities, and enhance transparency of drug facility inspection timelines.

Title VIII, Section 801 incorporates H.R. 7035 to require all holders of approved Biologics License Applications to conduct a one-time report to confirm that their products listed in the Purple Book are still available for sale.

Title VIII, Section 804 incorporates H.R. 6963 to require FDA to specify conditions for required post-approval studies for drugs approved under accelerated approval, which may include enrollment targets and milestones, including the target date for study completion, by the time the drug is approved.

Title VIII, Section 805 drew from H.R. H.R. 4511 to require FDA to issue guidance addressing the use of real-world evidence and real-world data, including that obtained for drugs and devices authorized for emergency use during the COVID-19 public health emergency, to support drug and device approvals and clearances. It requires FDA to report to Congress regarding the number of applications submitted for which an emergency use authorization was previously granted, and, of such applications, how many applications included real-world evidence and whether such evidence was sufficient to support a regulatory decision.

Title VIII, Section 806 incorporates H.R. 7192 to require the Medical Device Advisory Committee to meet at least once a year through 2027 to provide FDA advice on topics related to medical devices in pandemic preparedness and response, including issues related to in vitro diagnostics.

Title VII, Section 807 incorporates H.R. 7084 to require manufacturers of cyber devices to develop processes to ensure their devices are secure, have plans to identify and address cybersecurity vulnerabilities, provide a software bill of materials in their labeling, and submit this information to FDA in premarket submissions. It defines cyber devices as devices that have software, connect to the internet, or otherwise could be vulnerable to cybersecurity threats. It authorizes FDA to deny 510(k) clearance if cyber security information is inadequate and to exempt types of devices from these requirements and makes failure to comply a prohibited act.

Title VIII, Section 808 incorporates H.R. 7649 to require FDA to provide a public comment period regarding patient access and provider administration when a proposed modification to an approved risk evaluation and mitigation strategy (REMS) is reviewed under section 505-1(h).

Title VIII, Section 809 incorporates H.R. 7008 to provide that no drug or device shall be considered misbranded as a result of the provision of information regarding investigational drugs or devices or uses to payors, formulary committees, or other similar entities under specified conditions. The information would be required to include a clear statement that the drug or device it discusses has not been approved, and that the safety and efficacy of the drug or device has not been established. Additional required disclosures include information about studies the drug or device is undergoing, how the studies relate to the overall plan for the development of the drug or device, and whether an application for the drug or device has been submitted to FDA and when such submission is planned.

Legislative History

On May 6, 2022, H.R. 7667 was introduced by Representatives Eshoo (CA-18), Guthrie (KY-02), Pallone (NJ-06), and Rodgers (WA-05) and referred to the Committee on Energy and Commerce. Subsequently, on May 9, 2022, the bill was referred to the Subcommittee on Health.

On May 11, 2022, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 7667 and five other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Eshoo was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a roll call vote of 30 yeas to zero nays.

On May 18, 2022, the full Committee met in open markup session, pursuant to notice, to consider H.R. 7667 and five other bills. An AINS offered by Representative Guthrie was agreed to by a voice vote. An amendment to the AINS offered by Representative Butterfield (NC-01) was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 7667 reported favorably to the House, amended, by a roll call vote of 55 yeas to zero nays.

On June 7, 2022, the Committee on Energy and Commerce reported H.R. 7667 to the House (H. Rept. 117-348), and it was considered under suspension of the rules. On June 8, 2022, H.R. 7667 passed the House under suspension of the rules by a record vote of 392 yeas to 28 nays (Roll no. 254).

On June 9, 2022, H.R. 7667 was received in the Senate.

No further action was taken on H.R. 7667 in the 117th Congress.

On April 15, 2021, H.R. 2565 was introduced by Representatives Buchanan (FL-16), Luria (VA-02), Mace (SC-01), Sherril (NJ-11), and Boyle (PA-02) and referred to the Committee on Energy and Commerce. Subsequently, on April 16, 2021, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy, Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 2565 in the 117th Congress.

On April 15, 2021, H.R. 3927 was introduced by Representative Carter (GA-01) and eight bipartisan original cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on April 16, 2021, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy, Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 3927 in the 117th Congress.

On July 19, 2021, H.R. 4511 was introduced by Representatives Burgess (TX-26) and Craig (MN-02) and referred to the Committee on Energy and Commerce. Subsequently, on July 20, 2021, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma

Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 4511 in the 117th Congress.

On August 13, 2021, H.R. 5030 was introduced by Representatives Ruiz (CA-36) and Bucshon (IN-08) and referred to the Committee on Energy and Commerce and the Committee on Ways and Means. Subsequently, on August 16, 2021, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 5030 in the 117th Congress.

On October 12, 2021, H.R. 5566 was introduced by Representatives McCarthy (CA-23) and Bucshon (IN-08) and referred to the Committee on Energy and Commerce. Subsequently, on October 13, 2021, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 5566 in the 117th Congress.

On November 17, 2021, H.R. 6000 was introduced by Representatives DeGette (CA-23) and Upton (MI-06) and referred to the Committee on Energy and Commerce, the Committee on Ways and Means, the Committee on Budget, the Committee on Science, Space, and Technology, the Committee on Agriculture, the Committee on Education and Labor, the Committee on Armed Services, the Committee on Natural Resources, the Committee on Veterans' Affairs, the Committee on Homeland Security, and the Committee on the Judiciary. Subsequently, on October 13, 2021, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer,

Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 6000 in the 117th Congress.

On February 3, 2022, H.R. 6584 was introduced by Representatives Eshoo, Fitzpatrick (PA-01), and Kelly (IL-02) and referred to the Committee on Energy and Commerce. Subsequently, on February 4, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 6584 in the 117th Congress.

On March 1, 2022, H.R. 6888 was introduced by Representatives Tonko (NY-20) and McKinley (WV-01) and referred to the Committee on Energy and Commerce. Subsequently, on March 2, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 6888 in the 117th Congress.

On March 7, 2022, H.R. 6963 was introduced by Representative Pallone and referred to the Committee on Energy and Commerce. Subsequently, on March 8, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory

Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 6963 in the 117th Congress.

On March 8, 2022, H.R. 6973 was introduced by Representative Carter and referred to the Committee on Energy and Commerce. Subsequently, on March 9, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 6973 in the 117th Congress.

On March 8, 2022, H.R. 6988 was introduced by Representatives Levin (CA-49) and Joyce (PA-13) and referred to the Committee on Energy and Commerce. Subsequently, on March 9, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 6988 in the 117th Congress.

On March 9, 2022, H.R. 7006 was introduced by Representatives Griffith (VA-09) and Welch (VT-AL) and referred to the Committee on Energy and Commerce. Subsequently, on March 10, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma

Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 7006 in the 117th Congress.

On March 9, 2022, H.R. 7008 was introduced by Representative Guthrie and referred to the Committee on Energy and Commerce. Subsequently, on March 10, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 7008 in the 117th Congress.

On March 9, 2022, H.R. 7032 was introduced by Representative Kuster (NH-02) and referred to the Committee on Energy and Commerce. Subsequently, on March 10, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 7032 in the 117th Congress.

On March 9, 2022, H.R. 7035 was introduced by Representatives Manning (NC-06) and Hudson (NC-08) and referred to the Committee on Energy and Commerce. Subsequently, on March 10, 2022, the bill was referred to the Subcommittee on Health.

On March 17, 2022, the Subcommittee on Health held a hearing on the bill. The Subcommittee received testimony from Jeff Allen, Ph.D., President and CEO, Friends of Cancer Research; Cartier Esham, Ph.D., Chief Scientific Officer, Executive Vice President, Emerging Companies, Biotechnology Innovation Organization; David Gaugh, Senior Vice President, Sciences and Regulatory Affairs, Association for Accessible Medicines; Ruben Mesa, M.D., Executive Director, Mays Cancer Center, UT Health San Antonio MD Anderson; Reshma Ramachandran, M.D., Chair, Doctors for America FDA Task Force, Physician-Fellow, Yale National Clinician Scholars Program, Yale School of Medicine; and

Lucy Vereshchagina, Ph.D., Vice President, Science and Regulatory Advocacy. Pharmaceutical Research and Manufacturers of America.

No further action was taken on H.R. 7035 in the 117th Congress.

On March 15, 2022, H.R. 7084 was introduced by Representative Burgess and referred to the Committee on Energy and Commerce. Subsequently, on March 16, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 30, 2022, on the bill. The Subcommittee received testimony from Jeff Shuren, M.D., Director, Center for Devices and Radiological Health, Food and Drug Administration; Richard J. Kovacs, M.D., Q.E. and Sally Russell Professor of Medicine, Indiana University School of Medicine, Chief Medical Officer, American College of Cardiology; Mark Leahey, President & CEO, Medical Device Manufacturers Association; Janet Trunzo, Senior Executive Vice President, Technology and Regulatory Affairs, Advanced Medical Technology Association (AdvaMed); and Diane Wurzbarger, Executive of Regulatory Affairs, GE Healthcare.

No further action was taken on H.R. 7084 in the 117th Congress.

On March 21, 2022, H.R. 7192 was introduced by Representative Schrier (WA-08) and referred to the Committee on Energy and Commerce. Subsequently, on March 22, 2022, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 30, 2022, on the bill. The Subcommittee received testimony from Jeff Shuren, M.D., Director, Center for Devices and Radiological Health, Food and Drug Administration; Richard J. Kovacs, M.D., Q.E. and Sally Russell Professor of Medicine, Indiana University School of Medicine, Chief Medical Officer, American College of Cardiology; Mark Leahey, President & CEO, Medical Device Manufacturers Association; Janet Trunzo, Senior Executive Vice President, Technology and Regulatory Affairs, Advanced Medical Technology Association (AdvaMed); and Diane Wurzbarger, Executive of Regulatory Affairs, GE Healthcare.

No further action was taken on H.R. 7192 in the 117th Congress. Provisions of H.R. 7192 were incorporated into H.R. 2617, the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2023.”

BUILD BACK BETTER ACT

H.R. 5376 (H.R. 801, H.R. 851, H.R. 909, H.R. 925, H.R. 937, H.R. 943, H.R. 957, H.R. 1118, H.R. 1212, H.R. 1717, H.R. 1738, H.R. 1791, H.R. 1878, H.R. 1880, H.R. 2815, H.R. 3407, H.R. 3671, H.R. 4131, H.R. 4387, H.R. 5576)

To provide funding, establish programs, and otherwise modifies provisions relating to a broad array of areas, including education, labor, childcare, health care, taxes, immigration, and the environment.

Summary

Title III, Subtitle E, Section 30602 incorporates H.R. 1878 to make available \$10 billion annually to states for calendar years 2023 through 2025, providing the

option for states to establish a state reinsurance program or use the funds to provide financial assistance to reduce out-of-pocket costs. It also requires CMS to establish and implement a reinsurance program in states that do not apply for federal funding.

Title III, Subtitle F, Sections 30711-30714 incorporate H.R. 4131 to provide grants to states to develop plans to expand access to home and community-based services (HCBS) and strengthen the HCBS workforce, provide states with a permanent six percentage point increase to the federal medical assistance percentage (FMAP) if the state implements an HCBS improvement program to strengthen and expand HCBS, require the Secretary of Health and Human Services (HHS) to report on the implementation and outcomes of state HCBS improvement programs, and require HHS to develop and publish HCBS quality measures for state Medicaid programs.

Title III, Subtitle F, Section 30715 incorporates H.R. 1717 to permanently extend the protection against spousal impoverishment for individuals whose partners receive Medicaid HCBS.

Title III, Subtitle F, Section 30716 incorporates H.R. 1880 to provide permanent funding for the Money Follows the Person Rebalancing Demonstration to help states transition beneficiaries out of institutions and into HCBS.

Title III, Subtitle F, Section 30721 incorporates part of H.R. 3407 to expand continuous Medicaid and CHIP coverage for pregnant and postpartum individuals to one year post-pregnancy.

Title III, Subtitle F, Section 30741 incorporates H.R. 1738 to provide 12 months of continuous eligibility to children enrolled in Medicaid and CHIP. It also incorporates H.R. 955 to extend Medicaid eligibility to incarcerate individuals 30 days prior to their release.

Title III, Subtitle F, Section 30742 incorporates H.R. 5576 to allow states to apply the requirements of the Medicaid Drug Rebate Program to cover outpatient drugs under CHIP.

Title III, Subtitle G, Section 30801 incorporates H.R. 1791 to permanently authorize funding for CHIP.

Title III, Subtitle H, Section 30901 incorporates H.R. 1118 to provide coverage for hearing care under the Medicare program.

Title III, Subtitle I, Section 31003 incorporates H.R. 3671 to provide funding for payments to teaching health centers that operate graduate medical education programs and for the awarding of teaching health center development grants. In making such grants, the Secretary of Health and Human Services (HHS) shall prioritize payments and awards to states or territories in which there is no existing qualified teaching health center.

Title III, Subtitle I, Section 31007 incorporates H.R. 801 to providing funding for the establishment, improvement, or expansion of schools of medicine in particular in underserved communities and with priority given to minority-serving institutions.

Title III, Subtitle I, Section 31008 incorporates H.R. 851 to authorize HRSA to award grants to nursing schools in underserved areas to enhance and modernize nursing education programs and increase capacity in underserved areas.

Title III, Subtitle I, Section 31031 incorporates part of H.R. 943 to provide funding to award grants to address social determinants of maternal health for pregnant and postpartum individuals.

Title III, Subtitle I, Sections 31034-31035 incorporate parts of H.R. 4387 to provide funding to award grants to accredited schools of nursing to grow and diversify the perinatal nursing workforce and to carry out a program to establish or support perinatal quality collaboratives to improve perinatal care and perinatal health outcomes for pregnant and postpartum individuals and their infants.

Title III, Subtitle I, Section 31036 incorporates H.R. 909 to provide funding to award grants to o establish or expand programs to grow and diversify the maternal mental health and substance use disorder treatment workforce.

Title III, Subtitle I, Section 31038 incorporates H.R. 957 to provide funding to award grants to support the development and integration of education and training programs for identifying and addressing risks associated with extreme heat, air pollution, and climate change on maternal health, including pregnant, lactating, or postpartum individuals.

Title III, Subtitle I, Section 31041 incorporates part of H.R. 925 to provide funding to promote community engagement in maternal mortality review committees (MMRCs).

Title III, Subtitle I, Sections 31046-31047 incorporate H.R. 937 to provide funding to o award grants to expand the use of technology-enabled collaborative learning and capacity building models for pregnant and postpartum individuals and to reduce racial and ethnic disparities in maternal health outcomes by increasing access to digital tools related to maternal health care.

Title III, Subtitle I, Section 31048 incorporates H.R. 1212 to provide funding to award grants to develop, disseminate, review, research, and evaluate training for health professionals, with a focus on maternal health providers, to reduce discrimination and bias in the provision of health care, with a focus on maternal health care.

Title XIII, Subtitle I, Section 139403 incorporates H.R. 2815 to revise payments beginning on July 1, 2023, for new biosimilars under Medicare Part B to be the lesser of the 103 percent of the biosimilar's wholesale.

Legislative History

On September 27, 2021, H.R. 5376 was introduced by Representative Yarmuth (KY-3) and referred to the Committee on Budget.

On July 1, 2021, the Committee on Appropriations reported H.R. 5376 to the House (H. Rept. 117-130). On November 19, 2021, H.R. 5376 was passed in the House by a recorded vote of 220 yeas to 213 nays (Roll Call No. 385).

Provisions of Build Back Better were included in the version of H.R. 5376, the Inflation Reduction Act, that became law (Public Law: 117-169).

On February 8, 2021, H.R. 925 was introduced by Representative Davids (KS-03) and 34 original bipartisan cosponsors and referred to the Committee on Energy and Commerce and the Committee on Natural Resources. Subsequently, on February 9, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on June 24, 2021, on the bill. The Subcommittee received testimony from Romilla Batra, M.D., M.B.A., Chief Medical Officer, SCAN Health Plan; Beth Blauer, Executive Director, Johns Hopkins University Centers for Civic Impact; Karen DeSalvo, M.D., M.P.H., M.Sc., Chief Health Officer, Google Health; Faisal Syed, M.D., National Director of Primary Care, ChenMed; and Kara Odom Walker, M.D.,

M.P.H., M.S.H.S., Executive Vice President and Chief Population Health Officer, Nemours Children's Health System.

On July 15, 2021, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 925 and 18 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Pallone was agreed to by a voice vote. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, amended, by a voice vote.

No further action was taken on H.R. 925 in the 117th Congress.

On February 8, 2021, H.R. 943 was introduced by Representative McBath (GA-06) and 33 original cosponsors and referred to the Committees on Energy and Commerce; Financial Services; Transportation and Infrastructure; Agriculture; and Education and Labor. Subsequently, on February 9, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on June 24, 2021, on the bill. The Subcommittee received testimony from Romilla Batra, M.D., M.B.A., Chief Medical Officer, SCAN Health Plan; Beth Blauer, Executive Director, Johns Hopkins University Centers for Civic Impact; Karen DeSalvo, M.D., M.P.H., M.Sc., Chief Health Officer, Google Health; Faisal Syed, M.D., National Director of Primary Care, ChenMed; and Kara Odom Walker, M.D., M.P.H., M.S.H.S., Executive Vice President and Chief Population Health Officer, Nemours Children's Health System.

No further action was taken on H.R. 943 in the 117th Congress.

On March 9, 2021, H.R. 1717 was introduced by Representatives Upton (MI-06) and Dingell (MI-12) and referred to the Committee on Energy and Commerce. Subsequently, on March 10, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 23, 2021, on the bill. The Subcommittee received testimony from Katie Keith, Associate Research Professor, Georgetown University; Dean Cameron, Director, Idaho Department of Insurance; Cindy Mann, Partner, Manatt, Phelps & Phillips, LLP; Marni Jameson Carey, Executive Director, Association of Independent Doctors; and Laura LeBrun Hatcher, Board Vice President, Little Lobbyists.

No further action was taken on H.R. 1717 in the 117th Congress.

On March 10, 2021, H.R. 1738 was introduced by Representatives Dingell (MI-12) and Katko (NY-24) and referred to the Committee on Energy and Commerce. Subsequently, on March 11, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 23, 2021, on the bill. The Subcommittee received testimony from Katie Keith, Associate Research Professor, Georgetown University; Dean Cameron, Director, Idaho Department of Insurance; Cindy Mann, Partner, Manatt, Phelps & Phillips, LLP; Marni Jameson Carey, Executive Director, Association of Independent Doctors; and Laura LeBrun Hatcher, Board Vice President, Little Lobbyists.

No further action was taken on H.R. 1738 in the 117th Congress.

On March 11, 2021, H.R. 1791 was introduced by Representative Barragan (CA-44) and six original cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on March 11, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 23, 2021, on the bill. The Subcommittee received testimony from Katie Keith, Associate Research Professor, Georgetown University; Dean Cameron, Director, Idaho Department of Insurance; Cindy Mann, Partner, Manatt, Phelps & Phillips, LLP; Marni Jameson Carey, Executive Director, Association of Independent Doctors; and Laura LeBrun Hatcher, Board Vice President, Little Lobbyists.

No further action was taken on H.R. 1791 in the 117th Congress.

On March 12, 2021, H.R. 1878 was introduced by Representatives Craig (MN-02) and Peters (CA-52) and referred to the Committee on Energy and Commerce. Subsequently, on March 16, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 23, 2021, on the bill. The Subcommittee received testimony from Katie Keith, Associate Research Professor, Georgetown University; Dean Cameron, Director, Idaho Department of Insurance; Cindy Mann, Partner, Manatt, Phelps & Phillips, LLP; Marni Jameson Carey, Executive Director, Association of Independent Doctors; and Laura LeBrun Hatcher, Board Vice President, Little Lobbyists.

No further action was taken on H.R. 1878 in the 117th Congress.

On March 12, 2021, H.R. 1880 was introduced by Representative Dingell and referred to the Committee on Energy and Commerce. Subsequently, on March 16, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on March 23, 2021, on the bill. The Subcommittee received testimony from Katie Keith, Associate Research Professor, Georgetown University; Dean Cameron, Director, Idaho Department of Insurance; Cindy Mann, Partner, Manatt, Phelps & Phillips, LLP; Marni Jameson Carey, Executive Director, Association of Independent Doctors; and Laura LeBrun Hatcher, Board Vice President, Little Lobbyists.

No further action was taken on H.R. 1880 in the 117th Congress.

On April 22, 2021, H.R. 2815 was introduced by Representatives Schrader (OR-05) and Kinzinger (IL-16) and referred to the Committee on Energy and Commerce and the Committee on Ways and Means. Subsequently, on April 23, 2021, the bill was referred to the Subcommittee on Health.

The Subcommittee on Health held a legislative hearing on May 4, 2021, on the bill. The Subcommittee received testimony from Therese Ball, Patient; Michael A. Carrier, Distinguished Professor of Law, Rutgers Law School; Rachel Sachs, Associate Professor of Law, Washington University in St. Louis, School of Law; Gaurav Gupta, M.D., M.S.E., Founder, Ascendant BioCapital; and Khrystal K. Davis, J.D., Rare Disease Caregiver & Patient Advocate, Texas Rare Alliance Founding President.

No further action was taken on H.R. 2815 in the 117th Congress.

On July 9, 2021, H.R. 4387 was introduced by Representative Kelly (IL-02) and five original bipartisan cosponsors and referred to the Committee on Energy and Commerce. Subsequently, on July 12, 2021, the bill was referred to the Subcommittee on Health.

On July 15, 2021, the Subcommittee on Health met in open markup session, pursuant to notice, to consider H.R. 4387 and 18 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the Subcommittee on Health agreed to report the bill favorably to the full Committee, without amendment, by a voice vote.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4387 and 23 other bills. No amendments were offered during consideration of the bill. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone, Chairman of the Committee, to order H.R. 4387 reported favorably to the House, without amendment, by a voice vote.

No further action was taken on H.R. 4387 in the 117th Congress.

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE
IN TECHNOLOGY AND ECONOMIC STRENGTH ACT OF 2022.

H.R. 4521 (H.R. 6431, H.R. 6483, H.R. 6545)

Addresses U.S. technology and communications, foreign relations and national security, domestic manufacturing, education, trade, and other matters.

Summary

Division C, Title IV, Subtitle A, Section 20402 incorporates H.R. 6545 to amend the Federal Food, Drug, and Cosmetic Act to expand certain authorities with respect to the recall of controlled substances to apply with respect to all drugs.

Division C, Title IV, Subtitle A, Section 20403 incorporates H.R. 6483 to directs the FDA to collect additional information on drugs and the active pharmaceutical ingredients (APIs) that are manufactured overseas every 3 months instead of annually.

Division C, Title IV, Subtitle A, Section 20404 incorporates H.R. 6431 to amend the Federal Food, Drug, and Cosmetic Act to prohibit the alteration, falsification, fabrication, destruction, omission, or removal of records or certain information required to be produced or maintained for a drug.

Legislative History

On July 19, 2021, H.R. 4521 was introduced by Representatives Johnson (TX-30) and Lucas (OK-03) referred to the Committee on Science, Space, and Technology, the Committee on Agriculture, and the Committee on Energy and Commerce.

On January 19, 2022, the Committee on Science, Space, and Technology reported H.R. 4521 to the House (H. Rept. 117-235, Part I). On February 2, 2022, H.R. 4521 was considered in the House. On February 4, 2022, H.R. 4521 was passed in the House, amended, by a recorded vote of 222 yeas to 210 nays (Roll Call No. 31).

On February 17, 2022, H.R. 4521 was received in the Senate. On March 28, 2022, H.R. 4521 passed the Senate having achieved 60 votes in the affirmative, with an amendment by a recorded vote of 68 yeas to 28 nays (Record Vote Number: 109). On March 29, 2022, the message on Senate action sent to the House.

On March 31, 2022, a motion that the House disagree to the Senate amendment, and request a conference was agreed to without objection. On April 4, 2022, the Speaker appointed conferees - from the Committee on Energy and

Commerce for consideration of the House bill and the Senate amendment, and modifications committed to conference: Pallone, Eshoo, Schakowsky, Matsui, Tonko, Blunt Rochester, Soto, Rodgers (WA), Bucshon, Carter (GA), Duncan, and Crenshaw.

No further action was taken on H.R. 4521 in the 117th Congress.

On January 19, 2022, H.R. 6431 was introduced, by Representatives Schrier (WA-08) and Joyce (PA-13) and was referred to the Committee on Energy and Commerce. Subsequently, on January 20, 2022, the bill was referred to the Subcommittee on Health.

No further action was taken on H.R. 6431 in the 117th Congress.

On January 25, 2022, H.R. 6483 was introduced, by Representative Eshoo (CA-18) and was referred to the Committee on Energy and Commerce. Subsequently, on January 26, 2022, the bill was referred to the Subcommittee on Health.

No further action was taken on H.R. 6483 in the 117th Congress.

On February 1, 2022, H.R. 6545 was introduced, by Representative Kim (NJ-03) and was referred to the Committee on Energy and Commerce. Subsequently, on February 2, 2022, the bill was referred to the Subcommittee on Health.

No further action was taken on H.R. 6545 in the 117th Congress.

CHILDHOOD CANCER STAR REAUTHORIZATION ACT

S. 4120 (H.R. 7630)

Reauthorizes through FY 2028 and modifies pediatric cancer research and related programs at the National Cancer Institute (NCI).

Summary

Reauthorizes through FY 2028 and modifies pediatric cancer research and related programs at NCI, including to expand collection of and access to relevant biospecimens and to support pediatric cancer survivors.

Legislative History

On April 28, 2022, H.R. 7630 was introduced by Representatives McCaul (TX-10), Speier (CA-14), Butterfield (NC-01), and Kelly (PA-16) and was referred to the Committee on Energy and Commerce. Subsequently, on April 29, 2022, H.R. 7630 was referred to the Subcommittee on Health.

No further action was taken on H.R. 7630 in the 117th Congress.

On December 5, 2022, the House considered the Senate companion to H.R. 7630, S. 4120, which passed the Senate on December 20, 2022. On December 22, 2022, the House passed S. 4120 under suspension of the rules.

No further action was taken on S. 4120 in the 117th Congress.

STATE OFFICES OF RURAL HEALTH PROGRAM REAUTHORIZATION ACT OF 2022

S. 4978 (H.R. 9137)

Reauthorizes the Health Resources and Services Administration's (HRSA) State Offices of Rural Health Program through FY 2027.

Summary

Reauthorizes the Health Resources and Services Administration's (HRSA) State Offices of Rural Health Program through FY 2027. This program awards grants to state offices of rural health for improving health care in rural areas through research, dissemination of information, and rural health care coordination efforts.

Legislative History

On October 4, 2022, H.R. 9137 was introduced by Representatives Mullin (OK-02) and O'Halleran (AZ-01) and was referred to the Committee on Energy and Commerce. Subsequently, on October 5, 2022, H.R. 9137 was referred to the Subcommittee on Health.

No further action was taken on H.R. 9137 in the 117th Congress

On December 22, 2022, the House considered the Senate companion to H.R. 9137, S. 4978, which passed the Senate on December 19, 2022. On December 22, 2022, the House passed S. 4978 under suspension of the rules.

No further action was taken on S. 4978 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT AND DIRECTING THE SECRETARY OF
HEALTH AND HUMAN SERVICES TO TRANSMIT, RESPECTIVELY, CERTAIN
DOCUMENTS TO THE HOUSE OF REPRESENTATIVES RELATING TO ANY COVID-19
VACCINE

H. Res. 1244

This resolution directs the Department of Health and Human Services to provide the House of Representatives with certain information and documents that refer or relate to any COVID-19 vaccine. The resolution also requests such information and documents from the President.

Summary

H. Res. 1244 requests from the President and directs the Secretary of Health and Human Services (HHS) to transmit copies of any document, record, memorandum, correspondence, or other recorded communication that refers or relates to any COVID-19 vaccine.

Legislative History

H. Res. 1244 was introduced on July 21, 2022, by Representative Gosar (AZ-04) and was referred to the Committee on Energy and Commerce. Subsequently, on July 22, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1244, without amendment, adversely reported to the House by a recorded vote of 32 yeas and 22 nays.

On September 28, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1355 to the House (H. Rept. 117-516), and it was placed on the House Calendar, Calendar No. 124.

No further action was taken on H. Res. 1244 in the 117th Congress.

OF INQUIRY DIRECTING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO
PROVIDE CERTAIN DOCUMENTATION TO THE HOUSE OF REPRESENTATIVES
RELATING TO THE CALCULATION OF CERTAIN EXPENDITURE LIMITATIONS
APPLICABLE TO FEDERAL FUNDING OF THE MEDICAID PROGRAM IN PUERTO RICO

H. Res. 1258

This resolution requests from the President and directs the Secretary of Health and Human Services (HHS) to transmit copies of any document, record, memorandum, correspondence, or other recorded communication that refers or relates to any COVID-19 vaccine.

Summary

H. Res. 1258 directs the Secretary of HHS to provide documents or communication from before September 7, 2021, that relate to the interpretation of section 1108 of the Social Security Act relating to the calculation of the federal Medicaid allotment for Puerto Rico for FY 2022 and beyond. It also directs the Secretary of HHS to provide communications between HHS and the Government Accountability Office (GAO) that relate to the Comptroller General's legal analysis of the Puerto Rico federal Medicaid allotment as required by P.L. 117-43.

Legislative History

H. Res. 1258 was introduced on July 26, 2022, by Representative Dunn (FL-02) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1258, without amendment, adversely reported to the House by a recorded vote of 32 yeas and 22 nays.

On September 29, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1258 to the House (H. Rept. 117-530), and it was placed on the House Calendar, Calendar No. 136.

No further action was taken on H. Res. 1258 in the 117th Congress.

OF INQUIRY DIRECTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS IN THE
PRESIDENT'S POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO
COVID-19 FUNDING

H. Res. 1263

This resolution directs the President to provide certain information and documents that concern COVID-19 funding, including projections used to develop the COVID-19 supplemental funding request in the spring of 2022 and an accounting of funds made available under the American Rescue Plan Act of 2021 that have not been obligated or expended.

Summary

H. Res. 1263 would direct the President to, not later than 14 days after the adoption of the resolution, furnish to the House of Representatives copies of any document or communication in the President's possession that refers or relates to (1) the data, modeling, and projections used by the President to develop the COVID-19 supplemental funding request in the spring of 2022; (2) an accounting of funds that were made available by the American Rescue Plan Act and have not been obligated or expended; and (3) an accounting of funds obligated or expended by the executive branch for COVID-19 at-home test kits.

Legislative History

H. Res. 1263 was introduced on July 26, 2022, by Representative Bucshon (IN-08) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1263, without amendment, adversely reported to the House by a recorded vote of 30 yeas and 24 nays.

On September 29, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1263 to the House (H. Rept. 117-532), and it was placed on the House Calendar, Calendar No. 138.

No further action was taken on H. Res. 1263 in the 117th Congress.

OF INQUIRY DIRECTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS IN THE
PRESIDENT'S POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO THE
OVERSIGHT OF THE WUHAN INSTITUTE OF VIROLOGY LABORATORY BY THE
DIRECTOR OF THE NATIONAL INSTITUTES OF HEALTH

H. Res. 1267

This resolution directs the President to provide, within 14 days, certain information and documents that refer or relate to oversight of the Wuhan Institute of Virology laboratory by the National Institutes of Health (NIH). This includes matters concerning (1) the NIH's determination that the laboratory's research was not anticipated to confer an attribute on a pathogen to enhance its pathogenicity or

transmissibility (i.e., gain-of-function research), and (2) the laboratory's standard operating procedures for working with novel coronaviruses.

Summary

H. Res. 1267 directs the President to furnish to the House of Representatives copies of documents or communications in the possession of the Director of the National Institutes of Health that refers or relates to oversight of the Wuhan Institute of Virology laboratory by the Director, including any such document or communication specifying (1) the names of the staff involved in reviewing the research conducted at the Wuhan Institute of Virology; (2) the details on the scope of such review and the process for how such review was conducted; (3) the review of the biosafety training, practices, and procedures of the Wuhan Institute of Virology; and (4) information related to the standard operating procedures of the Wuhan Institute of Virology laboratory for working with novel coronaviruses.

Legislative History

H. Res. 1267 was introduced on July 26, 2022, by Representative Griffith (VA-09) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1267, without amendment, adversely reported to the House by a recorded vote of 32 yeas and 23 nays.

On September 30, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1267 to the House (H. Rept. 117-537), and it was placed on the House Calendar, Calendar No. 143.

No further action was taken on H. Res. 1267 in the 117th Congress.

OF INQUIRY DIRECTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS IN THE
PRESIDENT'S POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO
ACTIONS TAKEN BY THE SECRETARY OF HEALTH AND HUMAN SERVICES
RELATED TO THE COVID-19 PANDEMIC RESPONSE

H. Res. 1268

This resolution directs the President to provide, within 14 days, certain information and documents that refer or relate to activities of the Secretary of the Department of Health and Human Services (HHS) undertaken as part of the COVID-19 response. This includes matters concerning the number of in-person meetings attended by the Secretary and costs incurred as a result of the Secretary working from locations other than HHS headquarters.

Summary

H. Res. 1268 directs the President to furnish the House of Representatives copies of documents or communication in the President's possession that refers or relates to actions taken by the Secretary of HHS related to the COVID-19 pandemic response. H. Res. 1268 requires that the President disclose the number

of in-person meetings that the Secretary has taken on the topic of the COVID-19 response; visits the Secretary has taken to the National Institutes of Health, the Centers for Disease Control and Prevention, and the Food and Drug Administration; days that the Secretary has worked from Washington, D.C., and California; and work trips taken by the Secretary. It also requires the disclosure of expenses incurred during the Secretary's travel and an accounting of accommodations made for the Secretary's work at alternative locations. Finally, it requires an account of delegations of authority executed and the number of classified COVID-19 briefings attended by the Secretary.

Legislative History

H. Res. 1268 was introduced on July 26, 2022, by Representative Guthrie (KY-02) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1268, without amendment, adversely reported to the House by a recorded vote of 31 yeas and 23 nays.

On September 29, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1268 to the House (H. Rept. 117-531), and it was placed on the House Calendar, Calendar No. 137.

No further action was taken on H. Res. 1268 in the 117th Congress.

OF INQUIRY DIRECTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS IN THE PRESIDENT'S POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO COMMUNICATIONS BY OR AMONG ANY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE OFFICE OF NATIONAL DRUG CONTROL POLICY, THE WHITE HOUSE, THE DRUG ENFORCEMENT ADMINISTRATION, AND THE DEPARTMENT OF JUSTICE RELATED TO THE EXECUTIVE BRANCH'S RECOMMENDATIONS FOR A LONG-TERM, CONSENSUS APPROACH TO REDUCE THE SUPPLY AND AVAILABILITY OF ILLICITLY MANUFACTURED FENTANYL-RELATED SUBSTANCES IN THE UNITED STATES

H. Res. 1274

This resolution directs the President to provide, within 14 days, certain information and documents concerning communications between the Department of Health and Human Services, the White House, the Department of Justice, and other agencies about recommendations for reducing the supply of illicitly manufactured fentanyl-related substances.

Summary

H. Res. 1274 directs the President to furnish to the House of Representatives copies of any document or communication in the President's possession that refers or relates to communications by or among any of the HHS, the Office of National Drug Control Policy, the White House, the Drug Enforcement Administration, and the Department of Justice related to the executive branch's

recommendations for a long-term, consensus approach to reduce the supply and availability of illicitly manufactured fentanyl-related substances in the United States.

Legislative History

H. Res. 1274 was introduced on July 26, 2022, by Representative Latta (OH-05) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1274, without amendment, reported without recommendation to the House by a recorded vote of 32 yeas and 22 nays.

On September 29, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1274 to the House (H. Rept. 117-527), and it was placed on the House Calendar, Calendar No. 133.

No further action was taken on H. Res. 1274 in the 117th Congress.

OF INQUIRY DIRECTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS IN THE PRESIDENT'S POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO COMMUNICATIONS BY STAFF OF THE WHITE HOUSE REGARDING THE IMPLICATIONS OF REVOKING THE PUBLIC HEALTH ORDERS COMMONLY REFERRED TO AS "TITLE 42"

H. Res. 1275

This resolution directs the President to provide, within 14 days, certain information and documents concerning the revocation of emergency orders restricting entries and imports into the United States to prevent the introduction and spread of COVID-19. In particular, the President must provide materials that address the implications of the revocation on (1) the number of border crossings, (2) public health, and (3) potential increases in the amount of fentanyl entering the United States.

Summary

H. Res. 1275 directs the President to furnish to the House of Representatives copies of any document or communication in the President's possession that refers or relates to communications by staff of the White House with outside groups and experts regarding the implications of revoking the public health orders commonly referred to as "title 42."

Legislative History

H. Res. 1275 was introduced on July 26, 2022, by Representative Lesko (AK-08) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1275, without amendment, reported without recommendation to the House by a record vote of 32 yeas and 23 nays.

On September 29, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1274 to the House (H. Rept. 117-528), and it was placed on the House Calendar, Calendar No. 134.

No further action was taken on H. Res. 1275 in the 117th Congress.

OF INQUIRY DIRECTING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO
PROVIDE CERTAIN DOCUMENTATION TO THE HOUSE OF REPRESENTATIVES
RELATING TO THE NEGOTIATION OF PRICES FOR PRESCRIPTION DRUGS UNDER THE
MEDICARE PRESCRIPTION DRUG PROGRAM.

H. Res. 1284

This resolution directs the Department of Health and Human Services (HHS) to furnish to the House of Representatives any external or internal communications of the White House regarding the implications of imposing certain penalties on drug manufacturers that do not comply with HHS price negotiations under the Medicare prescription drug benefit.

Summary

H. Res. 1284 directs the Secretary of HHS to furnish to the House of Representatives copies of any document, audio recording, memorandum, call log, correspondence, or other communication in the Secretary's possession that refers or relates to communications by staff of the White House relating to the negotiation of prices for prescription drugs under the Medicare prescription drug program.

Legislative History

H. Res. 1284 was introduced on July 26, 2022, by Representative Rodgers (WA-05) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1284, without amendment, adversely reported to the House by a record vote of 31 yeas and 22 nays.

On September 30, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1284 to the House (H. Rept. 117-534), and it was placed on the House Calendar, Calendar No. 140.

No further action was taken on H. Res. 1284 in the 117th Congress.

OF INQUIRY DIRECTING THE PRESIDENT TO PROVIDE CERTAIN DOCUMENTS IN
THE PRESIDENT'S POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO

THE RECALL OF INFANT FORMULA MANUFACTURED BY ABBOTT LABORATORIES
AND POTENTIAL IMPACTS ON THE INFANT FORMULA SUPPLY CHAIN

H. Res. 1287

This resolution directs the President to furnish to the House of Representatives any documents or communications relating to the recall of infant formula manufactured by Abbott Laboratories, particularly communications involving the Food and Drug Administration.

Summary

H. Res. 1287 directs the President to furnish copies of any document or record, audio recording, memorandum, call log, correspondence, or other communication in the President's possession referring or relating to (1) the memoranda and report referenced by Dr. Califf, Commissioner of the Food and Drug Administration (FDA), related to infant formula recall at the May 25, 2022, hearing of the Subcommittee on Oversight and Investigations; (2) all communications between the Commissioner and other FDA staff related to infant formula recall prior to February 2022; (3) the failure of FDA to ensure the whistleblower complaint submitted to the agency by an employee of Abbott Laboratories was sent to all necessary and appropriate officials and what actions FDA has taken to prevent such a failure from happening in the future; (4) the number of full-time equivalent positions in the FDA Office of Regulatory Affairs that remain vacant for food safety compliance and inspection staff; (5) all communications between FDA and the Department of Agriculture about the recall of infant formula manufactured by Abbott Laboratories and the potential impact on the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), including the timing of such communications; and (6) the 8 number of submissions pending at FDA as of the date of the adoption of the resolution for the marketing of infant formula, delineated by domestic and foreign manufacturers.

Legislative History

H. Res. 1287 was introduced on July 26, 2022, by Representative Walberg (MI-07) and was referred to the Committee on Energy and Commerce. Subsequently, on July 27, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1287, without amendment, favorably reported to the House by a record vote of 56 yeas and zero nays.

On September 30, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1287 to the House (H. Rept. 117-538), and it was placed on the House Calendar, Calendar No. 144.

No further action was taken on H. Res. 1287 in the 117th Congress.

OF INQUIRY REQUESTING THE PRESIDENT AND DIRECTING THE SECRETARY OF
HEALTH AND HUMAN SERVICES TO TRANSMIT, RESPECTIVELY, CERTAIN
DOCUMENTS TO THE HOUSE OF REPRESENTATIVES RELATING TO IVERMECTIN

H. Res. 1355

This resolution requests from the President and directs the Secretary of HHS to transmit copies of any document, record, memorandum, correspondence, or other recorded communication that refers or relates to ivermectin.

Summary

H. Res. 1355 requests from the President and directs the Secretary of HHS to transmit copies of any document, record, memorandum, correspondence, or other recorded communication that refers or relates to ivermectin, a drug approved in humans to treat conditions caused by parasitic worms and treat other parasites and approved for use in animals to prevent heartworm and treat other parasites.

Legislative History

H. Res. 1355 was introduced on September 15, 2022, by Representative Gosar (AZ-04) and was referred to the Committee on Energy and Commerce. Subsequently, on September 16, 2022, the resolution was referred to the Subcommittee on Health. The resolution was discharged from the Subcommittee on Health on September 21, 2022.

On September 21, 2022, the Committee met in open markup session and ordered H. Res. 1355, without amendment, adversely reported to the House by a recorded vote of 32 yeas and 21 nays.

On September 28, 2022, the Committee on Energy and Commerce adversely reported H. Res. 1355 to the House (H. Rept. 117-529), and it was placed on the House Calendar, Calendar No. 135.

No further action was taken on H. Res. 1355 in the 117th Congress.

OVERSIGHT ACTIVITIES

ROAD TO RECOVERY: RAMPING UP COVID-19 VACCINES, TESTING, AND MEDICAL SUPPLY CHAIN

On February 3, 2021, the Subcommittee on Health held a hearing entitled, “Road to Recovery: Ramping Up COVID-19 Vaccines, Testing, and Medical Supply Chain.” The purpose of this hearing was to examine the COVID-19 response in the United States, including availability of accessible and reliable tests, continued access to personal protective equipment and medical supplies, and equitable distribution of vaccines. The subcommittee received testimony from Luciana Borio, Vice President, In-Q-Tel, Former Acting Chief Scientist, Food and Drug Administration, Former Director for Medical and Biodefense Preparedness, National Security Council; Greg Burel, President and Principal Consultant, Hamilton Grace, Former Director, United States Strategic National Stockpile; the Honorable Michael O. Leavitt, Founder and Chair, Levitt Partners, Former Secretary of Health and Human Services, Former Governor of Utah; and Julie Morita, Executive Vice President, Robert Wood Johnson Foundation .

THE FUTURE OF TELEHEALTH: HOW COVID-19 IS CHANGING THE DELIVERY OF VIRTUAL CARE

On March 2, 2021, the Subcommittee on Health held a hearing entitled, “The Future of Telehealth: How COVID-19 is Changing the Delivery of Virtual Care.” The purpose of this hearing was to examine how the COVID-19 public health emergency has changed the flexibilities around telehealth, including related to Medicare, cost sharing, privacy and security, state licensure, controlled substances, private insurance, and Medicaid. The subcommittee received testimony from Megan R. Mahoney, Chief of Staff, Stanford Health Care; Ateev Mehrotra, Associate Professor of Health Care Policy, Harvard Medical School; Elizabeth Mitchell, President and CEO, Purchaser Business Group on Health; Jack Resneck, Jr., Board of Trustees, American Medical Association; Frederic Riccardi, President, Medicare Rights Center.

AVERTING A CRISIS: PROTECTING ACCESS TO HEALTH CARE IN THE U.S. TERRITORIES

On March 17, 2021, the Subcommittee on Health held a hearing entitled, “Averting a Crisis, Protecting Access to Health Care in the U.S. Territories.” The purpose of this hearing was to examine the chronic underfunding of Medicaid in the U.S. territories. The subcommittee received testimony from the Honorable Gregorio Kilili Camacho Sablan, Member of Congress, Commonwealth of the Northern Mariana Islands; the Honorable Aumua Amata Coleman Radewagen, Member of Congress, American Samoa; the Honorable Stacey E. Plaskett, Member of Congress, U.S. Virgin Islands; the Honorable Jenniffer González-Colón, Member of Congress, Puerto Rico; the Honorable Michael F.Q. San Nicolas, Member of Congress, Guam; Anne Schwartz, Executive Director, Medicaid and CHIP Payment and Access Commission; and Carolyn Yocom, Government Accountability Office.

THE LONG HAUL: FORGING A PATH THROUGH THE LINGERING EFFECTS OF COVID-19

On April 28, 2021, the Subcommittee on Health held a hearing entitled, “The Long Haul: Forging a Path Through the Lingering Effects of COVID-19.” The purpose of this hearing was to examine what was known about long COVID and what was being done to address it. The subcommittee received testimony from Francis Collins, Director, National Institutes of Health; John T. Brooks, Chief Medical Officer, CDC COVID-19 Response, Centers for Disease Control and Prevention; Steven Deeks, Professor of Medicine, University of California, San Francisco; Jennifer Possick, Associate Professor, Section of Pulmonary, Critical Care and Sleep Medicine, Yale School of Medicine, Director, Post-COVID Recovery Program, Winchester Center for Lung Disease, Yale-New Haven Hospital; Natalie Hakala, Patient, Eugene, OR; Lisa McCorkell, Patient, Oakland, CA; and Chimere Smith, Patient, Baltimore, MD.

THE FISCAL YEAR 2022 HHS BUDGET

On May 12, 2021, the Subcommittee on Health held a hearing entitled, “The Fiscal Year 2022 HHS Budget.” The purpose of this hearing was to examine the President’s fiscal year 2022 budget for the U.S. Department of Health and Human Services. The Subcommittee received testimony from the Honorable Xavier Becerra, Secretary, U.S. Department of Health and Human Services.

THE PATH FORWARD: ADVANCING TREATMENTS AND CURES FOR NEURODEGENERATIVE DISEASES

On July 29, 2021, the Subcommittee on Health held a hearing entitled, “The Path Forward: Advancing Treatments and Cures for Neurodegenerative Diseases.” The purpose of this hearing was to examine federal neurodegenerative disease research and development of treatments and cures. The Subcommittee received testimony from Patrizia Cavazzoni, Director, Center for Drug Evaluation and Research, U.S. Food and Drug Administration; Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health; Walter J. Koroshetz, Director, National Institute of Neurological Disorders and Stroke, National Institutes of Health; Jinsy Andrews, Director of Neuromuscular Clinical Trials, Neurological Institute of New York, Associate Professor of Neurology, Columbia University Vagelos College of Physicians and Surgeons; Kala Booth, Huntington’s Disease Caregiver and Patient; Merit Cudkowicz, Director, Sean M. Healy and AMG Center for ALS, Chief, Neurology Department, Massachusetts General Hospital, Julianne Dorn Professor of Neurology, Harvard Medical School; Cartier Esham, Executive Vice President, Emerging Companies, Senior Vice President, Science and Regulatory Affairs, Biotechnology Innovation Organization; Yvonne Latty, Caregiver; and Brian Wallach, Co-Founder, I AM ALS.

THE OVERDOSE CRISIS: INTERAGENCY PROPOSAL TO COMBAT ILLICIT FENTANYL-RELATED SUBSTANCES

On December 2, 2021, the Subcommittee on Health held a hearing entitled, “The Overdose Crisis: Interagency Proposal to Combat Illicit Fentanyl-Related Substances.” The purpose of this hearing was to examine the fentanyl epidemic, the regulatory response, and the Biden Administration’s interagency proposal to address illicit fentanyl-related substances in the United States. The Subcommittee received testimony from Kemp L. Chester, Assistant Director, Executive Office of the President, Office of National Drug Control Policy; Louis J. Milione, Principal Deputy Administrator, U.S. Drug Enforcement Administration; Lisa O. Monaco, Deputy Attorney General, U.S. Department of Justice; Douglas Throckmorton, Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, U.S. Food and Drug Administration; and Nora Volkow, Director, National Institute on Drug Abuse, National Institutes of Health.

THE FUTURE OF BIOMEDICINE: TRANSLATING BIOMEDICAL RESEARCH INTO PERSONALIZED HEALTH CARE

On December 8, 2021, the Subcommittee on Health held a hearing entitled, “The Future of Biomedicine: Translating Biomedical Research into Personalized Health Care.” The purpose of this hearing was to examine the current state of biomedical research in the United States and explore the opportunities for the future of innovation, investment, and equity in health care. The Subcommittee received testimony from Amy Abernethy, President of Clinical Studies Platforms, Verily Life Sciences; Atul Butte, Distinguished Professor and Director of the Bakar Computational Health Sciences Institute, UCSF, Chief Data Scientist, UC Health; Adolph P. Falcón, Executive Vice President, National Alliance for Hispanic Health; Leroy Hood, President, Institute for Systems Biology, Affiliate Professor of Immunology, University of Washington; and Lloyd B. Minor, Dean, Stanford University School of Medicine.

ARPA-H: THE NEXT FRONTIER OF BIOMEDICAL RESEARCH

On February 8, 2022, the Subcommittee on Health held a hearing entitled, “ARPA-H: The Next Frontier of Biomedical Research.” The purpose of this hearing was to examine the Biden Administration’s proposal to establish the Advanced Research Projects Agency for Health (ARPA-H), and how this proposal could enhance the landscape of biomedical research. The subcommittee received testimony from Keith R. Yamamoto, Vice Chancellor for Science Policy and Strategy, University of California San Francisco; Esther Krofah, Executive Director, FasterCures and Center for Public Health at the Milken Institute; Geoffrey Shiu Fei Ling, CEO, On Demand Pharmaceuticals, Professor of Neurology, Johns Hopkins Medicine; Admiral Brett P. Giroir, Former Assistant Secretary for Health U.S. Department of Health and Human Services; and Brian James Miller, Professor of Medicine, John Hopkins Medicine.

LESSONS FROM THE FRONTLINE: COVID-19’S IMPACT ON AMERICAN HEALTH CARE

On March 2, 2022, the Subcommittee on Health held a hearing entitled, “Lessons from the Frontline: COVID-19’s Impact on American Health Care.” The purpose of this hearing was to examine the COVID-19 pandemic’s impacts and how providers, the health care system, and patients can prepare for future variants and future public health emergencies. The Subcommittee received testimony from Megan Ranney, Emergency Physician, Rhode Island Hospital; Tawanda Austin, Chief Nursing Officer, Emory University Hospital Midtown; Daniel Calac, Chief Medical Officer, Indian Health Council, Inc.; Laura E. Riley, Obstetrician and Gynecologist-in-Chief, New York Presbyterian Hospital; and Lucy McBride, Internist, Private Practice.

THE FISCAL YEAR 2023 HHS BUDGET

On April 27, 2022, the Subcommittee on Health held a hearing entitled, “The Fiscal Year 2023 HHS Budget.” The purpose of this hearing was to examine the President’s fiscal year 2023 budget for the U.S. Department of Health and Human Services. The Subcommittee received testimony from the Honorable Xavier Becerra, Secretary, U.S. Department of Health and Human Services.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

OVERSIGHT ACTIVITIES

NO TIME TO LOSE: SOLUTIONS TO INCREASE COVID-19 VACCINES IN THE STATES

On February 2, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “No Time to Lose: Solutions to Increase COVID-19 Vaccinations in the States.” The purpose of the hearing was to examine the distribution and administration of the coronavirus disease of 2019 (COVID-19) vaccines in the United States. The Subcommittee received testimony from Ngozi Ezike, M.D., Director, Illinois Department of Public Health; Joneigh S. Khaldun, M.D., M.P.H., F.A.C.E.P., Chief Medical Executive and Chief Deputy Director, Michigan Department of Health and Human Services; Clay Marsh, M.D., COVID-19/Coronavirus Czar, West Virginia; Courtney N. Phillips, Ph.D., Secretary, Louisiana Department of Health; and Jill Hunsaker Ryan, M.P.H., Executive Director, Colorado Department of Public Health and Environment.

PATHWAY TO PROTECTION: EXPANDING AVAILABILITY OF COVID-19 VACCINES

On February 23, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “Pathway to Protection: Expanding Availability of COVID-19 Vaccines.” The purpose of the hearing was to examine manufacturers’ ongoing efforts to develop and expand production of COVID-19 vaccines in the United States. The Subcommittee received testimony from John Young, Group President, Chief Business Officer, Pfizer; Stephen Hoge, M.D., President, Moderna; Richard Nettles, M.D., Vice President of Medical Affairs, Janssen Pharmaceutical Companies, Johnson & Johnson; Ruud Dobber, Ph.D., Executive Vice President and President, BioPharmaceuticals Business Unit, AstraZeneca; and John Trizzino, Executive Vice President, Chief Commercial Officer, and Chief Business Officer, Novavax, Inc.

THE PATH FORWARD: RESTORING THE VITAL MISSION OF EPA

On March 10, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “The Path Forward: Restoring the Vital Mission of EPA.” The purpose of the hearing was to address the critical need to restore the mission of U.S. Environmental Protection Agency (EPA) and actions the agency could take regarding climate change and other urgent national environmental and public health challenges. The Subcommittee received testimony from Christine Todd Whitman, Administrator (2001–2003), EPA; Carol Browner, Administrator (1993-2001), EPA; Gwendolyn Keyes Fleming, Former Chief of Staff and Region 4 Regional Administrator, EPA; Wendy Cleland-Hamnett, Former Principal Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention, EPA; and John Desking, Ph.D., Director, Bureau of Business & Economic Research, West Virginia University.

LEADING THE WAY FORWARD: BIDEN ADMINISTRATION ACTIONS TO INCREASE COVID-19 VACCINATIONS

On March, 17, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “Leading the Way Forward: Biden Administration Actions to Increase COVID-19 Vaccinations.” The purpose of the hearing was to examine the federal government’s response to the COVID-19 pandemic and vaccination efforts in the United States. The Subcommittee received testimony from Anthony S. Fauci, M.D., Director, National Institute for Allergy and Infectious Diseases, National Institutes of Health; Peter Marks, M.D., Ph.D., Director, Center for Biologics Evaluation and Research, Food and Drug Administration; and Rochelle P. Walensky, M.D., M.P.H., Director, Centers for Disease Control and Prevention.

POWER STRUGGLE: EXAMINING THE 2021 TEXAS GRID FAILURE

On March 24, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “Power Struggle: Examining the 2021 Texas Grid Failure.” The purpose of the hearing was to examine factors contributing to the February 2021 devastating power crisis in Texas and potential solutions for improving grid reliability. The Subcommittee received testimony from Sylvester Turner, Mayor, City of Houston; Bill Magness, President and Chief Executive Officer, Electric Reliability Council of Texas; Christi Craddick, Chairman, Railroad Commission of Texas; Michael Shellenberger, Founder and President, Environmental Progress; and James Robb, President and Chief Executive Officer, North American Electric Reliability Corporation.

A SHOT AT NORMALCY: BUILDING COVID-19 VACCINE CONFIDENCE

On May 26, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “A Shot at Normalcy: Building COVID-19 Vaccine Confidence.” The purpose of the hearing was to explore strategies for increasing confidence in and uptake of vaccines for the coronavirus disease of 2019 (COVID-19). The Subcommittee received testimony from Nick Offerman, Actor and Woodworker; Saad Omer, M.B.B.S., Ph.D., M.P.H., F.I.D.S.A., Director, Yale Institute for Global Health, Yale University; J. Nadine Gracia, M.D., M.S.C.E., Executive Vice President and Chief Operating Officer, Trust for America’s Health; Amy Pisani, M.S., Vaccinate Your Family; and Karen Shelton, M.D., Director, Mount Rogers Health District, Virginia Department of Health.

A HUMANE RESPONSE: PRIORITIZING THE WELL-BEING OF UNACCOMPANIED CHILDREN

On June 9, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “A Humane Response: Prioritizing the Well-Being of Unaccompanied Children.” The purpose of the hearing was to examine the Biden Administration’s efforts to care for unaccompanied children at the U.S. border. The Subcommittee received testimony from JooYeun Chang, Acting Assistant

Secretary, Administration for Children and Families, Department of Health and Human Services.

STOPPING DIGITAL THIEVES: THE GROWING THREAT OF RANSOMWARE

On July 20, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “Stopping Digital Thieves: The Growing Threat of Ransomware.” The purpose of the hearing was to examine the growing threats posed by ransomware to U.S. businesses and critical infrastructure and discuss recommendations for combatting those threats. The Subcommittee received testimony from Kemba Walden, Assistant General Counsel, Microsoft Corporation; Robert M. Lee, Chief Executive Officer, Dragos; Christian Dameff, M.D., M.S., Assistant Professor of Emergency Medicine, Biomedical Informatics, and Computer Science (Affiliate), University of California San Diego, Medical Director of Cybersecurity, UC San Diego Health; Charles Carmakal, Senior Vice President and Chief Technical Officer, FireEye-Mandiant; and Philip Reiner, Chief Executive Officer, Institute for Security and Technology.

PUTTING KIDS FIRST: ADDRESSING COVID-19’S IMPACTS ON CHILDREN

On September 22, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “Putting Kids First: Addressing COVID-19’s Impacts on Children.” The purpose of the hearing was to explore the impacts of the COVID-19 pandemic on children and adolescents in the United States. The Subcommittee received testimony from Lee Savio Beers, M.D., F.A.A.P., President, American Academy of Pediatrics; Margaret G. Rush, M.D., President, Monroe Carell Jr. Children’s Hospital at Vanderbilt; Arthur Evans, Jr., Ph.D., Chief Executive Officer, American Psychological Association; Kelly Danielpour, Founder, VaxTeen; and Tracy Beth Hoeg, M.D., Ph.D., Epidemiologist and Public Health Expert, Private Practice Physician.

PROTECTING COMMUNITIES FROM INDUSTRIAL ACCIDENTS: REVITALIZING THE CHEMICAL SAFETY BOARD

On September 29, 2021, the Subcommittee on Oversight and Investigations held a hearing entitled, “Protecting Communities from Industrial Accidents: Revitalizing the Chemical Safety Board.” The purpose of the hearing was to examine the ongoing mission, governance, staffing, and other challenges at the Chemical Safety and Hazard Investigation Board. The Subcommittee received testimony from Katherine A. Lemos, Ph.D., Chairperson and Chief Executive Officer, Chemical Safety and Hazard Investigation Board.

CLEANING UP CRYPTOCURRENCY: THE ENERGY IMPACTS OF BLOCKCHAINS

On January 20, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Cleaning Up Cryptocurrency: The Energy Impacts of Blockchains.” The purpose of the hearing was to examine the energy and environmental impacts of certain blockchains used in cryptocurrency mining. The Subcommittee received testimony from Ari Juels, Weill Family Foundation

and Joan and Sanford I. Weill Professor, Jacobs Technion-Cornell Institute, Cornell Tech; John Belizaire, Chief Executive Officer, Soluna Computing, Inc.; Brian Brooks, Chief Executive Officer, BitFury; Steve Wright, Former Chief Executive Officer, Chelan County Public Utility District and Bonneville Power Administration; and Gregory Zerzan, Shareholder, Jordan Ramis P.C.

AMERICANS IN NEED: RESPONDING TO THE NATIONAL MENTAL HEALTH CRISIS

On February 17, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Americans in Need: Responding to the National Mental Health Crisis.” The purpose of the hearing was to examine the growing mental health crisis in the United States. The Subcommittee received testimony from Lisa Fortuna, M.D., M.P.H., American Psychiatric Association Member, Vice-Chair of Psychiatry, University of California San Francisco; Jacqueline Nesi, Ph.D., Assistant Professor of Psychiatry and Human Behavior, Brown University; Amit Paley, M.B.A., Chief Executive Officer and Executive Director, The Trevor Project; Christopher Thomas, Co-Founder, The Defensive Line; and Elinore McCance-Katz, Ph.D., M.D., Former Assistant Secretary for Mental Health and Substance Use.

LESSONS FROM THE FRONTLINE: COVID-19’S IMPACT ON AMERICAN HEALTH CARE

On March 2, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Lessons from the Frontline: COVID-19’s Impact on American Health Care.” The purpose of the hearing was to examine the COVID-19 pandemic’s impacts and how providers, the health care system, and patients can prepare for future variants and future public health emergencies. The Subcommittee received testimony from Megan Ranney, M.D., M.P.H., Emergency Physician, Rhode Island Hospital; Tawanda Austin, M.S.N., R.N., N.E.-B.C., Chief Nursing Officer, Emory University Hospital Midtown; Daniel Calac, M.D., Chief Medical Officer, Indiana Health Council, Inc.; Laura E. Riley, M.D., Obstetrician and Gynecologist-in-Chief, New York Presbyterian Hospital; and Lucy McBride, M.D., Internist, Private Practice.

GOUGED AT THE GAS STATION: BIG OIL AND AMERICA’S PAIN AT THE PUMP

On April 6, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Gouged at the Gas Station: Big Oil and America’s Pain at the Pump.” The purpose of the hearing was to examine the oil industry’s role in the increase in gasoline prices in the United States. The Subcommittee received testimony from David Lawler, Chairman and President, bp America, Inc.; Michael K. Wirth, Chairman and Chief Executive Officer, Chevron Corporation; Richard E. Muncrief, President and Chief Executive Officer, Devon Energy Corporation; Darren W. Woods, Chief Executive Officer, ExxonMobil; Scott D. Sheffield, Chief Executive Officer, Pioneer Natural Resources; Gretchen Watkins, President, Shell USA, Inc.; and Lt. Gen. H.R. McMaster (U.S. Army, retired), Senior Fellow, Hoover Institution, Stanford University.

FORMULA SAFETY AND SUPPLY: PROTECTING THE HEALTH OF AMERICA’S BABIES

On May 25, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Formula Safety and Supply: Protecting the Health of America’s Babies.” The purpose of the hearing was to examine the nation’s infant formula product recall, shortage, steps taken to increase supply, and what further actions were necessary to ensure families’ access to safe formula across the country. The Subcommittee received testimony from Robert M. Califf, M.D., Commissioner, Food and Drug Administration; Frank Yiannas, M.P.H., Deputy Commissions, Food Policy and Response, Food and Drug Administration; Susan Mayne, Ph.D., Director, Center for Food Safety and Applied Nutrition, Food and Drug Administration; Christopher J. Calamari, President, U.S. and Canada Nutrition, Senior Vice President, Abbott; Scott Fitz, Vice President, Technical and Production, Gerber Products Company; and Robert Cleveland, Senior Vice President, Nutrition, North America and Europe, Reckitt.

PROTECTING AMERICA’S SENIORS: OVERSIGHT OF PRIVATE SECTOR MEDICARE ADVANTAGE PLANS

On June 28, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Protecting America’s Seniors: Oversight of Private Sector Medicare Advantage Plans.” The purpose of the hearing was to examine the quality of care that America’s seniors are receiving through Medicare Advantage plans and the fiscal sustainability of the Medicare Advantage program. The Subcommittee received testimony from Erin Bliss, Assistant Inspector General, Office of Evaluation and Inspection, Office of Inspector General, Department of Health and Human Services; Leslie Gordon, Acting Director, Health Care, Government Accountability Office; and James E. Mathews, Ph.D., Executive Director, Medicare Payment Advisory Commission.

ROE REVERSAL: THE IMPACTS OF TAKING AWAY THE CONSTITUTIONAL RIGHT TO AN ABORTION

On July 19, 2022, the Subcommittee on Oversight and Investigations held a hearing entitled, “Roe Reversal: The Impacts of Taking Away the Constitutional Right to an Abortion.” The purpose of the hearing was to examine the impact of the Supreme Court’s June 24, 2022 *Dobbs v. Jackson Women’s Health Organization* decision overturning the right to abortion and the implications for health care access for all Americans. The Subcommittee received testimony from Renee Bracey Sherman, M.P.A., Founder and Executive Director, We Testify; Leah M. Litman, J.D., Assistant Professor of Law, University of Michigan Law School; Paulina Guerrero, Ph.D., National Programs Manager, All-Options; Nisha Verma, M.D., M.P.H., FACOG, Fellow, Physicians for Reproductive Health; Jack Resneck, M.D., President, American Medical Association; and Christina Francis, M.D., CEO-Elect, American Association of Prolife Obstetricians and Gynecologists.

APPENDIX I

OVERSIGHT PLAN FOR THE COMMITTEE ON ENERGY AND COMMERCE U.S. HOUSE OF REPRESENTATIVES, 117TH CONGRESS

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to develop an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Reform and to the Committee on House Administration not later than March 1 of the first session of the Congress.

This is the oversight plan of the Committee on Energy and Commerce for the 117th Congress. It includes areas where the Committee expects to conduct oversight during the 117th Congress, subject to staff and resource limitations, but does not preclude oversight or investigation of additional matters. The Committee will continue to consult with other committees that have jurisdiction over the same or related laws, programs, or agencies with the objective of ensuring maximum coordination and cooperation. Specifically, the Committee will continue to work with other committees to facilitate expiring programs, coordinate with the Congressional Budget Office regarding lapsed authorizations and upcoming expirations, and hold member and staff-level meetings with relevant committees and House and Senate conferences.

ENERGY AND ENVIRONMENTAL ISSUES

CLIMATE CRISIS

Climate change is a crisis that affects every region of the country and threatens the economy, the environment, and public health. In the midst of a severe economic downturn, the Committee intends to examine opportunities and mechanisms for a green and just economic recovery for all Americans. The Committee will focus on the economic, environmental, and health effects of climate change, including the disproportionate impacts on low-income communities, communities of color, tribal communities, and other historically overburdened populations. The Committee will identify opportunities to reduce negative impacts, create new businesses and jobs, and make all communities safer and more resilient. The Committee will also review actions needed to meet our obligations under the Paris Climate Agreement and examine the climate impacts of regulatory efforts and programs by the Department of Energy (DOE), the Environmental Protection Agency (EPA), the Department of Health and Human Services (HHS), and other agencies within the Committee's jurisdiction. The Committee plans to examine governmental and nongovernmental activities and policies to reduce greenhouse gas emissions. The Committee will also assess state funding programs and other efforts by agencies within the Committee's jurisdiction to ensure states and local communities have the resources needed to prepare for and respond to severe weather events and natural disasters.

CLEAN AIR ACT

The Committee expects to review significant rulemakings and program implementation under the Clean Air Act and associated public health and environmental benefits. The Committee will conduct oversight of EPA decisions, management strategies, and other actions affecting efforts to meet Clean Air Act standards, including EPA actions that affect state efforts to meet public health goals. This review will include a close examination of the costs and benefits of Clean Air Act actions, and the role these analyses have played in perpetuating disparate air pollution, for historically overburdened communities. Additionally, the Committee will examine the current role of and proposed changes to the accounting of cost, benefits, and feasibility in Clean Air Act rulemakings. The Committee will also continue to conduct oversight of EPA's implementation of the Renewable Fuel Standard, including program transparency and opportunities for that authority to address climate change and pollution disparities.

ENVIRONMENTAL CONTAMINATION AND CLEANUP

The Committee will conduct oversight of EPA's implementation of the Comprehensive Environmental Response Compensation & Liability Act (CERCLA). This will include the cleanup of sites vulnerable to the effects of climate change and sites that contribute to the disparate burden of pollution in historically overburdened communities. The Committee will also oversee implementation of recent updates to the Brownfields program. The Committee anticipates investigating the public health, environmental, and economic impacts of the expiration of Superfund taxes and EPA's decisions regarding financial responsibility requirements under CERCLA Section 108(b).

HAZARDOUS AND SOLID WASTE

The Committee will examine state and federal implementation of our waste laws, including the disparate impacts of unsafe waste disposal on historically overburdened communities. This review will focus on the public health and environmental impacts, including climate impacts, of plastic waste and recycling, coal ash, waste materials containing per- and polyfluoroalkyl substances, landfill gas, and various waste disposal methods.

REGULATION OF DANGEROUS CHEMICAL SUBSTANCES

The Committee will conduct oversight of EPA's implementation of the reformed Toxic Substances Control Act (TSCA) as EPA moves forward with the first risk management rules under the law and revises its framework rules in light of judicial decisions. This oversight will look at EPA's efforts to reexamine and incorporate into its regulatory framework previously excluded uses, exposures, vulnerable populations, and scientific studies. The Committee will examine the impacts these decisions are having on the most vulnerable and disproportionately impacted, including workers, infants and children, and historically overburdened communities. The Committee will also examine risk management activities and decisions related to pesticides and other non-TSCA regulated chemicals, as well

as the actions of other agencies in the Committee's jurisdiction charged with addressing these issues, including DOE and the Agency for Toxic Substances and Disease Registry.

DRINKING WATER RISKS AND SAFETY

The Committee will continue its oversight of the standard setting process under the Safe Drinking Water Act, including obstacles to timely action and to addressing disparate risks to historically overburdened communities. The Committee will also examine serious threats to the safety of our drinking water, including risks from lead service lines and per- and polyfluoroalkyl substances. In addition, the Committee will continue to review the impact on communities of regulatory ambiguity under the Safe Drinking Water Act regarding hydraulic fracturing, as well as transparency and potential risks to communities from the chemicals used in hydraulic fracturing.

EPA MANAGEMENT AND OPERATIONS

The Committee will conduct general oversight of EPA. This will include review of agency enforcement activities (including the use of those activities to address disparate pollution burdens in historically overburdened communities), funding decisions, staff and other resource allocations, office and program reorganization, grants, research activities, and contracts awarded to outside parties. The Committee will also conduct general oversight of EPA's relations with state, local, and tribal governments, as well as its public transparency, and adherence to economic, procedural, public health, and environmental standards in regulatory actions.

NATIONAL ENERGY POLICY

The Committee will examine policies that relate to energy efficiency and conservation, and the exploration, production, transmission, distribution, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will continue to address associated climate issues as well as the impacts of such activities on safety, security, and public health. Further, the Committee will investigate the disparate costs, benefits, risks, and opportunities of these policies for historically overburdened communities. The Committee will also review the electrification of the transportation sector, and examine the electric grid needs for increased charging infrastructure. The Committee will inquire into the impact of government policies and programs—including those established in the recently enacted Energy Act of 2020—on the exploration, production, storage, supply, marketing, pricing, and regulation of domestic energy resources, including issues relating to the nation's energy infrastructure. The Committee will review existing federal interstate transmission policies and explore how they should be revised to facilitate increased integration of renewable energy resources and reduced costs to consumers. The Committee will also explore electric utility responses to the impacts of climate change-induced extreme weather events to determine where improvements can be made to mitigate adverse impacts and expedite recovery.

Additionally, the Committee will examine energy access, energy poverty, and the Low-Income Home Energy Assistance Program (LIHEAP), as necessary.

ELECTRICITY AND NATURAL GAS MARKETS AND REGULATION

The Committee will review the federal electricity and natural gas policies of the Federal Energy Regulatory Commission (FERC) and the Department of Energy (DOE) related to competitive markets for compliance with relevant statutes. The Committee will also examine FERC and DOE activities relating to consumer protection and the environment with regard to electricity, natural gas, and hydroelectric power, including the development of efficient and vigorous wholesale markets for electricity. The Committee will explore ways to increase transparency into regulatory proceedings at FERC to ensure that members of the public, particularly landowners subject to pipeline-related eminent domain proceedings, have the ability to understand and actively engage with FERC on these matters. Similarly, the Committee will look specifically at tribal roles in statutes implemented by FERC. Additionally, the Committee will closely examine actions regarding pipeline safety by the Department of Transportation's Pipeline and Hazardous Materials Safety Administration as well as actions regarding pipeline security by the Department of Homeland Security's Transportation Security Administration (TSA). The Committee will also review the need for modernizing the Public Utility Regulatory Policies Act.

ENERGY AND FUEL EFFICIENCY MANDATES

The Committee will continue to oversee federal programs setting energy efficiency standards for home appliances crafted by DOE, to ensure that the programs maximize the benefit to consumers, public health, and the environment. The Committee will also examine greenhouse gas and fuel economy standards for motor vehicles developed by EPA and the National Highway Traffic Safety Administration (NHTSA), respectively. Additionally, the Committee will review energy efficiency and carbon reduction efforts within the federal government and the Federal Energy Management Program, generally. The Committee will also continue its oversight of building energy efficiency codes, the process for setting those codes, and DOE's role in fostering their adoption.

MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES

The Committee will continue to oversee governance, management, and operations issues at DOE, including the National Nuclear Security Administration (NNSA) and the National Laboratories. This will include a continued focus on DOE's management of the contractors that operate the national laboratories. The Committee's oversight work will also include review of the implementation of management, security, and safety reforms at NNSA and DOE facilities, ongoing safety and security matters, as well as the work of the Defense Nuclear Facilities Safety Board. The Committee will continue to oversee the Office of Environmental Management's efforts to cleanup waste and contamination from nuclear weapons production and research, including the significant increases in

environmental liabilities in recent years. This work will also include the Committee's oversight functions over DOE grant and loan guarantee programs as well as programs and activities relating to nonmilitary energy research and development.

NUCLEAR WASTE

The Committee will continue to review the actions of DOE and the Nuclear Regulatory Commission (NRC) regarding obligations of these agencies under the Nuclear Waste Policy Act. The Committee will also examine other nuclear waste cleanup and disposal programs under its jurisdiction.

THE NUCLEAR REGULATORY COMMISSION

The Committee will continue to examine the programs and activities of NRC. The Committee will review NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including the Commission's regulatory actions, licensing activity, the safety and security of nuclear power facilities, and nuclear materials licensees.

21st CENTURY WORKFORCE

The Committee will continue its longstanding oversight of the energy workforce. The Committee will focus attention on the transition to a clean energy economy, the impact on traditional energy employment, and the increased need for a skilled workforce in the growing areas of renewable energy, energy efficiency, and storage, among other things. The Committee will continue its ongoing examination of diversity in the energy workforce and pathways to ensure underrepresented groups including Native Americans, people of color, women and veterans are able to obtain employment and benefit from the transition to a clean energy economy.

HEALTH AND HEALTH CARE ISSUES

THE CORONAVIRUS DISEASE OF 2019 (COVID-19)

The Committee will continue general oversight of the response to the COVID-19 pandemic. The Committee will review pharmaceutical manufacturers' efforts to develop and produce COVID-19 vaccines, and the federal government's role in supporting those efforts and ensuring equitable distribution of the vaccines. The Committee will also continue to examine issues related to the Centers for Disease Control and Prevention (CDC) producing and disseminating reliable public health data and information, and efforts by the Food and Drug Administration (FDA) to review, authorize, and approve drugs, vaccines, and devices in the fight against COVID-19.

THE AFFORDABLE CARE ACT

The Committee will continue to examine issues related to the Department of Health and Human Services' (HHS) implementation of the Affordable Care Act (ACA), including decisions by the Trump Administration to administratively and illegally undermine the ACA. This oversight will also examine the effect the Trump Administration's decisions have had on access to comprehensive, affordable health care. The Committee will also examine the role the ACA has played in providing health insurance coverage during the COVID-19 crisis and associated economic downturn, as well as explore ways to strengthen the law in order to ensure all Americans have access to comprehensive, affordable health care.

HHS MANAGEMENT AND OPERATIONS

The Committee will conduct general oversight of HHS and its agencies to ensure it is fulfilling its mission to enhance and protect the health of all Americans. The Committee will also review HHS's response to the COVID-19 pandemic, including actions taken by FDA, CDC, the Centers for Medicare & Medicaid Services (CMS), and the Assistant Secretary for Preparedness and Response (ASPR) related to the prevention of, preparation for, and response to COVID-19. The Committee will also review actions taken by political leadership at HHS during the Trump Administration that have undermined professional morale and the public health mission of the agency.

CENTERS FOR MEDICARE & MEDICAID SERVICES

The Committee will review the management, operations, and activities of CMS and the programs it administers. The Committee will study the positive economic effect of Medicaid expansion and impact of Medicaid expansion on access to care. The Committee will review insurance coverage rates for children and state outreach efforts to enroll uninsured children. The Committee will examine attempts by the Trump Administration to administratively and illegally undermine the Medicaid program, which provides critical services to over 70 million individuals, and the disparate impact that these illegal actions had on access to care for communities of color. The Committee will also continue to examine the increasing out-of-pocket drug costs for seniors under the Medicare program, including drug therapies intended to treat COVID-19. The Committee will examine the positive effects of capping out-of-pocket costs in Medicare Part D and providing the Secretary of HHS the authority to negotiate drug prices, particularly for drugs that lack robust market competition.

FOOD AND DRUG ADMINISTRATION AND PRODUCT SAFETY

The Committee will review the management, operations, and activities of the FDA, including the ability of the agency to ensure the safety of the nation's food, drugs, devices, and cosmetics, as well as the impact of tobacco use on public health. The Committee will examine the agency's implementation of emergency use authorities during COVID-19 response, including authorizations for drugs,

including vaccines and devices. The Committee will also investigate FDA's enforcement of current drug supply chain and safety laws and its foreign drug inspection program. The Committee will also oversee implementation of the Over-the-Counter Monograph Safety, Innovation, and Reform Act, including the establishment and collection of user fees. Further, the Committee will review FDA's efforts to improve and modernize the regulatory framework for medical devices and medical device safety, as well as examine FDA oversight and evaluation of diagnostic tests, including laboratory-developed tests. The Committee will also continue to review the FDA's efforts to combat youth access to tobacco and electronic nicotine delivery systems (ENDS) products, as well as the agency's enforcement and implementation of the Tobacco Control Act, including the agency's review of premarket tobacco product applications of new tobacco products. The Committee intends to review the safety of cosmetics and personal care products in light of the substantial increase in cosmetic imports, one of FDA's larger categories of imports. The Committee will also examine FDA's statutory authorities for protecting the nation's food supply with a view towards identifying any gaps and whether FDA's financial and personnel resources are adequate to protect the public from unsafe food.

PUBLIC HEALTH AND PANDEMIC PREPAREDNESS

The Committee will examine the roles of various federal agencies responsible for protecting public health, including program management and implementation. Specifically, the Committee will continue to conduct oversight of federal efforts on pandemic prevention, preparedness, and response, including the COVID-19 pandemic as well as other infectious diseases. Oversight will include examination of resources and programs such as the Strategic National Stockpile, public health laboratory capacity, and disease surveillance, as well as the United States' response to additional emerging foreign infectious disease threats. The Committee will continue oversight of COVID-19 vaccine distribution, administration, and promotion, as well as activities to combat the underutilization of vaccines for other vaccine-preventable diseases. The Committee will also continue its review of efforts to combat the drug epidemic, including opioids and stimulants. The Committee will examine federal coordination carried out by the Office of National Drug Control Policy, state and local responses, and the roles of participants in the health care delivery chain. Additionally, the Committee will study the role our federal public health agencies play and the actions such agencies can take to reduce health disparities among racial and ethnic minorities, and to address the health impacts caused by gun violence in our communities. Further, the Committee will also review and monitor any efforts that stymie or hinder access to comprehensive women's health care and reproductive health care services, which disproportionately impact low-income women and women of color. Finally, the Committee will also continue to monitor implementation of mental health reforms and the work done by the Assistant Secretary for Mental Health and Substance Use, the mental health impact of the COVID-19 pandemic, as well as issues related to the health and safety of athletes, including youth athletes.

HEALTH CARE AFFORDABILITY

The Committee will examine the Administration's actions and policies related to the rising costs of health care and prescriptions drugs. This will include examining the role FDA and the National Institutes of Health (NIH) play in the discovery, development, and delivery of innovative medications. The Committee will also investigate the impacts higher health care costs, including rising out-of-pocket costs, are having on American families, including seniors, and what actions may be taken to improve affordability within our health care system. The Committee will conduct oversight on the implementation of legislative and administrative actions taken to end surprise billing practices. The Committee will also continue to review policies proposed by the Administration to lower the costs of prescription drugs and will investigate how actions taken by brand name and generic drug manufacturers have impacted such costs, including abuses and gaming of current regulatory requirements. Further, the Committee will study the role rebates play in the costs of prescription drugs and to our federal health care system and how changes to rebates may impact such costs.

REUNIFICATION OF UNACCOMPANIED CHILDREN

The Committee will continue to monitor and oversee HHS and the Office of Refugee Resettlement's efforts to provide appropriate care to unaccompanied children who are awaiting placement with sponsors in the United States. The Committee will also review HHS's role in significant policies that affect the placement and coordination of unaccompanied children, including changes to protocols that could delay the placement of unaccompanied children with sponsors. The Committee's review will also include monitoring HHS-contracted facilities' compliance with federal laws and regulations, as well as HHS's oversight of these facilities, including influx facilities.

INDIAN HEALTH SERVICE

The Committee expects to investigate the availability, quality, and adequacy of health care prevention and treatment services provided by the Indian Health Service. The Committee will continue to review current implementation of the Indian Health Care Improvement Act and how this law and the care provided by the Indian Health Service is working for American Indians and Alaska Natives in order to inform the Committee on ways to improve care for those who rely on these services. The Committee will also review the disproportionate impact of COVID-19 on tribal communities, as well as the quality and adequacy of the Indian Health Service's response to the pandemic.

HEALTH CARE INEQUALITY

Despite overall improvements in population health over time, many health and health care disparities have persisted and, in some cases, worsened. Addressing these disparities is important not only from an equity standpoint, but also for improving overall quality of health care and population health. COVID-19 did not cause this country's health and health care disparities, rather, the

pandemic laid bare these vast inequalities among our most vulnerable populations. The Committee will examine issues of inequities in our health care system on the basis of race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, or national origin. The Committee will also investigate the disproportionate impact of COVID-19 on communities of color, racial disparities in maternal and infant mortality, and the appropriate collection of demographic data related to health and health care.

COMMUNICATIONS AND TECHNOLOGY ISSUES

FEDERAL COMMUNICATIONS COMMISSION MANAGEMENT AND OPERATIONS

The Committee will continue to conduct oversight of the operations, management, and activities of the Federal Communications Commission (FCC), including the effect of its decisions on protecting consumers, promoting privacy and data security, encouraging universal broadband access and adoption, technologies and services, supply chain security, increasing diversity of ownership and competition, and ensuring adequate emergency communications capability. Additionally, the Committee will evaluate the effect of FCC actions on spectrum policy, network resiliency, and public safety, as well as data, video, voice, and audio services.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION MANAGEMENT AND OPERATIONS

The Committee will continue to conduct oversight of the operations, management, and activities of the National Telecommunications and Information Administration (NTIA) within the Department of Commerce, including its efforts to promote cybersecurity, supply chain security, consumer privacy, efficient federal spectrum use, spectrum sharing, spectrum management, emergency communications, and network resiliency. The Committee will continue to oversee the NTIA's efforts to promote broadband deployment and adoption, including the establishment of two new offices, the Office of Internet Connectivity and Growth and the Office of Minority Broadband Initiatives, and the tribal and rural grant programs. Additionally, the Committee will evaluate the work of the NTIA in representing the interests of the United States in international meetings and negotiations relating to telecommunications and internet governance.

BROADBAND INTERNET DEPLOYMENT, AFFORDABILITY ADOPTION, AND OPENNESS

The Committee will conduct oversight of funding mechanisms for broadband deployment and adoption, including the Universal Service Fund, and whether such programs adequately and efficiently promote broadband deployment and adoption for consumers. The Committee will exercise its jurisdiction to oversee the process—and the effects on consumers, small businesses, and free speech—associated with the repeal of net neutrality. The Committee will exercise its

jurisdiction over broadband to ensure continued growth and investment in the internet. The Committee will also continue to exercise its jurisdiction over wireless and wired communications to ensure our nation's policies governing voice, video, audio, and data services are promoting investment, innovation, access, affordability, and job creation. The Committee will oversee the programs established in the Consolidated Appropriations Act, 2021 to increase internet access and affordability, including the Emergency Broadband Benefit Program and the Secure and Trusted Communications Networks Reimbursement Program at the FCC, and the tribal and broadband deployment grant programs and the Connecting Minority Communities Pilot Program at the NTIA.

PUBLIC SAFETY COMMUNICATIONS

The Committee will continue to examine the progress being made to ensure that first responders have interoperable communications capabilities with local, state, and federal public safety officials, including through the efforts of the Emergency Communications Division within the Department of Homeland Security. The Committee will also examine the progress being made by the First Responder Network Authority in carrying out the mandates of the Middle-Class Tax Relief and Job Creation Act of 2012. In addition, the Committee will conduct oversight regarding the implementation of legacy 911 and Next Generation 911 (NG911) services. The Committee will review efforts to promote deployment of these advanced systems and challenges to realizing ubiquitous NG911.

SPECTRUM MANAGEMENT

The Committee will continue to oversee FCC and NTIA management, allocation, and coordination of the nation's spectrum for government and commercial use to ensure the highest and best use of public airwaves for consumers and federal users. The Committee will further examine whether current plans for reallocating spectrum encourage competition, benefit consumers, and are in the public interest while continuing to protect national security. The Committee will oversee FCC and NTIA implementation of the Middle Class Tax Relief and Job Creation Act of 2012, the Bipartisan Budget Act of 2015, the RAY BAUM's Act, the Spectrum IT Modernization Act, and the Beat China for 5G Act of 2020.

MEDIA AND JOURNALISM

The Committee will continue to oversee the FCC's efforts to diversify the broadcast and cable media landscape, including the quadrennial review of media ownership regulations and equal employment opportunity obligations. The Committee will also examine the role and decline of local journalism and the impact on the spread of misinformation and disinformation.

SECTION 230

The Committee will continue to review the effects of Section 230 of the Communications Decency Act. The Committee will review to what extent that liability shield promotes or discourages appropriate content moderation online that facilitates a healthy internet ecosystem. The Committee will review how online platforms are addressing the proliferation and amplification of disinformation and extremism online and what they can do to remedy such proliferation and amplification.

CONSUMER PROTECTION AND COMMERCE ISSUES

PRIVACY AND DATA SECURITY

The Committee will examine issues relating to the privacy and security of consumers' personal information collected by businesses and the potential methods for improving privacy protections to benefit consumers. The Committee will also continue to investigate whether all companies that collect consumer data are fully implementing data security and privacy safeguards that ensure consumers' personal information is not stolen or misused.

CONSUMER PRODUCT SAFETY COMMISSION MANAGEMENT AND OPERATIONS AND CONSUMER PROTECTION

The Committee will continue to review the Consumer Product Safety Commission's (CPSC) overall operations, including the effectiveness of its rulemaking, compliance, and enforcement activities, engagement in voluntary standard-setting activities, and the modernization of its staff and information technology infrastructure. The Committee will also continue to monitor the CPSC's port surveillance program to evaluate its effectiveness in identifying and preventing unsafe consumer products entering the United States, especially products in e-commerce shipments entering under the de minimis value exemption. The Committee will also exercise its jurisdiction to improve the safety of consumer products to prevent injuries and deaths.

NHTSA MANAGEMENT AND OPERATIONS, FUEL ECONOMY, AND MOTOR VEHICLE SAFETY

The Committee will continue oversight of the National Highway Traffic Safety Administration (NHTSA), including the effectiveness of the agency's regulations, investigations, structure, research activities, data collection, and enforcement actions pertaining to motor vehicle safety. The Committee will examine NHTSA's ability to effectively oversee and regulate advanced safety technologies including advanced driver assistance systems, partially automated vehicles, and highly automated vehicles. The Committee will also examine whether NHTSA effectively monitors and investigates safety issues, and whether it effectively manages recalls. The Committee will work to oversee manufacturers, automobile dealers, and other entities selling or deploying vehicles to improve motor vehicle safety to protect drivers, passengers, and all others who

share the roadways. The Committee will continue oversight of fuel economy standards for motor vehicles developed by NHTSA.

FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS AND CONSUMER PROTECTION

The Committee will review the management, authorities, operations, investigative, rulemaking, and enforcement actions of the Federal Trade Commission. The Committee will review consumer protection activities related to privacy, data security, accountability of technology companies for unfair and deceptive practices, fraud, scams, and deceptive advertising.

CONSUMER FINANCIAL PROTECTION BUREAU MANAGEMENT AND OPERATIONS

The Committee will review the management, operations, rulemaking, and enforcement actions of the Consumer Financial Protection Bureau, and whether the Bureau is achieving its consumer protection mission.

DEPARTMENT OF COMMERCE MANAGEMENT AND OPERATIONS AND MANUFACTURING AND TRADE

The Committee will conduct oversight of the Commerce Department and its efforts to promote manufacturing and exports. The Committee will monitor and examine interstate commerce as well as bilateral agreements and multilateral trade agreements as those agreements relate to services, commodities, and industries within the Committee's jurisdiction, including energy, telecommunications, consumer products, e-commerce, food, and drugs. The Committee will examine whether these agreements adequately protect the interests of domestic and foreign workers, the environment, and consumers. The Committee will also explore the state of manufacturing in the United States to identify factors that are hampering or furthering the nation's competitiveness and factors that benefit or hurt American workers.

TECHNOLOGY INDUSTRY ACCOUNTABILITY

The Committee will monitor and examine how the technology industry, including social media and e-commerce platforms, is affecting diversity, product safety, interstate commerce, fraud, and the proliferation of misinformation, disinformation, hate, and extremism.

MISCELLANEOUS

CYBERSECURITY

The Committee will continue to examine the protection of information and technology vital to our national and economic security by examining vulnerabilities and paths to defend against future attacks. The Committee will conduct oversight of actions and programs of the National Institute of Standards

and Technology as well as efforts of relevant agencies to implement the Homeland Security Act of 2002. Additionally, the Committee will review the efforts of agencies within its jurisdiction to secure their networks. The Committee will also examine initiatives to improve cybersecurity both in the private and public sectors, and review efforts at agencies within the Committee's jurisdiction to regulate cybersecurity.

BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will continue to monitor the roles of HHS agencies in assisting the nation's capability, detection, and response to possible biological attacks. The Committee will also evaluate the potential impact and preparedness of the nation's public health system. The Committee will continue to review the extent of the coordination between HHS and the Department of Homeland Security (DHS), especially as it relates to Project Bioshield, and implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS.

FEDERAL OVERSIGHT OF HIGH-CONTAINMENT BIO LABORATORIES

The Committee will conduct oversight of issues related to high-containment bio laboratories, which handle some of the most dangerous and exotic diseases, including anthrax, smallpox, Ebola virus, and foot and mouth disease. Among the issues under review will be the adequacy of the security and practices of high-containment bio laboratories and federal efforts to oversee the laboratories, and whether some of these efforts are overlapping and duplicative.

SAFETY AND SECURITY FOR CHEMICAL FACILITIES

The Committee will conduct oversight of mandates across agencies to ensure the safety and security of chemical facilities, including implementation of DHS's Chemical Facilities Anti-Terrorism Standards Program and EPA's Risk Management Planning Program. The Committee will also examine threats to these facilities from climate change and extreme weather. Additionally, the Committee will review the organization and activities of the Chemical Safety Board.

SCIENTIFIC AND RISK ASSESSMENT PROGRAMS

The Committee will review programs to assess the objectives, transparency, and integrity of scientific assessments that inform regulatory and public health policies. The Committee will examine issues relating to the numerous Federal science programs assessing public health risks, including the Integrated Risk Information System at the EPA, the Report on Carcinogens produced by the National Toxicology Program at HHS, and assessments proposed or ongoing in other Federal departments and agencies.

WASTE, FRAUD AND ABUSE

The Committee will conduct oversight of departments and agencies under its jurisdiction to ensure adequate and prompt implementation of recommendations from the Government Accountability Office, Offices of Inspectors General, and other sources to eliminate waste, fraud, and abuse.

CRITICAL INFRASTRUCTURE

The Committee will examine DHS's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction. The Committee will also examine the activities of DOE, FERC, TSA, and other Federal agencies related the physical security and cybersecurity of the nation's energy infrastructure, including DOE's authorities and responsibilities as the sector-specific agency for energy security. The Committee will also conduct oversight of HHS and EPA's responsibilities and authorities as sector-specific agencies for activities related to the nation's critical infrastructure for communications, chemicals, emergency services, and others within the Committee's jurisdiction. Additionally, the Committee will examine the roles and responsibilities of other relevant agencies, such as the FCC, as well as the private sector.

NUCLEAR SMUGGLING

The Committee will continue to monitor private sector and Federal government efforts at seaports, border crossings, and mail facilities. The Committee's review will examine and assess DOE and U.S. Customs and Border Protection efforts, including international efforts, aimed at detecting and preventing the smuggling of dangerous commerce, particularly radiological and nuclear weapons of mass destruction.

ONLINE PLATFORM AND CONSUMER PROTECTION

The Committee will examine the effect of online platform practices on the public good, free speech, and democratic principles, including through algorithmic bias. The Committee will also review the extent to which competition exists among online platforms, and how consolidation affects consumers.

DIVERSITY AND INCLUSION IN FEDERALLY-FUNDED ENTITIES AND ACTIVITIES

The Committee will provide oversight over all agencies under its jurisdiction to promote policies of diversity and inclusion in order to ensure that these federally-funded agencies are representative of the nation as a whole and are working to support the interests of all communities and all segments of the overall population.

APPENDIX II

COMMITTEE ON ENERGY AND COMMERCE

PUBLIC LAWS

This list includes: (1) legislation on which the Committee on Energy and Commerce acted directly; (2) legislation developed through Committee participation in House-Senate conferences; and (3) legislation which included provisions within the Committee's jurisdiction, including legislation enacted by reference as part of other legislation.

Public Laws: 26 (as of 12/30/2022)

Public Law	Date Approved	Bill	Title
117-2	3/11/2021	H.R. 1319	American Rescue Plan Act of 2021
117-7	4/14/2021	H.R. 1868	To prevent across-the-board direct spending cuts, and for other purposes.
117-12	5/4/2021	H.R. 2630	Extending Temporary Emergency Scheduling of Fentanyl Analogues Act
117-15	5/26/2021	H.R. 941	TRANSPLANT Act of 2021
117-36	8/6/2021	H.R. 1002	DEBAR Act of 2021
117-44	10/2/2021	H.R. 5434	Surface Transportation Extension Act of 2021
117-52	10/31/2021	H.R. 5763	Further Surface Transportation Extension Act of 2021
117-53	11/10/2021	H.R. 1899	Ensuring Compliance Against Drug Diversion Act of 2021
117-55	11/11/2021	H.R. 3919	Secure Equipment Act of 2021
117-58	11/15/2021	H.R. 3684	Infrastructure Investment and Jobs Act
117-79	12/23/2021	H.R. 3537	Accelerating Access to Critical Therapies for ALS Act
117-103	3/15/2022	H.R. 2471	Consolidated Appropriations Act, 2022
117-104	3/18/2022	H.R. 189	John Lewis NIMHD Research Endowment Revitalization Act of 2021
117-105	3/18/2022	H.R. 1667	Dr. Lorna Breen Health Care Provider Protection Act
117-108	4/6/2022	H.R. 3076	Postal Service Reform Act of 2022
117-126	5/16/2022	H.R. 3182	Safe Sleep for Babies Act of 2021
117-167	8/9/2022	H.R. 4346	Supreme Court Security Funding Act of 2022

Public Law	Date Approved	Bill	Title
117-169	9/27/2021	H.R. 5376	Inflation Reduction Act of 2022
117-170	8/16/2022	H.R. 2992	TBI and PTSD Law Enforcement Training Act
117-171	8/16/2022	H.R. 5313	Reese's Law
117-180	9/30/2022	H.R. 6833	Making continuing appropriations for fiscal year 2023, and for other purposes.
117-187	10/10/2022	H.R. 1766	FTC Collaboration Act of 2021
117-215	12/2/2022	H.R. 8454	Medical Marijuana and Cannabidiol Research Expansion Act
117-223	12/7/2022	H.R. 7132	Safe Connections Act of 2022
117-244	12/20/2022	H.R. 1193	Cardiovascular Advances in Research and Opportunities Legacy Act
117-247	12/20/2022	S. 198/ H.R. 1218	Data Mapping to Save Moms' Lives Act
Action	Cleared for the White House	Bill	Title
Presented to the President	12/28/2022	S. 1541/ H.R. 2489	Martha Wright-Reed Just and Reasonable Communications Act of 2022
Presented to the President	12/28/2022	S. 3405	Low Power Protection Act
Presented to the President	12/28/2022	H.R. 1082	Sami's Law
Signed by the President	12/29/2022	H.R. 2617	Consolidated Appropriations Act, 2023

APPENDIX III

COMMITTEE ON ENERGY AND COMMERCE

PART A

HEARINGS

Printed Hearings of the Committee on Energy and Commerce

Serial No.	Hearing Title	Hearing Date
117-1	No Time to Lose: Solutions to Increase COVID-19 Vaccinations in the States [Subcommittee on Oversight and Investigations]	February 2, 2021
117-2	Road to Recovery: Ramping up COVID-19 Vaccines, Testing, and Medical Supply Chain [Subcommittee on Health]	February 3, 2021
117-3	Safeguarding American Consumers: Fighting Fraud and Scams during the Pandemic [Subcommittee on Consumer Protection and Commerce]	February 4, 2021
117-4	Back in Action: Restoring Federal Climate Leadership [Subcommittee on Environment and Climate Change]	February 9, 2021
117-5	Connecting America: Broadband Solutions to Pandemic Problems [Subcommittee on Communications and Technology]	February 17, 2021
117-6	A Smarter Investment: Pathways to a Clean Energy Future [Subcommittee on Energy]	February 18, 2021
117-7	Pathway to Protection: Expanding Availability of COVID-19 Vaccines [Subcommittee on Oversight and Investigations]	February 23, 2021
117-8	Fanning the Flames: Disinformation and Extremism in the Media [Subcommittee on Communications and Technology]	February 24, 2021
117-9	The Future of Telehealth: How COVID-19 is Changing the Delivery of Virtual Care [Subcommittee on Health]	March 2, 2021
117-10	The Path Forward: Restoring the Vital Mission of EPA [Subcommittee on Oversight and Investigations]	March 10, 2021
117-11	Kids Online During COVID: Child Safety in an Increasingly Digital Age [Subcommittee on Consumer Protection and Commerce]	March 11, 2021
117-12	Leading the Way Forward: Biden Administration Actions to Increase COVID-19 Vaccinations [Subcommittee on Oversight and Investigations]	March 17, 2021
117-13	Averting a Crisis: Protecting Access to Healthcare in the U.S. Territories [Subcommittee on Health]	March 17, 2021
117-14	The Clean Future Act: Industrial Climate Policies to Create Jobs and Support Working Communities [Subcommittee on Environment and Climate Change]	March 18, 2021
117-15	Lift America: Revitalizing our Nation's Infrastructure and Economy [Subcommittee on Energy]	March 22, 2021
117-16	Building on the ACA: Legislation to Expand Health Coverage and Lower Costs [Subcommittee on Health]	March 23, 2021
117-18	The CLEAN Future Act: Powering a Resilient and Prosperous America [Subcommittee on Energy]	March 24, 2021

Serial No.	Hearing Title	Hearing Date
117-21	The CLEAN Future Act and Environmental Justice: Protecting Frontline Communities [Subcommittee on Environment and Climate Change]	April 15, 2021
117-22	Generating Equity: Deploying a Just and Clean Energy Future [Subcommittee on Energy]	April 20, 2021
117-23	Leading the Wireless Future: Securing American Network Technology [Subcommittee on Communications and Technology]	April 21, 2021
117-24	The Consumer Protection and Recovery Act: Returning Money to Defrauded Consumers [Subcommittee on Consumer Protection and Commerce]	April 27, 2021
117-25	The Long Haul: Forging a Path through the Lingering Effects of COVID-19 [Subcommittee on Health]	April 28, 2021
117-26	Fiscal Year 2022 EPA Budget [Subcommittee on Environment and Climate Change]	April 29, 2021
117-27	Negotiating a Better Deal: Legislation to Lower the Cost of Prescription Drugs [Subcommittee on Health]	May 4, 2021
117-28	The CLEAN Future Act: Decarbonization of the Transportation Sector [Subcommittee on Energy]	May 5, 2021
117-32	Promises and Perils: The Potential of Automobile Technologies [Subcommittee on Consumer Protection and Commerce]	May 18, 2021
117-36	The Fiscal Year 2022 Department of Commerce Budget [Subcommittee on Consumer Protection and Commerce]	June 8, 2021

PART B

STAFF REPORTS

<p>Committee on Energy and Commerce, Democratic Staff Report entitled, “The High Price of Aduhelm’s Approval: An Investigation into FDA’s Atypical Review Process and Biogen’s Aggressive Launch Plans”</p> <p>(https://energycommerce.house.gov/sites/democrats.energycommerce.house.gov/files/documents/Final%20Aduhelm%20Report_12.29.22.pdf)</p>	December 2022
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APPENDIX IV

HEARINGS HELD PURSUANT TO CLAUSE S 2(N), (O), OR (P) OF RULE XI

Serial No.	Hearing Title	Hearing Date
117-1	No Time to Lose: Solutions to Increase COVID-19 Vaccinations in States (Subcommittee on Oversight and Investigations)	February 2, 2021
117-2	Road to Recovery: Ramping Up COVID-19 Vaccines, Testing, and Medical Supply Chain (Subcommittee on Health)	February 3, 2021
117-7	Pathway to Protection: Expanding Availability of COVID-19 Vaccines (Subcommittee on Oversight and Investigations)	February 23, 2021
117-9	The Future of Telehealth: How COVID-19 is Changing the Delivery of Virtual Care (Subcommittee on Health)	March 2, 2021
117-10	The Path Forward: Restoring the Vital Mission of EPA (Subcommittee on Oversight and Investigations)	March 10, 2021
117-12	Leading the Way Forward: Biden Administration Actions to Increase COVID-19 Vaccinations (Subcommittee on Oversight and Investigations)	March 17, 2021
117-13	Averting a Crisis: Protecting Access to Health Care in the U.S. Territories (Subcommittee on Health)	March 17, 2021
117-23	Rescheduled: Leading the Wireless Future: Securing American Network Technology (Subcommittee on Communications and Technology)	April 21, 2021
117-25	The Long Haul: Forging a Path through the Lingering Effect of COVID-19 (Subcommittee on Health)	April 28, 2021
117-26	The Fiscal Year 2022 EPA Budget (Subcommittee on Environment and Climate Change)	April 29, 2021
117-XX	The Fiscal Year 2022 HHS Budget (Subcommittee on Health)	May 12, 2021
117-XX	The Clean Future Act: Superfund Proposals to Advance Cleanups, Equity, and Climate Resilience (Subcommittee on Environment and Climate Change)	May 13, 2021
117-XX	The Fiscal Year 2022 DOE Budget (Subcommittee on Energy)	May 19, 2022
117-XX	A Shot at Normalcy: Building COVID-19 Vaccine Confidence (Subcommittee on Oversight and Investigations)	May 26, 2021
117-36	The Fiscal Year 2022 Department of Commerce Budget (Subcommittee on Consumer Protection and Commerce)	June 8, 2021
117-XX	A Safe Wireless Future: Securing our Networks and Supply Chains (Subcommittee on Communications and Technology)	June 30, 2021
117-XX	Keeping Us Safe and Secure: Oversight of the Nuclear Regulatory Commission (Subcommittee on Energy and Subcommittee on Environment and Climate Change)	July 14, 2021
117-XX	Stopping Digital Thieves: The Growing Threat of Ransomware (Subcommittee on Oversight and Investigations)	July 20, 2021
117-XX	The Changing Energy Landscape: Oversight of FERC (Subcommittee on Energy)	July 27, 2021
117-XX	Putting Kids First: Addressing COVID-19's Impacts on Children (Subcommittee on Oversight and Investigations)	September 22, 2021

117-XX	Securing America's Future: Supply Chain Solutions for a Clean Energy Economy (Subcommittee on Energy and Subcommittee on Environment and Climate Change)	November 16, 2021
117-XX	The Overdose Crisis: Interagency Proposal to Combat Illicit Fentanyl-Related Substances (Subcommittee on Health)	December 2, 2021
117-XX	Securing Our Energy Infrastructure: Legislation To Enhance Pipeline Reliability (Subcommittee on Energy)	January 19, 2022
117-XX	FDA User Fee Reauthorization: Ensuring Safe and Effective Drugs and Biologics (Subcommittee on Health)	February 3, 2022
117-XX	Back from the Brink: Restoring Brownfield Sites to Economic Engines (Subcommittee on Environment and Climate Change)	February 15, 2022
117-XX	Lessons From the Frontline: COVID-19's Impact On American Health Care (Subcommittee on Oversight and Investigations)	March 2, 2022
117-XX	5G and Beyond: Exploring The Next Wireless Frontier (Subcommittee on Communications and Technology)	March 16, 2022
117-XX	FDA User Fee Reauthorization: Ensuring Safe and Effective Medical Devices (Subcommittee on Health)	March 30, 2022
117-XX	Communities in Need: Legislation to support Mental Health and Well-Being (Subcommittee Health)	April 5, 2022
117-XX	The Fiscal Year 2023 HHS Budget (Subcommittee on Health)	April 27, 2022
117-XX	The Fiscal Year 2023 DOE Budget (Subcommittee on Energy)	April 28, 2022
117-XX	The Fiscal Year 2023 EPA Budget (Subcommittee on Environment and Climate Change)	May 17, 2022
117-XX	Formula Safety and Supply: Protecting the Health of America's Babies (Subcommittee on Oversight and Investigations)	May 25, 2022
117-XX	Protecting America's Seniors: Oversight of Private Sector Medicare Advantage Plans (Subcommittee on Oversight and Investigations)	June 28, 2022