

I urge my colleagues to vote for H.R. 2617, and I reserve the balance of my time.

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

Mr. Speaker, the Performance Enhancement Reform Act would require proper agency collaboration with annual agency performance planning.

This bill directly addresses a problem where Federal agency technology and data resources sometimes struggle to support agency operational workflow and programmatic goals.

It recognizes the reality that agency leadership must directly involve their technology and data leaders in strategic planning.

Under the Government Performance and Results Act of 1993 and the Government Performance and Results Modernization Act of 2010, Federal agencies are required to create annual performance plans.

The Performance Enhancement Reform Act puts the agency chief performance improvement officers in charge of coordinating the annual agency performance goals.

The bill will also make sure that the agency's performance planning process considers the resources necessary to support operations and achieve mission success.

Such resources include information technology capabilities, supporting data assets, and human workforce capacity and skills.

It also directly ensures that during this annual planning, the agency chief information officers, chief data officers, and chief financial officers are consulted on whether the performance goals are realistic and proper resources exist.

I want to recognize my colleagues, Mr. CONNOLLY and Mr. HICE, for their work crafting this smart legislation in the House Oversight Committee.

Agencies should be committing to goals that have a real chance of succeeding, and this legislation requires the proper coordination to make that happen.

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

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the gentlewoman from District of Columbia, and I thank Mr. KELLER, the Republican manager, for his kind words and his support.

Current law requires Federal agencies to develop a performance plan every year that defines the agency's mission, summarizes strategic goals and objectives, and identifies strategies to achieve them.

Agencies use that plan to align resources and guide decision-making to accomplish priorities and improve outcomes.

These performance plans should support planning across organizational operating units and describe how agency

components are working together toward common results that serve the public.

They should inform agency decision-making about the need for major new acquisitions, strategic human capital planning, evaluations, and other evidence-building and evidence-capacity building investments.

Moreover, the performance plans can also stimulate innovation to advance agency goals.

With such a broad and robust purpose, these plans should be prepared collaboratively by agency leadership using the best available data and evidence to form a strong foundation from which to execute agency missions.

Current law, however, requires only the chief human capital officer to contribute to the creation of this performance plan. Current law does not require agencies to incorporate data and evidence or information technology solutions into their performance plans. In the 21st century.

These narrow requirements overlook the invaluable expertise of key stakeholders and crucial resources in the formation of agency plans and exclude a critical area of agency planning.

For example, chief information officers must identify and plan for an agency's IT needs.

IT is critical to mission delivery at every agency. Missions are threatened by outdated legacy systems, software, and hardware, to say nothing of their being cyber insecure.

CIOs deserve a seat at the table to engage in performance planning that drives meaningful IT modernization so agencies can provide the critical services upon which the American public relies. The pandemic has certainly made that clear.

Current law exacerbates the lack of collaboration that plagues leadership in many Federal agencies and stymies successful IT modernization.

The Performance Enhancement Reform Act requires agencies to integrate IT modernization and evidence metrics more effectively into their performance plans and gives the CIO a seat at the table.

The bill requires agency performance plans to include descriptions of human capital, training, data and evidence, IT, and skill sets needed for the agency to meet its performance goals.

Finally, the bill requires performance plans to include descriptions of technology modernization investments, system upgrades, staff technology skills and expertise needed, stakeholder input and feedback, and other resources and strategies.

As the distinguished gentlewoman from the District of Columbia mentioned in her opening remarks, this is a bipartisan bill. My ranking member, Mr. HICE from Georgia, collaborated with us fully in trying to get to this point.

This is a good government measure. I certainly commend it to all of our colleagues. If we approve this, we will

take a giant leap forward in trying to modernize performance planning for every Federal agency to serve the American public better.

Mr. KELLER. Mr. Speaker, I have no further speakers, and I am prepared to close.

Mr. Speaker, this bill would ensure the creation of more realistic capability- and resource-based agency performance goals.

I urge my colleagues to support this smart government reform bill, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge passage of H.R. 2617, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2617, as amended.

The question was taken.

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

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

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

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

#### **AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS**

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2382) to authorize the National Cyber Director to accept details from other elements of the Federal Government on nonreimbursable basis, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2382

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

#### **SECTION 1. AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS.**

Section 1752(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended—

(1) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively, and indenting such subparagraphs two ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by striking “The Director may” and inserting the following:

“(1) IN GENERAL.—The Director may”;

(3) in paragraph (1)—

(A) as redesignated by paragraph (2), by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) accept officers or employees of the United States or member of the Armed Forces on a detail from an element of the intelligence community or from another element of the Federal Government on a nonreimbursable basis, as jointly agreed to by the

heads of the receiving and detailing elements, for a period not to exceed three years;"; and

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

"(2) RULES OF CONSTRUCTION REGARDING DETAILS.—Paragraph (1)(C) shall not be construed to impose any limitation on any other authority for reimbursable or nonreimbursable details. A nonreimbursable detail made under such paragraph shall not be considered an augmentation of the appropriations of the receiving element of the Office of the National Cyber Director."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Pennsylvania (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

#### GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials on S. 2382.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of S. 2382, which would allow the National Cyber Director to accept details from other elements of the Federal Government as on a nonreimbursable basis.

Last year the Committee on Oversight and Reform helped advance legislation to establish the Office of the National Cyber Director in the Executive Office of the President. The bipartisan effort fulfilled a key recommendation of the U.S. Cyberspace Solarium Commission, which was established by the 2019 National Defense Authorization Act to review the condition of our Nation's cybersecurity posture and to develop solutions to defend against cyber threats.

□ 1700

The National Cyber Director Act was signed into law through last year's National Defense Authorization Act, creating a centralized cybersecurity position in the White House to assist in the development and streamlining of the Federal Government's strategy, coordination, and response to cyber threats.

We were thrilled to see President Biden nominate and the Senate confirm Chris Inglis, a widely-respected member of the Solarium Commission, as the Nation's first National Cyber Director. Now, Mr. Inglis needs a team to get to work immediately to address cybersecurity, which remains one of the most urgent threats on the Government Accountability Office's high-risk list.

Indeed, the State and non-state actors from Russia, China, Iran, North Korea, and all corners of the globe are waging a silent war capable of shutting down our critical infrastructure, breaching our sensitive information

system, and jeopardizing critical sectors in America and globally.

Until Congress acts to provide the Office of the National Cyber Director its first appropriation, the Office requires the ability to bring in details on a non-reimbursable basis. This bill would grant that authority.

Cyberattacks are critical, widespread, complex, and escalating as a threat to our national and economic security. A challenge as grave and pervasive as cybersecurity requires that our government be strategic, organized, and ready. It is imperative that we pass this bill immediately to allow the Office of the National Cyber Director to get up running as it awaits its full appropriation.

Mr. Speaker, I strongly support this bill, and I urge my colleagues to do the same. I reserve the balance of my time.

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

Mr. Speaker, the National Cyber Director, or NCD, is a recently congressionally authorized position for coordinating our Nation's cyber infrastructure and activities located within the Executive Office of the President. According to the Biden administration's statutory interpretation of the NCD's authorizing statute, Chris Inglis, the newly designated National Cyber Director, cannot staff his office with qualified talent on loan from other Federal agencies.

The administration has determined that the NCD's authorizing statute does not provide the necessary authority to accept nonreimbursable detailees from other Federal agencies. Congress intended the NCD to be able to use details to staff his office.

The NCD's authorizing statute gives power to the Director to utilize, with their consent, the services, personnel, and facilities of other Federal agencies, even voluntary and uncompensated services. But the administration is preventing the NCD from accepting Federal details while congressional appropriations are also pending.

S. 2382 will help clarify the NCD's authority to accept Federal details for a period not to exceed 3 years, and will help this new office properly staff itself in the immediate months ahead.

We recognize the importance of helping this new office stand up its operations during a time when the Nation deals with cyberattacks. I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in strong support of S. 2382. As the author of the National Cyber Director Act, I commend Senators PORTMAN and PETERS for offering this important legislation to clarify the authorities of this new office.

I said it before and I will say it again: Cybersecurity is the national and eco-

nomic security challenge of the 21st century. For 30 years we have been increasing the number of connected devices, processes, and services connected to the internet at an exponential rate. We can now instantly communicate with people half a world away and use data repositories to drive advances in medicine, clean energy, and commerce. With this connectivity comes vulnerability.

For these three decades, the United States has struggled to develop a coherent cybersecurity strategy and to implement it to better protect the country and cyberspace. While we have seen the results of this failure in breaches ranging from the devastating, the tens of billions of dollars in damage caused by, for example, NotPetya, to the mundane, as companies fend off daily cyber probes.

Just in the last half century we have witnessed the Russian Government target us through ransomware attacks through SolarWinds; the Chinese Government break into instances of the Microsoft Exchange Server, and criminals wreak havoc on the Colonial Pipeline, JBS, and customers of Kaseya through ransomware attacks, so we are not where we need to be.

Congress recognized this fact in 2018 when it created the Cyberspace Solarium Commission, a distinguished body that I had the privilege of being appointed to by Speaker PELOSI. Through a year of deliberation, we developed a strategy of layered cyber deterrence, and had more than 80 recommendations to make that strategy a reality. Those recommendations run the gamut from changes to our military to regulations on private companies. But underlying all of them is the recognition that the U.S. Government itself is still not organized for success.

Now enter the National Cyber Director. This key recommendation called for a Senate-confirmed leader within the Executive Office of the President with the policy and budgetary authority to develop a national strategy, oversee its implementation, and coordinate response to significant cyber incidents.

With the help of Congressman GALLAGHER, the Solarium Commission's co-chair, and through the leadership of Chairwoman CAROLYN MALONEY and her staff, my National Cyber Director Act made it into last year's NDAA. Earlier this month, the President had appointed and the Senate confirmed our inaugural National Cyber Director, my fellow Solarium Commission member, Chris Inglis, to take office as the first Director.

Chris' confirmation represents nothing less than a sea change in how the government will coordinate cyberspace policy. Once this office is fully staffed up, there will be a well of expertise within the White House to ensure that the Cybersecurity and Infrastructure Security Agency, the Federal Bureau of Investigation, sector risk management agencies, the United States Cyber

Command, the intelligence community, and all of the other disparate elements of the government are working in concert to improve our cybersecurity. However, the Office of the National Cyber Director is very much a startup at the moment.

While we will be voting on a full budget for this office later this week, including, I hope, an amendment to provide the full \$25 million yearlong appropriation recommended by the Solarium Commission, we can't wait until the full fiscal year 2022 budget is passed to get Director Inglis on his feet and up and running.

After all, our adversaries certainly aren't constrained by our budgetary calendar. In drafting the bill, we anticipated that the NCD might need to call upon the personnel, facilities, or services of Federal departments and agencies, with their permission, of course. However, there seems to be some ambiguity within the White House about whether this includes the ability of the Office to accept the services of nonreimbursable detailees.

While I think the language and the congressional intent of the original statute are quite clear, this bill should clear up any misunderstanding once and for all by explicitly authorizing nonreimbursable detailees. This legislation will help Director Inglis get a staff vanguard in place and ensure he and his successors can take advantage of the expertise resident at the various agencies that contribute to our success in cyberspace.

Mr. Speaker, let me again thank Senators PORTMAN and PETERS and Chairwoman MALONEY for moving so quickly to address this urgent issue. Congress has already shown tremendous support for this Office, and I think the speed at which this bill moves is a testament to our commitment to its success.

Mr. Speaker, I urge all of my colleagues to support S. 2382.

Mr. KELLER. Mr. Speaker, I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I strongly support this bill and urge my colleagues to do the same. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, S. 2382.

The question was taken.

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

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

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

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

## DISPOSE OF UNUSED MEDICATIONS AND PRESCRIPTION OPIOIDS ACT

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 957) to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 957

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

### SECTION 1. DESIGNATION OF PERIODS DURING WHICH ANY INDIVIDUAL MAY DISPOSE OF CONTROLLED SUBSTANCES MEDICATIONS AT FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 3009 of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law 116-315; 38 U.S.C. 8110 note) is amended—

(1) by redesignating subsection (b) and (c) as subsections (c) and (d), respectively; and  
(2) by inserting after subsection (a) the following new subsection (b):

“(b) DESIGNATION OF PERIODS FOR ANY INDIVIDUAL TO DISPOSE OF MEDICATION.—

“(1) IN GENERAL.—The Secretary shall designate periods during which any individual may dispose of controlled substances medications at a covered Department medical facility.

“(2) PUBLIC INFORMATION CAMPAIGNS.—The Secretary may carry out public information campaigns regarding the periods designated under paragraph (1).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on S. 957.

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

There was no objection.

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

Mr. Speaker, I am pleased that we are bringing up to the floor Senator KENNEDY's bill, S. 957, the DUMP Opioids Act. I also want to commend Congresswoman MILLER-MEEKS and Congressman TRONE for their work in introducing a House companion to this legislation.

We have all seen reports of a dramatic increase in accidental and intentional overdose deaths during the pandemic, both among veterans and non-veterans, in our communities. While addressing the factors that lead to substance misuse, we must also act immediately to lower access to controlled substances for those in distress.

I applaud my colleagues for advancing this legislation as one piece in our

lethal means safety approach to suicide and accidental death prevention.

The Department of Veterans Affairs has been a leader in decreasing prescribing of opioids and in developing nonopioid forms of pain management. This is vitally important given what we know about the health risks that even prescription opioids pose for veterans and others in our Nation.

At the same time, chronic pain is a challenging, significant, and ongoing concern for many veterans and there are times when opioids are appropriately prescribed and monitored. We need to make sure, however, that people have safe ways to dispose of opioid medications when they are either no longer needed or when they could be used unsafely in a home. This bill ensures that veterans and members of the public may safely dispose of unused controlled substances in special repositories on VA properties on days specifically designated by VA as public take-back days.

The Secretary of the VA has the authority to set appropriate guidelines for safe disposal by members of the public.

Mr. Speaker, I ask my colleagues to join me in supporting the DUMP Opioids Act, and I reserve the balance of my time.

□ 1715

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

Mr. Speaker, I rise today in support of S. 957, the Dispose of Unused Medications and Prescription Opioids Act, or the DUMP Opioids Act.

Last year, Congress passed legislation that would allow veterans to dispose of excess prescription medications at VA medical facilities. The DUMP Opioids Act would allow nonveterans to do the same thing. It would also authorize a VA education campaign to make veterans and nonveterans alike aware of their ability to dispose of leftover medication at the VA.

This bill is sponsored in the Senate by Senator KENNEDY and in the House by Congresswoman MILLER-MEEKS. I am grateful to both of them for their leadership and advocacy on this important issue.

Earlier this month, CDC released data showing that opioid overdose deaths surged throughout the pandemic. In 2020, more than 93,000 Americans died of an overdose. This is an almost 30 percent increase from 2019.

We have to do everything we can to help those suffering from substance abuse disorder to overcome their addiction. One way we can do this is by making controlled substances less readily available. By making it easier for unused opioids and other prescription medication to be disposed of, this bill would help do that.

I hope that every Member will join me in supporting the DUMP Opioids Act.

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