

“(b) Purposes.—The function of the Office is to serve veterans through a full spectrum of research (including pre-clinical, clinical, and health systems science), technology transfer, and application.

“(c) Chief Research and Development Officer.—The head of the Office is the Chief Research and Development Officer.

“(d) Organization and personnel.—The Office shall be organized in such manner, and its personnel shall perform such duties and have such titles, as the Secretary may prescribe.

“§ 7382. Research personnel

“(a) Waiver of Intergovernmental Personnel Act Mobility Program limits.—The Secretary may waive the limit on the period and number of assignments required under section 3372(a) of title 5 with respect to an individual who performs research for the Department under the mobility program under subchapter VI of chapter 33 of such title (commonly referred to as the ‘Intergovernmental Personnel Act Mobility Program’).

“(b) Outside earned income for research for the Department.—(1) Compensation from a nonprofit corporation established under subchapter IV of this chapter, or a university affiliated with the Department, may be paid, without regard to section 209 of title 18, to an employee described in paragraph (2), for research conducted pursuant to section 7303 of this title if—

“(A) the research has been approved in accordance with procedures prescribed by the Under Secretary for Health;

“(B) the employee conducts research under the supervision of personnel of the Department; and

“(C) the Secretary agreed to the terms of such compensation in writing.

“(2) An employee described in this subsection is an employee who has an appointment within the Department, whether with or without compensation, and without regard to the source of such compensation.”

Mr. TAKANO. In one letter, deans from 20 medical schools note that without the legislative fix in VIPER, VA will have to “interrupt hundreds of millions of dollars invested in life-saving biomedical research for America’s veterans.”

Mr. Speaker, we must pass this bill, urge our Senate colleagues to pass it, and get it to the President by the end of the year to give VA the authorities it needs to fix its research program issues now.

Mr. Speaker, I urge my colleagues to support H.R. 5721, the VIPER Act, as amended, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 5721, as amended, the VA Infrastructure Powers Exceptional Research Act of 2021, or the VIPER Act.

Ranking Member BOST is an original cosponsor of this bill alongside Chairman TAKANO.

Research is one of the core statutory missions of the VA healthcare system. VA researchers have made a number of important discoveries and advancements that have benefited not only veterans but the entire world.

Just recently, with the pandemic, VA researchers have done groundbreaking work utilizing vast stores of data to identify certain collateral health im-

pacts on vulnerable populations, and they have made notable advancements in studying the characteristics of and potential treatments for what is termed long COVID.

This bill will make it easier for VA to conduct the research that veterans require, and yield advancements in science and medicine that will benefit everyone.

The VIPER Act would codify VA’s Office of Research and Development.

VIPER would also better structure VA’s ability to conduct research across the system.

Finally, this bill will expand hiring authorities for certain classes of research occupations, including statisticians, economists, informaticists, and data scientists.

VA needs the talent of these occupational categories to keep up with rapid changes in data analytics, including artificial intelligence.

Mr. Speaker, I am proud of the bipartisan committee work that has been done to date on this bill, and I encourage all of my colleagues to support it. I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I ask all my colleagues to join me in passing this important piece of legislation, H.R. 5721, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 5721, as amended.

The question was taken.

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

Mr. GOOD of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STRENGTHENING VA CYBERSECURITY ACT OF 2022

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7299) to require the Secretary of Veterans Affairs to obtain an independent cybersecurity assessment of information systems of the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7299

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening VA Cybersecurity Act of 2022” or the “SVAC Act of 2022”.

SEC. 2. INDEPENDENT CYBERSECURITY ASSESSMENT OF INFORMATION SYSTEMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) INDEPENDENT ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act,

the Secretary of Veterans Affairs shall seek to enter into an agreement with a federally funded research and development center to provide to the Secretary an independent cybersecurity assessment of—

(A) five high-impact information systems of the Department of Veterans Affairs; and

(B) the effectiveness of the information security program and information security management system of the Department.

(2) DETAILED ANALYSIS.—The independent cybersecurity assessment provided under paragraph (1) shall include a detailed analysis of the ability of the Department—

(A) to ensure the confidentiality, integrity, and availability of the information, information systems, and devices of the Department; and

(B) to protect against—

(i) advanced persistent cybersecurity threats;

(ii) ransomware;

(iii) denial of service attacks;

(iv) insider threats;

(v) threats from foreign actors, including state sponsored criminals and other foreign based criminals;

(vi) phishing;

(vii) credential theft;

(viii) cybersecurity attacks that target the supply chain of the Department;

(ix) threats due to remote access and telework activity; and

(x) other cyber threats.

(3) TYPES OF SYSTEMS.—The independent cybersecurity assessment provided under paragraph (1) shall cover on-premises, remote, cloud-based, and mobile information systems and devices used by, or in support of, Department activities.

(4) SHADOW INFORMATION TECHNOLOGY.—The independent cybersecurity assessment provided under paragraph (1) shall include an evaluation of the use of information technology systems, devices, and services by employees and contractors of the Department who do so without the heads of the elements of the Department that are responsible for information technology at the Department knowing or approving of such use.

(5) METHODOLOGY.—In conducting the cybersecurity assessment to be provided under paragraph (1), the federally funded research and development center shall take into account industry best practices and the current state-of-the-art in cybersecurity evaluation and review.

(b) PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date on which an independent assessment is provided to the Secretary by a federally funded research and development center pursuant to an agreement entered into under subsection (a), the Secretary shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a plan to address the findings of the federally funded research and development center set forth in such assessment.

(2) ELEMENTS.—The plan submitted under paragraph (1) shall include the following:

(A) Improvements to the security controls of the information systems of the Department assessed under subsection (a) to—

(i) achieve the goals specified in subparagraph (A) of paragraph (2) of such subsection; and

(ii) protect against the threats specified in subparagraph (B) of such paragraph.

(B) Improvements to the information security program and information security management system of the Department to achieve such goals and protect against such threats.

(C) A cost estimate for implementing the plan.

(D) A timeline for implementing the plan.

(E) Such other elements as the Secretary considers appropriate.

(C) COMPTROLLER GENERAL OF THE UNITED STATES EVALUATION AND REVIEW.—Not later than 180 days after the date of the submission of the plan under subsection (b)(1), the Comptroller General of the United States shall—

(1) commence an evaluation and review of—

(A) the independent cybersecurity assessment provided under subsection (a); and

(B) the response of the Department to such assessment; and

(2) provide to the Committees on Veterans' Affairs of the House of Representatives and the Senate a briefing on the results of the evaluation and review, including any recommendations made to the Secretary regarding the matters covered by the briefing.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Texas (Mr. ELLZEY) 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 have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7299, as amended.

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 rise today to support H.R. 7299, the Strengthening VA Cybersecurity Act of 2022. This bill represents a bipartisan, bicameral effort to oversee the Department of Veterans Affairs' cybersecurity efforts.

This legislation requires independent assessment of the VA's cybersecurity readiness by a federally funded research and development center, or FFRDC.

This bill is necessary because of the poor performance of VA in audits required by the Federal Information Security Modernization Act, also known as FISMA, and independent audits from the VA OIG on individual VA sites.

The bill also seeks to address the issue of "shadow IT" which has been a priority of the committee this Congress. If VA does not know what is on its networks and can't identify assets being utilized outside of the Office of Information Technology, then VA can't secure it.

VA's repository of veterans' health information needs to be protected. We owe it to veterans to address these challenges now so that Congress and veterans can be assured that VA will secure their personal information.

Mr. Speaker, I urge all my colleagues to support H.R. 7299, as amended, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 7299, as amended, the Strengthening VA Cybersecurity Act of 2022.

VA is the second largest Federal agency, and it handles 9 million veterans' personal information. The Department is a big target for cyber criminals, and the Veterans' Affairs Committee is responsible for making sure their data is being protected.

Unfortunately, it can be hard to assess how well VA is truly performing on cybersecurity, and how successfully the money invested translates into better security for veterans' information.

This bill would require a third-party cybersecurity audit of VA to fill in the gaps left by the existing audits. While necessary, those audits tend to be compliance exercises.

In contrast, this legislation requires a hard look at actual VA systems and real-world vulnerabilities. The bill also requires VA to submit a detailed plan to remediate whatever weaknesses the third-party auditor finds.

Hostile nations are working around the clock to exploit any vulnerability in our networks or systems, especially with health records. We must stay one step ahead of them, and I appreciate Mr. MRVAN's work on this important issue.

Mr. Speaker, I encourage my colleagues to support the bill, and I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I urge all of my colleagues to support H.R. 7299, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 7299, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

IMPROVING OVERSIGHT OF VETERANS COMMUNITY CARE PROVIDERS ACT OF 2022

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7277) to improve the methods by which the Secretary of Veterans Affairs identifies health care providers that are not eligible to participate in the Veterans Community Care Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7277

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Oversight of Veterans Community Care Providers Act of 2022".

SEC. 2. IDENTIFICATION OF HEALTH CARE PROVIDERS THAT ARE NOT ELIGIBLE TO PARTICIPATE IN VETERANS COMMUNITY CARE PROGRAM.

(a) PLAN.—

(1) REQUIREMENT.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, acting through the Under Secretary for Health, shall carry out a plan to improve the methods by which the Secretary identifies health care providers that are not eligible to participate in the Veterans Community Care Program.

(2) MATTERS INCLUDED.—The plan under paragraph (1) shall include the following:

(A) Modifying the standard operating procedures of the Office of Community Care of the Veterans Health Administration regarding the exclusion of health care providers from participating in the Veterans Community Care Program to require the automated continuous matching of health care providers in the Provider Profile Management System of the Veterans Health Administration, or such successor system, with covered data systems using multiple unique identifiers, including taxpayer identification number, national provider identifier, Social Security number, and date of birth.

(B) A fraud risk analysis conducted by the Office of Community Care regarding the exclusion of health care providers from participating in the Veterans Community Care Program that includes—

(i) an assessment of the likelihood and impact of inherent fraud risks relating to the self-certification of State licenses and addresses provided by health care providers;

(ii) a determination of the fraud risk tolerance; and

(iii) an examination of the suitability of existing fraud controls.

(C) Any other matters the Under Secretary determines will improve the oversight of health care providers participating in the Veterans Community Care Program.

(b) CERTIFICATION.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall certify to the Committees on Veterans' Affairs of the House of Representatives and the Senate that the Secretary has implemented the plan under subsection (a).

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report that—

(A) describes the progress the Under Secretary has made in carrying out the plan under subsection (a); and

(B) includes recommendations for legislative action to further improve the methods by which the Secretary identifies health care providers that are not eligible to participate in the Veterans Community Care Program.

(2) UPDATE.—Not later than two years after the date on which the Secretary submits the report under paragraph (1), the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate an update to the report.

(d) DEFINITIONS.—In this section:

(1) The term "covered data systems" means the following:

(A) The List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

(B) The System for Award Management Exclusions list described in part 9 of title 48, Code of Federal Regulations, and part 180 of title 2 of such Code, or successor regulations.

(C) The monthly deactivation file of the National Plan and Provider Enumeration System of the Centers for Medicare & Medicaid Services.

(D) The National Practitioner Data Bank established pursuant to the Health Care Quality Improvement Act of 1986 (42 U.S.C. 11101 et seq.).