

(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.).

(2) The term "Veterans Community Care Program" means the program established under section 1703 of title 38, United States Code.

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. 7277, 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 in support of H.R. 7277, the Improving Oversight of Veterans Community Care Providers Act, as amended, a bill that will take important steps toward ensuring that healthcare providers meet the eligibility requirements and standards of VA's Community Care Program.

I thank Representative CHRIS PAPPAS, chairman of the Veterans' Affairs Committee's Oversight and Investigations Subcommittee, for his work on this bipartisan bill.

I was disturbed by a recent Government Accountability Office report requested by Chairman PAPPAS and Ranking Member TRACEY MANN, which identified approximately 1,600 healthcare providers who were deceased, ineligible to work with the Federal Government, or who had revoked or suspended medical licenses, yet were still listed as active providers in VA's Community Care networks.

While the number of ineligible providers was a small fraction of the roughly 1.2 million active providers in VA's Community Care networks, they still represented a potential threat to veteran health and safety, and a risk for financial fraud.

Congressman PAPPAS' bill would require VA to implement GAO's recommendations to ensure veterans and taxpayers are not put at risk.

The bill will modify standard operating procedures at the VA Health Administration and require continuous matching of providers' information against several data sources in order to verify eligibility, such as the List of Excluded Individuals and Entities that the Department of Health and Human Services, Office of Inspector General maintains, the National Practitioner Data Bank, and the monthly deactivation file of the Centers for Medicare and Medicaid Services.

This will go a long way toward ensuring that physicians and other providers in VA's Community Care networks meet the basic and necessary standards, such as proper and current licensing requirements.

This bill has the support of the American Legion, Disabled American Veterans, and the Veterans of Foreign Wars. The Congressional Budget Office estimates that it will have no significant impact on direct spending or deficits.

Mr. Speaker, I urge all my colleagues to support this legislation, and I reserve the balance of my time.

□ 1545

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

Mr. Speaker, I rise today in support of H.R. 7277, as amended, the Improving Oversight of the Veterans Community Care Providers Act.

This is a bipartisan bill led by Chairman PAPPAS and Ranking Member MANN of the Oversight and Investigation Subcommittee.

H.R. 7277 would implement recent recommendations from the Government Accountability Office on how to improve oversight of community care. Community care is VA care, and it should be timely and of the highest quality.

Unfortunately, our committee has heard repeated complaints of delays in community care. Long wait-times at VA medical centers and delays in community care are unacceptable, and we take these complaints very seriously.

The committee will continue our strict oversight of the program to ensure veterans are getting the care they need when and where they need it. It is vital to protect this important option for veterans, and I encourage all my colleagues to support the bill.

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

Mr. TAKANO. Mr. Speaker, I yield 5 minutes to the gentleman from New Hampshire (Mr. PAPPAS), my good friend, who is the author of this legislation and who serves as the chairman of the Subcommittee on Oversight and Investigations of the Veterans' Affairs Committee.

Mr. PAPPAS. Mr. Speaker, I thank Chairman TAKANO for yielding.

I rise today in support of my bipartisan legislation, H.R. 7277, the Improving Oversight of Veterans Community Care Providers Act.

This legislation will help ensure that the Department of Veterans Affairs does a better job overseeing its Community Care Program, which many veterans in my State of New Hampshire and all across the country rely on to access high-quality care in their communities.

When veterans visit a community healthcare provider, they should be assured, at a minimum, that the provider has a medical license and is eligible to do business with the Federal Government. Unfortunately, as a December 2021 GAO report detailed, this has not always been the case.

GAO identified approximately 1,600 community care providers who were deceased, ineligible to work with the Federal Government, or who had re-

voked or suspended medical licenses at the time of the review.

That is 1,600 physicians and other healthcare providers who failed to meet some of the program's most basic requirements. This poses a potential threat to veteran health and well-being, and risks wasting tax dollars on inappropriate medical charges. My legislation will strengthen oversight of these community care providers.

Now, to VA's credit, the Department has updated several data systems to improve the credentialing process and to continuously monitor the eligibility of providers. But progress has been too slow, and this legislation is needed to hold the Department fully accountable.

This bill will require VA to implement a detailed plan with required milestones for identifying healthcare providers who are no longer eligible to participate in the Community Care Program.

Under the plan, VA will automatically check whether providers are designated as ineligible on other critical lists managed by the Department of Health and Human Services and CMMS.

VA will also be required to analyze the efficacy of allowing community care providers to self-certify their eligibility to participate in the program. We need VA to adopt a more complete method for credentialing providers that has ample checks and balances.

I thank Ranking Member TRACEY MANN for working with me on this bipartisan legislation, which has also been endorsed by VFW, the American Legion, and Disabled American Veterans.

Once enacted, it will give much-needed protection to veterans to ensure they have high-quality healthcare they earned through their service to our Nation, without fear that they may be receiving care from an ineligible provider. So I urge all colleagues to support this legislation today.

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

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

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

I urge all of my colleagues to join me in passing this important piece of legislation, H.R. 7277, 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. 7277, 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. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

DEPARTMENT OF VETERANS AFFAIRS INFORMATION TECHNOLOGY REFORM ACT OF 2022

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2250) to amend title 38, United States Code, to improve the management of information technology projects and investments 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. 2250

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 “Department of Veterans Affairs Information Technology Reform Act of 2022”.

SEC. 2. INFORMATION TECHNOLOGY PROJECTS AND ACTIVITIES.

(a) IN GENERAL.—Chapter 81 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER VI—INFORMATION TECHNOLOGY PROJECTS AND ACTIVITIES

“§ 8171. Definitions

“In this subchapter:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

“(2) The term ‘information technology’ has the meaning given that term in section 11101 of title 40.

“(3)(A) The term ‘information technology project’ means a project or program of the Department (including a project or program of any element of the Department) for, or including, the acquisition or implementation of information technology.

“(B) In cases where the Secretary transmits to the Director of the Office of Management and Budget information regarding information technology investments, which may consist of individual or multiple projects, the term ‘information technology project’ refers to an individual project or program or a grouping of multiple projects or programs resulting in the acquisition or implementation of discrete information technology.

“(4) The term ‘life cycle costs’ means all direct and indirect costs to acquire, implement, operate, and maintain information technology, including with respect to costs of any element of the Department.

“(5) The term ‘major information technology project’ means an information technology project if—

“(A) the project is designated by the Secretary, the Chief Information Officer of the Department, or the Director of the Office of Management and Budget as a major information technology investment, as defined in section 11302 of title 40; or

“(B) the dollar value of the project is estimated by the Secretary to exceed—

“(i) \$1,000,000,000 (as adjusted for inflation pursuant to section 1908 of title 41) for the total life cycle costs of the project; or

“(ii) \$200,000,000 (as adjusted for inflation pursuant to section 1908 of title 41) annually.

“(6) The term ‘business owner’ means, with respect to an information technology project, the program manager, project manager, or other supervisory official of the Department responsible for the project.

“§ 8172. Management of major information technology projects

“(a) COST, SCHEDULE, AND PERFORMANCE INFORMATION.—(1) The Secretary, acting through the Chief Information Officer of the Department, shall submit to the appropriate congressional committees a report containing information on the cost, schedule, and performance of each major information technology project that begins after the date of the enactment of the Department of Veterans Affairs Information Technology Reform Act of 2022, as generated by the business owner of the project, prior to the commencement of such project.

“(2) Each report submitted under paragraph (1) for a project shall include, with respect to such project, the following:

“(A) An estimate of acquisition costs, implementation costs, and life cycle costs.

“(B) An intended implementation schedule indicating significant milestones, initial operating capability, and full operating capability or completion.

“(C) Key business, functional, and performance objectives.

“(b) BASELINE.—(1) The Secretary shall use the information on the cost, schedule, and performance of a major information technology project included in the report under subsection (a) as the baseline against which changes or variances are measured during the life cycle of such project.

“(2) The Secretary shall—

“(A) annually update the baseline of a major information technology project pursuant to subsection (c); and

“(B) include such updated baseline in the documents providing detailed information on the budget for the Department that the Secretary submits to Congress in conjunction with the President’s budget submission pursuant to section 1105 of title 31.

“(c) CHANGES AND VARIANCES.—(1) Not later than 60 days after the date on which the Secretary identifies a change or variance described in paragraph (2) in the cost, schedule, or performance of a major information technology project, the Secretary, acting through the Chief Information Officer, shall submit to the appropriate congressional committees a notification of such change or variance, including a description and explanation for such change or variance.

“(2) A change or variance in the cost, schedule, or performance of a major information technology project described in this paragraph is—

“(A) with respect to the acquisition, implementation, or life cycle cost of the project, or development increment therein, a change or variance that is 10 percent or greater compared to the baseline;

“(B) with respect to the schedule for a development increment or for achieving a significant milestone, initial operating capability, or full operating capability, or for the final completion of the project, a change or variance that is 180 days or greater compared to the baseline; or

“(C) with respect to the performance, an instance where a key business, functional, or performance objective is not attained, or is not anticipated to be attained, in whole or in part.

“(d) MANAGEMENT.—The Secretary shall ensure that each major information technology project is managed by an interdisciplinary team consisting of the following:

“(1) A project manager who—

“(A)(i) is certified in project management at level three by—

“(I) the Department;

“(II) the Federal Acquisition Institute pursuant to section 1201 of title 41; or

“(III) the Department of Defense pursuant to section 1701a of title 10; or

“(ii) holds an equivalent certification by a private sector project management certification organization, as determined appropriate by the Secretary; and

“(B) is an employee of the Office of Information and Technology of the Department or an employee of an element of the Department at which the project originates.

“(2) A functional lead who is an employee of the element of the Department at which the project originates.

“(3) A technical lead who is an employee of the Office of Information and Technology of the Department.

“(4) A contracting officer.

“(5) Sufficient other project management, functional, technical, and procurement personnel as the Secretary determines appropriate.

“§ 8173. Information technology activities of the Financial Services Center

“(a) MANAGEMENT.—Consistent with sections 11302 and 11319 of title 40—

“(1) the Chief Information Officer of the Department shall—

“(A) exercise authority over the management, governance, and oversight processes relating to existing or proposed information technology of the Financial Services Center of the Department, or such successor office; and

“(B) supervise the information technology employees and contractors of the Financial Services Center; and

“(2) the Director of the Financial Services Center of the Department, or the head of such successor office, may not enter into a contract or other agreement for information technology or information technology services unless the contract or other agreement has been reviewed and approved by the Chief Information Officer.

“(b) OVERSIGHT.—The Chief Information Officer shall have oversight and operational authority over all information security practices of the Financial Services Center of the Department.

“§ 8174. Submission of annual reviews of information technology

“(a) IN GENERAL.—The Secretary, acting through the Chief Information Officer of the Department, shall submit to the appropriate congressional committees each annual review of the information technology portfolio of the Department conducted pursuant to section 11319(d)(3) of title 40.

“(b) FIRST SUBMISSION.—The first annual review submitted under subsection (a) shall include a copy of each previous annual review conducted under section 11319(d)(3) of title 40.

“§ 8175. Information technology matters to be included in budget justification materials for the Department

“(a) LIST OF INFORMATION TECHNOLOGY PROJECTS IN EFFECT.—The Secretary shall ensure that whenever the budget justification materials are submitted to Congress in support of the Department budget for a fiscal year (as submitted with the budget of the President for such fiscal year under section 1105(a) of title 31), such budget justification materials include a list of every information technology project currently in effect at the Department (including not only congressional projects and subprojects as determined by the Director of the Office of Management and Budget or the Secretary).