

AUTHORIZATION AND OVERSIGHT PLAN
OF THE COMMITTEE ON ENERGY AND COMMERCE
U.S. HOUSE OF REPRESENTATIVES, 118TH 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 118th Congress. It includes areas where the Committee expects to conduct oversight during the 118th 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.

During the 118th Congress, the Committee on Energy and Commerce will hold hearings and conduct rigorous oversight over matters within its jurisdiction. The Committee will conduct thorough oversight, reach conclusions based on an objective review of the facts, and treat witnesses fairly. The Committee will request information in a responsible manner that is calculated to be helpful to the Committee in its oversight responsibilities. The Committee's oversight functions will focus on 1) cutting government spending through the elimination of waste, fraud, and abuse; and 2) ensuring laws are adequate to protect the public interest or are being implemented in a manner that protects the public interest, without stifling economic growth. The Committee will use the information it collects through its oversight to inform the reauthorization of certain lapsed programs within its jurisdiction.

abuse of power and lack of transparency in scientific recommendations witnessed during the COVID-19 pandemic. The Committee also plans to examine the overarching pandemic and biodefense leadership structure, and how it could be strengthened to ensure we are best prepared for future bioterrorism threats.

THE ILLICIT FENTANYL CRISIS

U.S. drug overdose deaths are at record highs, and approximately two thirds of those deaths can be attributed to fentanyl and other synthetic opioids. Oversight of the Drug Enforcement Administration (DEA) and the Office of National Drug Control Policy (ONDCP) is necessary to gain insight into the fentanyl trafficking problem, including both precursor production in Mexico that has migrated from China, and trafficking in the U.S. Additionally, the Committee will conduct oversight of the role of social medias in facilitating fentanyl distribution throughout the U.S., particularly in transactions involving minors.

It has been 5 years since the SUPPORT Act passed, and provisions around how Medicaid can pay for treatment for those with substance use disorders expire at the end of FY2023. The committee will conduct oversight of the SUPPORT Act and reauthorize those expiring authorities with any changes necessary if such authorities should be reauthorized.

HEALTH CARE COSTS

The Committee will continue to examine issues related to the affordability of health care, including areas where federal government intervention has contributed to increased costs for patients and families. . The Department of Health and Human Services (HHS) regulates significant portions of the commercial health insurance market, promulgates Medicare payment rules that encourage health care provider consolidation, issues Medicaid regulations that make it more difficult for states to design Medicaid programs to function as a true safety net, and implements provisions of the Consolidated Appropriations Act (CAA) related to ending surprise medical billing and improving health cost transparency, including with respect to pharmacy benefit managers. It is critical that the Committee identify provisions within the troves of HHS regulations contributing to dynamics—such as provider consolidation—that are increasing health care costs. Similarly, the committee will be closely scrutinizing areas where the current administration is actively seeking to limit competition and choice for families, including through the first ever federal ban on private health insurance options. Furthermore, the Committee will keenly oversee implementation of the CAA provisions related to

The animal drug and generic drug user fee programs expire at the end of FY2023 and must be reauthorized for FY2024—2028. The Committee will consider the proposed agreements for the Animal Drug User Fee Act (ADUFA) and the Animal Generic Drug User Fee Act (AGDUFA) for timely reauthorization of these authorities and examine how these programs are working to ensure that pet owners and farmers may continue to rely on safe and effective medications for companion animals and food-producing animals alike.

MENTAL HEALTH CRISIS

The Committee will conduct oversight of the implementation of and work done by the Assistant Secretary for Mental Health and Substance Use, an agency responsible for mental health and substance use disorder programs and policies at HHS, following passage of the mental health reauthorization in the Consolidated Appropriations Act, 2023. The Committee will also examine regulations drafted to implement the 21st Century Cures Act, CARES Act, Consolidated Appropriations Act of 2021, and Consolidated Appropriations of 2023 to ensure they comport with the intent of Congress, and will monitor funding provided by the legislation to ensure that it is appropriately spent.

ENERGY AND ENVIRONMENT ISSUES

NATIONAL ENERGY POLICY

During the 118th Congress, the Committee will examine issues relating to national energy policy, including U.S. policies that relate to the exploration, production, distribution, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will examine the impact of government policies and programs on the efficient exploration, production, storage, supply, marketing, pricing, and regulation of domestic energy resources, including issues relating to the nation's energy infrastructure. The Committee will continue to examine safety and security issues relating to energy exploration, production, distribution, and the Strategic Petroleum Reserve. The Committee will conduct oversight over the impact the administration's energy policies are having on supply chains, increasing dependence on China and the Chinese Communist Party (CCP), and domestic production of energy.

Committee's special oversight functions over programs and activities relating to nonmilitary energy research and development, and including programs across DOE to safeguard technology and intellectual property from transfer to foreign adversaries.

YUCCA MOUNTAIN

The Committee will continue to examine the actions of DOE and the Nuclear Regulatory Commission (NRC) in connection with obligations of these agencies under the Nuclear Waste Policy Act, including licensing activities for the Yucca Mountain repository.

DOE ENERGY GRANT AND LOAN PROGRAMS

The Committee will continue to review management and implementation of clean energy and advanced technology grant and loan programs authorized under the Energy Policy Act of 2005, the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act, and other statutes; the development of new technologies, products, and businesses including clean energy, advanced coal, nuclear, and other technologies; and the impact of DOE grant, cost-sharing, and loan spending on the domestic supply, manufacture, and commercial deployment of clean and advanced energy products and other technologies. The Committee will also conduct oversight over DOE's grant and loan programs that fund production in foreign jurisdiction, particularly in facilities controlled by China and the CCP.

THE NUCLEAR REGULATORY COMMISSION

The Committee will continue to review the activities of the NRC. The Committee will examine NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including its statutory responsibilities, licensing activity, the safety and security of nuclear power facilities and nuclear materials licensees, and the Commission's regulatory actions.

CLEAN AIR ACT

The Committee will continue to review significant rulemakings under the Clean Air Act and the potential economic and job impacts of those rulemakings on the energy, manufacturing, industrial, and construction industries, and other critical

DRINKING WATER INFRASTRUCTURE AND REGULATION

The Committee will conduct oversight of the operation of the Drinking Water State Revolving Loan Fund program authorized under section 1452 of the Safe Drinking Water Act. Included will be an examination of EPA involvement in State functions and State funding uses, efficiencies that could be realized in managing this funding that maximize its effectiveness, and the use of this funding for leveraging other investments. In addition, the Committee will conduct oversight of EPA regulatory actions under section 1412 of the Safe Drinking Water Act and the protocol it uses to issue health advisories under the same section of law.

SOLID AND HAZARDOUS WASTE MANAGEMENT

The Committee will review EPA implementation of various regulatory programs established under the most recent administration, including regulations regarding the definition of solid waste and coal ash.

CERCLA (SUPERFUND) AND BROWNFIELDS

The Committee will monitor EPA implementation of the Comprehensive Environmental Response Compensation & and Liability Act (CERCLA). These efforts will include an examination of State cleanup programs and a comprehensive analysis regarding whether cleanup under State programs would result in greater efficiency in the process. The Committee will also conduct oversight of EPA regulatory actions under CERCLA, including any designations made by EPA under CERCLA. . The Committee will also examine the EPA brownfields program, including statutory implementation, the challenges of program operation, and whether changes to the program would result in more effective and efficient cleanup and redevelopment of abandoned and blighted properties.

COMMUNICATIONS AND TECHNOLOGY ISSUES

A MODERN COMMUNICATIONS FRAMEWORK FOR THE INNOVATION AGE

The Committee will continue to exercise its jurisdiction over wired and wireless communications to ensure our nation's policies governing voice, video, audio, and data services are promoting investment, innovation, and job creation. The country's current regulatory regime takes a siloed approach in which different

provide voice, video, audio, and data services to consumers and to serve the needs of our nation's government agencies. The Committee will evaluate spectrum-management policies to ensure efficient use of the public airwaves for innovative communications services. The Committee will also examine whether plans for allocating spectrum maximizes broadband deployment and encourages investment. The Committee will pay particular attention to FCC and NTIA implementation of the IIA, which included provisions intended to make more spectrum available for commercial wireless services.

AVAILABILITY OF BROADBAND

The Committee will investigate whether regulatory policies are helping or hindering broadband deployment. In particular, the Committee will examine the need for reforms to State and Federal permitting processes to speed the deployment of fiber optic systems and 5G wireless services. Additionally, the Committee will conduct oversight of funding mechanisms for broadband deployment and adoption, including the \$9 billion per year Universal Service Fund, the \$42 billion Broadband Equity, Access, and Deployment (BEAD) grant program created in the IIA, and other federal grant programs that could be awarded for broadband deployment. Specifically, the Committee will examine what procedures are in place to control waste, fraud, and abuse, whether the funds are appropriately targeted, and the impact of the funding on jobs and the economy.

INTERNET

The Committee will exercise its jurisdiction over wired and wireless communications to ensure continued growth and investment in the Internet. In particular, the Committee will monitor efforts to employ the multi-stakeholder model of Internet governance—in which governmental and non-governmental entities develop best practices for the management of Internet networks and content. The Committee will also monitor international efforts to replace multistakeholder governance with domestic regulation and international multilateral institutions, and will continue to support U.S. leadership in these international standards setting bodies.

PUBLIC SAFETY COMMUNICATIONS

The Committee will examine whether the communications needs of first responders are being met. The Committee will examine the progress being made to ensure that first responders have interoperable communications capabilities with local, State, and Federal public safety officials. The Committee will also examine

fail them for such services. The U.S. must lead in setting the standards for this technology, its deployment, and ensure that the potential of revolutionary change to the sector is not damaged by frivolous litigation and unnecessary regulation with no benefit to Americans.

MANUFACTURING

The Committee will explore the state of manufacturing in the U.S. to identify factors that are hampering or furthering U.S. competitiveness. The Committee will review the issues presented by the globalization of production and manufacturing networks, the availability and resiliency of supply chains, the integrity of products and components assembled overseas, and the impact on national security.

TRADE

The Committee will examine trade negotiations to ensure that foreign governments are not imposing non-tariff trade barriers, such as regulations or requirements, that harm U.S. businesses, their competitiveness, and their ability to support jobs in the U.S., especially as it relates to the flow of data across borders and a successor agreement to EU-U.S. Privacy Shield.

DEPARTMENT OF COMMERCE MANAGEMENT AND OPERATIONS

The Committee will conduct oversight of the Department of Commerce and complementary or conflicting Federal efforts to promote U.S. manufacturing, including but not limited to semiconductors and microelectronics, emerging technologies, such as artificial intelligence and blockchain technologies. This also includes export and trade-related efforts to lower or eliminate non-tariff barriers and harmonize regulation of products sold internationally, such as cross border data flows, where other countries share our health, safety, and consumer protection goals. The Committee will also be reviewing reports required to be delivered to Congress under, section XV, the American COMPETE Act, of Public Law 116-260

CONSUMER PRODUCT SAFETY COMMISSION MANAGEMENT AND OPERATIONS

The Committee will continue oversight of the Consumer Product Safety Commission and its implementation and enforcement of laws and regulations, the effectiveness of the agency's structure, research activities, investigations, import

those threats. The Committee will also examine government initiatives to improve cybersecurity both in the public and private sectors, and review efforts at agencies within the Committee's jurisdiction to regulate cybersecurity. The Committee will also examine the security of the Internet of Things, discovery and disclosure of cybersecurity vulnerabilities, and the National Institute of Standards and Technology (NIST) Cybersecurity Framework.

BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will continue its examination of the roles of HHS agencies in assisting the nation's detection, warning capability, and response to potential biological attacks. In addition, the Committee will evaluate the potential impact and preparedness of the nation's public health system. The Committee will continue to review the implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS, and the extent of the coordination between HHS and the Department of Homeland Security (DHS), especially as it relates to Project BioShield.

FEDERAL OVERSIGHT OF HIGH-CONTAINMENT BIO LABORATORIES

The Committee will examine issues related to high-containment bio laboratories, which handle some of the world's most exotic and dangerous diseases, including anthrax, smallpox, foot and mouth disease, and Ebola virus. Among the issues under review are the adequacy of the security and practices of high-containment bio laboratories, Federal efforts to oversee the laboratories, and whether some of these efforts are duplicative and overlapping. The Committee will continue its oversight into issues raised by the improper storage and handling of Federal select agents at CDC, NIH, and FDA labs.

ANTI-TERRORISM SECURITY FOR CHEMICAL FACILITIES

The Committee will continue its oversight of DHS's implementation of the Chemical Facilities Anti-Terrorism Program, originally authorized in Section 550 of Public Law 109-295, the Homeland Security Appropriations Act of 2007 – now in Title XXI of the Homeland Security Act. The Committee will continue to examine whether taxpayer funds are spent prudently and the extent to which DHS is advancing the purpose of securing chemical facilities against terrorist threats.

AUTHORIZATION OF PROGRAMS WITHIN THE JURISDICTION OF THE COMMITTEE ON ENERGY AND COMMERCE

During the 118th Congress, as part of both its oversight and legislative agenda, the Committee on Energy and Commerce will review the authorizations of agencies and programs within its jurisdiction and, specifically with regard to lapsed authorizations, determine whether the program should be reauthorized or terminated. Each subcommittee will conduct oversight of these programs and offices, including hearings, outreach to the Executive Branch, and requests for information in order to gather the necessary information to support these determinations.

The Committee's authorization work will include, but not be limited to, the following departments, agencies, and statutes:

- Animal Drug User Fee and Generic Drug User Fee Agreements
- Brownfields Program
- Centers for Disease Control and Prevention
- Chemical Facility Anti-Terrorism Standards
- Childhood Cancer STAR Act
- Children's Health Graduate Medical Education Program
- Consumer Protection Safety Commission
- Department of Energy
- Department of Energy
- Environmental Protection Agency
- Federal Communications Commission
- Federal Energy Regulatory Commission
- Federal Trade Commission
- National Highway and Traffic Safety
- National Institutes of Health
- National Telecommunications and Information Administration
- Nuclear Regulatory Commission
- Pandemic All-Hazards Preparedness Act
- Pipeline and Hazardous Materials Administration
- SUPPORT for Patients and Communities Act