

Energy and Commerce Committee Policy

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Division C of the *America COMPETES Act* versus the *U.S. Innovation and Competition Act*

Overview

The contents of Division C of the America COMPETES Act reflect the broad jurisdiction of the House Energy and Commerce Committee. Its provisions cover, among other issues, everything from expanding access to wireless internet to reforming the strategic national stockpile, ensuring resilient supply chains to reauthorizing BRAND USA and preparing for future 6G roll-out to supporting domestic manufacturing of solar power components. However, only a handful of these provisions have counterparts in the Senate-passed U.S. Innovation and Competition Act (USICA). Of particular note in this side-by-side:

- **Critical Supply Chain Resilience Program** – At \$45 billion, this grant, loan and loan guarantee program is one of the largest new pots of funding in either of the House or Senate-passed bills. Funding distributed under the program is eligible for a wide array of uses that supports the diversification or resilience of U.S. supply chains, in particular for on-shoring manufacturing critical goods, industrial equipment and manufacturing technology. Although USICA does include several comparable supply-chain related provisions, it does not include a grant, loan or loan guarantee program for the same uses.
- **INFORM Consumers Act** – As a stand-alone bill, the INFORM Consumers Act is bipartisan in both the House and Senate ([HR5502/S936](#)), though it is only included in the COMPETES Act. It would require certain online platforms to verify their high-volume third-party sellers and suspend those sellers from activity on the platform if they fail to comply with the disclosure requirements in the bill. Penalties for the platforms that fail to comply are severe and include enforcement by the Federal Trade Commission (FTC) and state attorneys general.
- **Public Wireless Supply Chain Innovation Fund** – Both bills include \$1.5 billion in direct appropriations for the Public Wireless Supply Chain Innovation Fund, first established in the CHIPS Act. There is one difference, however, between the two bills regarding this fund. The COMPETES Act would apply Davis-Bacon prevailing wage requirements to projects supported by the fund while USICA does not include such a requirement.

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Title in the COMPETES Act	Section	HOUSE: America COMPETES Act	SENATE: USICA
Title I – Communications and Technology	Public Wireless Supply Chain Innovation Fund	✓	✓
	Understanding Mobile Network Cybersecurity	✓	✗
	ICT Technology Strategy	✓	✗
	Open Ran Outreach	✓	✗
	6G Task Force	✓	✗
	NTIA Policy and Cybersecurity Coordination	✓	✗
	American Cybersecurity Literacy	✓	✗
	Communications Security Advisory Council	✓	✗
	Promoting U.S. Wireless Leadership	✓	✗
Title II – Consumer Protection and Commerce	Supply Chain Resilience and Crisis Response Office	✓	✗
	U.S. Strategy to Counter Threats to Supply Chains	✓	✓
	Critical Supply Chain Monitoring Program	✓	✓
	Critical Supply Chain Resilience Program	✓	✗
	Supply Chain Innovation Best Practices	✓	✗
	Supply Chain Database and Toolkit	✓	✓
	National Manufacturing Advisory Council	✓	✓
	Brand USA Funding	✓	✗
	INFORM Consumers Act	✓	✗
Title III – Energy	Strategic Transformer Reserve and Resilience Program	✓	✗
	Solar Component Manufacturing Supply Chain Assistance	✓	✗

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Title in the COMPETES Act	Section	HOUSE: America COMPETES Act	SENATE: USICA
Title IV – Medical Supply Chain Provisions	National Centers of Excellence in Continuous Pharmaceutical Manufacturing	✓	✗
	Notification, Non-distribution, and Recall of Drugs	✓	✗
	Reporting requirement for Drug Manufacturers	✓	✗
	Enhanced Penalties for False Information and Records Destruction	✓	✗
	Reimbursable Transfers	✓	✓
	Equipment Maintenance	✓	✗
	Supply Chain Flexibility Manufacturing Pilot	✓	✗
	GAO Study on a User Fee Agreement	✓	✗
	Grants for State Strategic Stockpiles	✓	✗
	Action Reporting	✓	✗
	Improved, Transparent Processes	✓	✗
	Authorization of Appropriations	✓	✗

Title I – Communications and Technology

Section	HOUSE: America COMPETES Act	SENATE: USICA
<p>Appropriations for the Wireless Supply Chain</p>	<p>Includes \$1.5 billion in direct appropriations for the Public Wireless Supply Chain Innovation Fund established under Section 9202 of the <i>William M. Thornberry National Defense Authorization Act for Fiscal Year 2021</i> to remain available until Fiscal Year (FY) 2031.</p> <p>Unlike USICA, the COMPETES Act includes a Davis-Bacon prevailing wage requirement for construction projects funded by the Public Wireless Supply Chain Innovation Fund. (Sec. 20101)</p>	<p>With exception of Davis-Bacon requirement, includes identical provision. (Sec. 1003)</p>
<p>Understanding Cybersecurity of Mobile Networks</p>	<p>Requires the Assistant Secretary of the Department of Commerce (DOC) for Communications and Information to draft a report on the cybersecurity of mobile service networks and their vulnerabilities. This section authorizes the appropriation of \$500,000 for the completion of the report for FY23. (Sec. 20102)</p>	<p>No comparable provision.</p>
<p>Information and Communication Technology Strategy</p>	<p>Directs the DOC to prepare a report for the House Energy and Commerce and the Senate Commerce, Science and Transportation Committees on the information and communication technology supply chain that helps identify technology critical to U.S. economic competitiveness as well as the industrial capacity of trusted U.S. vendors that produce information and communication technology. This section also asks the Secretary to identify actions by the federal government to support and bolster the economic competitiveness of trusted information and communication technology vendors and reduce dependence on non-trusted vendors. (Sec. 20103)</p>	<p>No comparable provision.</p>
<p>Open RAN Outreach</p>	<p>Directs the Assistant Secretary of the DOC for Communications and Information to conduct outreach and provide technical assistance to small communications network providers to bring about awareness regarding the uses, benefits and challenges of Open RAN networks and architectures as well as</p>	<p>No comparable provision.</p>

Section	HOUSE: America COMPETES Act	SENATE: USICA
	participation in the Wireless Supply Chain Innovation Grant Program. (Sec. 20104)	
6G Task Force	Establishes the “6G Task Force” at the Federal Communications Commission that is tasked with submitting to the House Energy and Commerce and the Senate Commerce, Science and Transportation Committees a report with recommendations for sixth-generation wireless technology. (Sec. 20105)	No comparable provision.
NTIA Policy and Cybersecurity Coordination	Re-designates the Office of Policy Analysis and Development within the Commerce Department’s National Telecommunications and Information Administration (NTIA) as the Office of Policy Development and Cybersecurity and codifies its role in administering the information sharing program in Section 8 of the Secure and Trusted Communications Act. In addition, it gives the new Office responsibility for coordinating and developing policy regarding cybersecurity of the internet and other communications networks. (Sec. 20106)	No comparable provision.
American Cybersecurity Literacy	Implements a literacy campaign aimed at increasing consumers’ knowledge and awareness of cybersecurity. (Sec. 20107)	No comparable provision.
Communications Security Advisory Council	Codifies the existence of a council at the Federal Communications Commission (FCC) to advise on issues relating to security, reliability and the interoperability of communications networks, and directs the council to recommend ways to increase security, reliability and the interoperability of communications networks on a biannual basis. (Sec. 20108)	No comparable provision.
Promoting U.S. Wireless Leadership	Aims to enhance U.S. representation and leadership at standard-setting bodies on fifth and future generation networks via the encouragement of relevant and trusted stakeholders in such bodies and the extension of technical expertise to those stakeholders. (Sec. 20109)	No comparable provision.

Title II – Consumer Protection and Commerce

	HOUSE: America COMPETES Act	SENATE: USICA
Supply Chain Resilience and Crisis Response Office	<p>Establishes an Office of Supply Chain Resiliency and Crisis Response at the DOC to implement the Critical Supply Chain Resilience Program.</p> <p>The office’s responsibilities are to:</p> <ul style="list-style-type: none"> • Promote the leadership of the U.S. with respect to critical industries and supply chains that strengthen the national and economic security of the U.S. • Encourage a government-wide approach through public-private partnerships and collaborations to promote supply chain resiliency and identify, prepare for and respond to shocks to supply chains and critical industries. • Support the availability of critical goods from domestic manufacturers and enterprises. • Encourage manufacturing growth and opportunities in economically distressed areas and underserved communities, among others. (Sec. 20201) 	<p>USICA does not establish a new Office of Supply Chain Resiliency and Crisis Response.</p> <p>However, it does establish a Supply Chain Resiliency Program (Sec. 2505), and gives it a mission similar to but narrower than the one that COMPETES gives to its proposed Assistant Secretary.</p> <p>The mission of the program established in Sec. 2505 is to:</p> <ul style="list-style-type: none"> • Promote the leadership of the U.S. with respect to critical industries that are essential to the national security of the U.S. • Encourage partnerships between the federal government, industry, labor organizations and state, local and Tribal governments in order to promote resilient supply chains and respond to critical industry supply chain shocks.
U.S. Strategy to Counter Threats to Supply Chains	<p>Requires the development and implementation of a government-wide strategy to support the resilience, diversity, security and strength of supply chains in accordance with Executive Order 14017 on America’s Supply Chains. Specifically, this section specifies that the strategy must include plans to:</p> <ul style="list-style-type: none"> • Execute a national effort to reduce reliance on concentrated supply chains for critical goods and protect against threats from countries of concern relating to supply chains for critical goods. • Collaborate with other relevant federal agencies to assist allies in building capacity for manufacturing critical goods. 	<p>The report required under Section 2025 of USICA is not as comprehensive as the one detailed in Section 20202 of the COMPETES Act, but does share key features.</p> <p>Section 2505(f) requires the Secretary, in coordination with federal agencies and relevant private sector entities, labor organizations and state, local, territorial and Tribal governments, to submit to the relevant Congressional committees not later than one year after enactment a review that, among other things:</p> <ul style="list-style-type: none"> • Identifies industries that are critical for the national security of the U.S. and supplies that are critical to the crisis preparedness of the U.S.

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	<ul style="list-style-type: none"> • Incentivize the relocation of manufacturing facilities, industrial equipment, or operations related to the production of critical goods from countries of concern to the U.S. or to allied countries and the increase of production of critical goods. • Strengthen and increase trade and other forms of engagement between the U.S. and allies or key international partners in order to mitigate supply chain vulnerabilities and the effects of supply chain shocks. (Sec. 20202) 	<ul style="list-style-type: none"> • Describes the manufacturing base and supply chains for critical industries. • Identifies contingencies of all kinds that may disrupt or strain those supply chains. • Assess the resiliency of the manufacturing base, supply chains, and workforce of the U.S., its allies and its partners, as well as any single points of failure in critical supply chains. • Makes specific recommendations to improve the security and resiliency of manufacturing capacity and supply chains for critical industries.
<p>Critical Supply Chain Monitoring Program</p>	<p>Directs the new Assistant Secretary of the Office of Supply Chain Resilience and Crisis Response to:</p> <ul style="list-style-type: none"> • Map, monitor and model supply chains. • Identify high priority supply chain gaps and vulnerabilities in critical and supply chains that exist and are anticipated in the future. • Evaluate supply chain shocks that may disrupt, strain, compromise, or eliminate a supply chain; manufacturing needs critical to U.S. national and economic security. • Coordinate with the Department of State and the U.S. Trade Representative to promote a diversified and resilient supply chain. <p>Establishes a coordination group to coordinate among federal agencies to plan for and respond to supply chain shocks and support the resilience and strength of supply chains. Members of the coordination group include private sector partners, labor organizations and federally funded research and development centers.</p> <p>Furthermore, this section directs the proposed Assistant Secretary of the Office of Supply Chain Resilience and Crisis Response—in consultation with the coordination</p>	<p>Section 2505 of USICA establishes a Supply Chain Resiliency Program that is the closest counterpart to the Critical Supply Chain Monitoring Program established by Section 20203 of the COMPETES Act.</p> <p>This section in USICA defines key terms like “critical industry,” “critical infrastructure,” “resilient supply chain” and “supply chain information.” The comparable definitions in the COMPETES Act are found in Section 20208 of that bill.</p> <p>The USICA Supply Chain Resiliency Program is given the mission noted above.</p> <p>Under the new program, the bill directs the Secretary, acting through one or more bureaus in the Department, to:</p> <ul style="list-style-type: none"> • Map and monitor critical industry supply chains. • Identify high priority supply chain gaps and vulnerabilities. • Identify opportunities to reduce supply chain gaps or vulnerabilities.

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	<p>groups—to issue a report on supply chain resilience and domestic manufacturing to strengthen, improve, and preserve the resilience, diversity, security and strength of supply chains. The report shall include:</p> <ul style="list-style-type: none"> • An identification of critical industries, supply chains and critical goods; supplies critical to U.S. crisis preparedness; substitutes for critical goods, industrial equipment and manufacturing technology; and countries critical to addressing international and domestic supply chain weaknesses and vulnerabilities. • A description of the U.S. manufacturing base and supply chains including industrial equipment, critical goods—such as raw materials, semiconductors or other essential technologies—and manufacturing technology; and the ability of the U.S. to maintain readiness in response to supply chain shocks. • An assessment of demand and supply, production of critical goods, industrial equipment and manufacturing technology; and the capability and capacity of domestic and allied producers to manufacture critical goods, industrial equipment and manufacturing technology. • An identification of defense, intelligence, homeland, economic, domestic labor supply, natural, geopolitical or other contingencies and other supply chain shocks that may disrupt, strain, compromise or eliminate a supply chain. • An assessment of the resilience and capacity of the critical industry’s manufacturing base, supply chains and workforce of the United States and allied countries; flexible manufacturing capacity and capabilities; and the effect innovation has on domestic manufacturing. 	<ul style="list-style-type: none"> • Work with allies to promote diversified and resilient supply chains that ensure the supply of critical goods. <p>The section says the Secretary “may” establish a coordination group to “serve as the primary method for coordinating between and among federal agencies to plan for supply chain shocks.”</p> <p>Members of the coordination group may include private sector partners as appropriate and through the coordination group acquire on a voluntary basis supply chain information from the private sector and convene the private sector to share best practices.</p> <p>The section lists interagency partners for coordination on the program’s activities.</p>

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	<ul style="list-style-type: none"> • A list of recommendations to improve the security and resilience of manufacturing capacity and supply chains. • A recommendation to the National Science Foundation with respect to critical goods, industrial equipment and manufacturing technologies that need to be prioritized. • A review and recommendation for expanding the sourcing of critical goods, industrial equipment and manufacturing technology associated with critical industries from allied countries. • A list of recommendations for strengthening the financial and operation health of domestic and international small and medium-sized businesses critical to the supply chain to mitigate risks and ensure a diverse and competitive supplier market. • An assessment of policies, rules and regulations impacting operational costs that mitigate global competitiveness. • A list of recommendations regarding freight and logistics necessary to support supply chains. <p>This section authorizes the appropriation of \$500 million between FY22 and FY27 to carry out the section with no more than two percent per Fiscal Year used for administrative costs. (Sec. 20203)</p>	
<p>Critical Supply Chain Resilience Program</p>	<p>This section (Sec. 20204) authorizes \$45 billion for the period of FY22 through FY27 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.</p> <p>This program will be administered in the DOC by the Assistant Secretary of Commerce for the Office of Supply</p>	<p>USICA does not establish any similar program to make grants, loans or loan guarantees to support resilient supply chains.</p>

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	<p>Chain Resilience and Crisis Response, which is created by Section 20201(c) of the COMPETES Act.</p> <p>Of the \$45 billion authorized for this program, \$31 billion may be used for loans and loan guarantees, \$10 billion may be used for grants and \$4 billion for loans and loan guarantees.</p> <p>A grant, loan or loan guarantee may be used to develop, diversify, preserve, improve, restore or expand the manufacturing of critical goods, industrial equipment and manufacturing technology in the United States. An extensive set of activities are further listed including but not limited to manufacturing the good or equipment in the U.S.; commercializing the technology in the U.S.; designing, constructing, repairing or maintaining critical infrastructure in the U.S.; and the relocation of manufacturing facilities related to the production of a critical good out of a country of concern and into the U.S.</p> <p>The bill also details a narrower set of activities that may be supported by a loan or loan guarantee (but not a grant) for use relating to allies and key international partners. These include the relocation of manufacturing facilities related to the production of a critical good out of a country of concern and into an ally or key international partner.</p> <p>Eligible entities for a grant, loan or loan guarantee include:</p> <ul style="list-style-type: none"> • A domestic manufacturer • A domestic enterprise • A state, county, city or other political subdivision • A tribal government • A manufacturing extension • A Manufacturing USA institute 	

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	<ul style="list-style-type: none"> • An institute of higher education acting in partnership with another eligible entity • A non-profit acting in partnership with another eligible entity • A consortia of eligible entities. <p>An entity may only be eligible for a grant, loan, or loan guarantee if:</p> <ul style="list-style-type: none"> • The funding is for an eligible activity. • Without the funding the eligible entity would not be able to fund the eligible activity. • The funding is cost effective. • There is reasonable assurance the activity will support supply chain resilience and the national or economic security of the U.S. • Relocation of a manufacturing facility to the U.S. is “uneconomical” if relocating to an ally. • The activity does not support production of a critical good subject to a U.S. Antidumping and Countervailing Duties (AD/CVD) order. <p>The bill directs the Assistant Secretary to develop criteria for awarding grants, loans and loan guarantees to ensure the awards advance the purpose of the program.</p> <p>A condition of funding on the awardee if they receive a loan or loan guarantee for the purpose of relocation is that the awardee is prohibited from making capital or labor investments in the manufacturing facility in the country of concern for the duration of the grant, loan or loan guarantee.</p> <p>A grant, loan or loan guarantee may cover up to 80 percent of the expected costs of the eligible activity.</p>	

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	<p>Loans or loan guarantees may be made to manufacturing investment companies.</p> <p>Performance measures, creditworthiness, and further limitations are specified on loans and loan guarantees.</p> <p>Key terms are defined in Section 20208, including: ally or key international partner, country of concern, critical good, critical industry, critical infrastructure, industrial equipment, key technology focus area (note that these are the same as in the Endless Frontier Act) and resilient supply chain.</p>	
Supply Chain Innovation Best Practices	<p>Requires the Assistant Secretary of the DOC for Communications and Information to facilitate the development of a set of standards and guidelines for voluntary adoption by the private sector to measure supply chain resilience and reduce the risk of supply chain shocks.</p> <p>Specifically, the section directs the Assistant Secretary to work in coordination with relevant private sector personnel and entities, manufacturing extension centers; to consult relevant federal agencies and state, local and tribal governments; and to collaborate with private sector stakeholders to identify a prioritized, flexible, repeatable, performance-based and cost-effective approach that may be voluntarily adopted by domestic manufacturers and entities purchasing or using a critical good.</p> <p>This section authorizes the appropriation of \$500 million to be used between FY22 and FY27. (Sec. 20205)</p>	No comparable provision included
Supply Chain Database and Toolkit	<p>This section requires the DOC to establish a database and online toolkit where United States' businesses may voluntarily submit supply chain information.</p> <p>Businesses may supply information like the products they make, the inputs they use, where inputs are sourced from, why an input is sourced from a foreign country if it is not sourced from within the U.S., and information about vulnerabilities to the supply chain. Businesses will be able to determine which information is shared with other</p>	Nearly identical to Section 72002 of USICA.

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	<p>businesses, only the Commerce Department or the broader public.</p> <p>The Secretary must carry out a public outreach campaign to encourage businesses to share information with the database.</p> <p>No new funds are authorized for the creation of this database. The Department is encouraged to use existing resources to build it, and, if contractors are used to limit the number of contractors. And, this section terminates on September 30, 2025. (Sec. 20207)</p>	
National Manufacturing Advisory Council	<p>This section ends the current U.S. Manufacturing Council maintained by the Commerce Department's International Trade Administration and directs the Secretary of Commerce to establish a new National Manufacturing Advisory Council to provide a forum for regular communication between the manufacturing sector and the federal government. The council will be required to advise the federal government on policies and programs that affect domestic manufacturing. The section sets forth protocols and guidelines for the establishment of the council including member appointments, vacancies, and a mandate for reporting to relevant Congressional committees. (Sec. 20211)</p>	Nearly identical to Section 2404 of USICA.
Brand USA Funding	<p>This section directs the Secretary of the Treasury to release \$250 million from the Travel Promotion Fund to support the Corporation for Travel Promotion also called "Brand USA" within one month of the legislation's enactment. (Sec. 20212)</p>	No comparable provision.
INFORM Consumers Act	<p>This section largely adopts the INFORM Consumers Act (HR5502/S936). The bill is led in the Senate by Sens. Durbin (D-IL), Cassidy (R-LA), Grassley (R-IA), Hirono (D-HI), Coons (D-DE) and Tillis (R-NC). It is led in the House by Reps. Schakowsky (D-IL) and Bilirakis (R-FL).</p> <p>It directs online platforms that allow for third-party sellers of consumer products to collect and verify bank account</p>	USICA does not include the INFORM Consumers Act.

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	<p>and contact information on the high-volume third-party sellers operating on their platform.</p> <p>This section further requires the platform to disclose to consumers on the platform certain identifying information about the third-party seller, including its full name, physical address and contact information. Certain exceptions are made about disclosing identifying information, such as in order to protect the residential address of the seller where the seller's residence is also the place of business.</p> <p>Platforms must suspend high-volume third-party sellers that fail to comply with this section.</p> <p>Failure by the platform to comply with this section is considered a violation of the rule defining an unfair or deceptive act or practice, and punishable by the Federal Trade Commission.</p> <p>State Attorneys General may also bring civil action to enforce this section.</p> <p>A "high-volume third party seller" is defined as a third party seller on an online marketplace who, in any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales in the accumulation of an aggregate total of \$5,000 or more in gross revenues. (Sec. 20213)</p>	

Title III – Energy

	HOUSE: America COMPETES Act	SENATE: USICA
Strategic Transformer Reserve and Resilience Program	<p>Directs the Department of Energy to establish a program reducing the vulnerability of the electric grid to physical attack, cyberattack, electromagnetic pulse, geomagnetic disturbances, severe weather, climate change and seismic events.</p> <p>The program should reduce the vulnerabilities to large power transformers, converters and other critical electric grid equipment, develop and deploy innovative designs</p>	No comparable provision.

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	<p>that offer greater resiliency, standardize this equipment throughout the industry and facilitate the domestic manufacturing of this equipment through grants and loans.</p> <p>The program may also establish federally owned strategic equipment reserves.</p> <p>This section authorizes \$75 million for each year in FY22 through FY26 for this program. (Sec. 20301)</p>	
Solar Component Manufacturing Supply Chain Assistance	<p>Directs the Department of Energy to establish a grant and loan program to construct new and retrofit or expand existing facilities that manufacture solar components, including: integrated modules, photovoltaic cells or wafers, solar grade polysilicon, solar modules, inverters, racking and direct current optimizers; taking into consideration the potential for a facility to reduce the reliance of U.S. solar panel manufacturers on China, the potential for direct and indirect domestic job creation and the potential to result in economic development or diversification in distressed regions.</p> <p>This section also authorizes \$600 million for each year from FY22 through FY26 for this program. (Sec. 20302)</p>	No comparable provision.

Title IV – Medical Supply Chain Provisions

	HOUSE: America COMPETES Act	SENATE: USICA
National Centers of Excellence in Advanced and Continuous Pharmaceutical Manufacturing	<p>This section authorizes the Food and Drug Administration (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. The bill limits the number of Centers to no more than five.</p> <p>Authorizes \$100 million for the period of FY22 through FY26 to carry out the activities outlined in this section. (Sec. 20401)</p>	No comparable provision.

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Notification, non-distribution, and recall of drugs	This section authorizes FDA to order drug manufacturers to cease distributing and recall a drug if there is a reasonable probability that the drug could cause serious adverse health consequences or death. (Sec. 20402)	No comparable provision.
Reporting requirements for drug manufacturers	This section requires drug manufacturers to report foreign drug manufacturing sites and to report quarterly on the volume of drugs manufactured. (Sec. 20403)	No comparable provision.
Enhanced penalties for false information and records destruction	This section prohibits the alteration, mutilation, falsification, fabrication, destruction or removal of records or information required to be produced or maintained by the sponsor of a drug approval application. Institutes a civil monetary penalty of up to \$1 million per violation of this prohibited act, which can escalate if the violation continues. (Sec. 20404)	No comparable provision.
Reimbursable Transfers	<p>This section authorizes the Secretary of Health and Human Services (HHS) to transfer eligible supplies in the Strategic National Stockpile to any federal agency on a reimbursable basis.</p> <p>Eligible supplies include drugs, vaccines and other biological products, medical devices and other supplies in the stockpile.</p> <p>The section further states that supplies are eligible for transfer only if they are within one year of expiration, the stockpile can replenish the supplies after the transfer, and the Secretary decides the transfer is in the best interest of the federal government.</p> <p>The section also requires that the Secretary provide relevant congressional committees with a report on each transfer made under this new provision.</p> <p>The authority to make transfers under this section expires on September 30, 2024. (Sec. 20411)</p>	<p>Section 4153(f)(3) authorizes the Secretary of HHS, in coordination with the Secretary of Homeland Security to sell eligible supplies in the Strategic National Stockpile to a federal agency.</p> <p>Unlike COMPETES, supplies may also be sold to a private, nonprofit, state, local, tribal or territorial entity for immediate use and distribution.</p> <p>Like COMPETES, eligible supplies include drugs, vaccines and other biological products, medical devices and other supplies in the stockpile.</p> <p>Similar to COMPETES, supplies must be within one year of their expiration date or determined by the Secretary to be no longer needed in the stockpile due to advances in medical or technical capabilities.</p> <p>Unlike COMPETES, there is no sunset on this authority.</p>
Equipment Maintenance	This section requires the Secretary of HHS to procure equipment maintenance services as needed in order to	No comparable provision.

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	<p>ensure the contents of the Strategic National Stockpile retain their utility.</p> <p>The bill authorizes \$500 million for each of FY22 through FY24 to carryout this pilot program. (Sec. 20412)</p>	
Supply Chain Flexibility Manufacturing Pilot	<p>This section creates a manufacturing pilot program for manufacturers and distributors to stock and manage domestic emergency stockpile reserves. This section also directs the Secretary of HHS to provide relevant congressional committees with a report on the details of cooperative agreements to expand the domestic production of medical supplies needed for the Strategic National Stockpile. (Sec. 20413)</p>	No comparable provision.
GAO Study on the Feasibility and Benefits of a User Fee Agreement	<p>This section directs the Comptroller General of the United States to examine the practicality of user fees to offset federal procurement costs for the Strategic National Stockpile. The section requires that the report of findings and conclusions be submitted by the Comptroller General to Congress by February 2024. (Sec. 20414)</p>	No comparable provision.
Grants for State Strategic Stockpiles	<p>This section directs the Secretary of HHS to establish a pilot grant program for states to develop or maintain a stockpile of materials to respond to a public health emergency. (Sec. 20415)</p>	No comparable provision.
Action Reporting	<p>This section directs the Secretary of HHS and the Assistant Secretary for Preparedness and Response to provide relevant Congressional committees with a report on requests for supplies from the Strategic National Stockpile related to the COVID-19 pandemic since January 2020. The section also requires the Secretary and Assistant Secretary to provide regular monthly updates on requests for medical supplies from the Strategic National Stockpile. (Sec. 20416)</p>	No comparable provision.
Improved Transparent Processes	<p>This section directs the Secretary of HHS to establish transparency processes for the distribution of medical supplies housed in the Strategic National Stockpile. The section requires the Secretary to provide a report to relevant Congressional committees on transparency</p>	No comparable provision.

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	actions taken by the Department to increase communication between states and localities by the beginning of fiscal year 2024. (Sec. 20417)	
Authorization of Appropriations	This section increases the authorization of appropriations for the Strategic National Stockpile from \$610 million for FY19 through FY23 to \$705 million for FY22 through FY24. (Sec. 20418)	No comparable provision.