

117TH CONGRESS
1ST SESSION

H. R. 1846

To amend the Public Health Service Act with respect to hospital infrastructure.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2021

Mr. O'HALLERAN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act with respect to hospital infrastructure.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. HOSPITAL INFRASTRUCTURE.**

4 (a) IN GENERAL.—Section 1610(a) of the Public
5 Health Service Act (42 U.S.C. 300r(a)) is amended—

6 (1) in paragraph (1)(A)—

7 (A) in clause (i), by striking “or” at the
8 end; and

9 (B) in clause (ii), by striking the period at
10 the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(iii) increase capacity and update hospitals
3 and other medical facilities in order to better serve
4 communities in need.”; and

5 (2) by striking paragraph (3) and inserting the
6 following paragraphs:

7 “(3) PRIORITY.—In awarding grants under this sub-
8 section, the Secretary shall give priority to applicants
9 whose projects will include, by design, public health emer-
10 gency preparedness or cybersecurity against cyber threats.

11 “(4) AMERICAN IRON AND STEEL PRODUCTS.—

12 “(A) IN GENERAL.—As a condition on receipt
13 of a grant under this subsection for a project, an en-
14 tity shall ensure that all of the iron and steel prod-
15 ucts used in the project are produced in the United
16 States.

17 “(B) APPLICATION.—Subparagraph (A) shall
18 be waived in any case or category of cases in which
19 the Secretary finds that—

20 “(i) applying subparagraph (A) would be
21 inconsistent with the public interest;

22 “(ii) iron and steel products are not pro-
23 duced in the United States in sufficient and
24 reasonably available quantities and of a satis-
25 factory quality; or

1 “(iii) inclusion of iron and steel products
2 produced in the United States will increase the
3 cost of the overall project by more than 25 per-
4 cent.

5 “(C) WAIVER.—If the Secretary receives a re-
6 quest for a waiver under this paragraph, the Sec-
7 retary shall make available to the public, on an in-
8 formal basis, a copy of the request and information
9 available to the Secretary concerning the request,
10 and shall allow for informal public input on the re-
11 quest for at least 15 days prior to making a finding
12 based on the request. The Secretary shall make the
13 request and accompanying information available by
14 electronic means, including on the official public
15 internet site of the Department of Health and
16 Human Services.

17 “(D) INTERNATIONAL AGREEMENTS.—This
18 paragraph shall be applied in a manner consistent
19 with United States obligations under international
20 agreements.

21 “(E) MANAGEMENT AND OVERSIGHT.—The
22 Secretary may retain up to 0.25 percent of the funds
23 appropriated for this subsection for management
24 and oversight of the requirements of this paragraph.

1 “(F) EFFECTIVE DATE.—This paragraph does
2 not apply with respect to a project if a State agency
3 approves the engineering plans and specifications for
4 the project, in that agency’s capacity to approve
5 such plans and specifications prior to a project re-
6 questing bids, prior to the date of enactment of this
7 paragraph.

8 “(5) AUTHORIZATION OF APPROPRIATIONS.—To
9 carry out this subsection, there is authorized to be appro-
10 priated \$2,000,000,000 for each of fiscal years 2022
11 through 2026.”.

12 (b) TECHNICAL UPDATE.—Section 1610(b) of the
13 Public Health Service Act (42 U.S.C. 300r(b)) is amended
14 by striking paragraph (3).

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