

HR 1437

Further Continuing Appropriations and Extensions Act, 2023

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Feb 26, 2021

Current Status: Became Public Law No: 117-229.

Latest Action: Became Public Law No: 117-229. (Dec 16, 2022)

Law: 117-229 (Enacted Dec 16, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/1437>

Sponsor

Name: Rep. Sherrill, Mikie [D-NJ-11]

Party: Democratic • **State:** NJ • **Chamber:** House

Cosponsors (26 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Feb 26, 2021
Rep. Crist, Charlie [D-FL-13]	D · FL		Feb 26, 2021
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		Feb 26, 2021
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Feb 26, 2021
Rep. Moore, Gwen [D-WI-4]	D · WI		Feb 26, 2021
Rep. Pascrell, Bill, Jr. [D-NJ-9]	D · NJ		Feb 26, 2021
Rep. Ross, Deborah K. [D-NC-2]	D · NC		Feb 26, 2021
Rep. Sires, Albio [D-NJ-8]	D · NJ		Feb 26, 2021
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Mar 1, 2021
Rep. Casten, Sean [D-IL-6]	D · IL		Mar 23, 2021
Rep. Castor, Kathy [D-FL-14]	D · FL		Mar 23, 2021
Rep. Luria, Elaine G. [D-VA-2]	D · VA		Mar 23, 2021
Rep. Kuster, Ann M. [D-NH-2]	D · NH		May 4, 2021
Rep. Napolitano, Grace F. [D-CA-32]	D · CA		May 13, 2021
Rep. Cohen, Steve [D-TN-9]	D · TN		May 17, 2021
Rep. Wild, Susan [D-PA-7]	D · PA		Nov 2, 2021
Rep. Bice, Stephanie I. [R-OK-5]	R · OK		Nov 12, 2021
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Nov 12, 2021
Rep. Meijer, Peter [R-MI-3]	R · MI		Nov 15, 2021
Rep. Stevens, Haley M. [D-MI-11]	D · MI		Nov 15, 2021
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Nov 16, 2021
Rep. Stansbury, Melanie Ann [D-NM-1]	D · NM		Nov 18, 2021
Rep. Kildee, Daniel T. [D-MI-5]	D · MI		Nov 23, 2021
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Dec 9, 2021
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Mar 7, 2022
Rep. Blunt Rochester, Lisa [D-DE-At Large]	D · DE		Mar 15, 2022

Committee Activity

Committee	Chamber	Activity	Date
Science, Space, and Technology Committee	House	Discharged from	Nov 10, 2021

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
117 HCONRES 123	Related bill	Dec 16, 2022: Message on Senate action sent to the House.
117 S 3053	Related bill	Dec 7, 2022: Placed on Senate Legislative Calendar under General Orders. Calendar No. 596.

Further Continuing Appropriations and Extensions Act, 2023

This act provides continuing FY2023 appropriations for federal agencies through December 23, 2022, and extends several expiring programs and authorities. (Unless otherwise specified, the extensions referred to in this summary are also effective through December 23, 2022.)

The act also requires the National Oceanic and Atmospheric Administration (NOAA) to develop guidance and take other actions to update precipitation estimates.

(Sec. 3) This section provides that references to this Act included in any division of this act refer only to the provisions of the division unless the act expressly provides otherwise.

(Sec. 4) This section provides appropriations for a payment to Colette Wallace McEachin, the beneficiary of the late Representative Aston Donald McEachin. (A gratuity equal to one year's salary has long been given to the heirs or beneficiaries of Members of Congress who die in office.)

DIVISION A--FURTHER CONTINUING APPROPRIATIONS ACT, 2023

Further Continuing Appropriations Act, 2023

This division provides continuing FY2023 appropriations to federal agencies through the earlier of December 23, 2022, or the enactment of the applicable appropriations act.

It is known as a continuing resolution (CR) and prevents a government shutdown that would otherwise occur if the FY2023 appropriations bills have not been enacted when the existing CR expires on December 16, 2022.

The CR funds most programs and activities at the FY2022 levels. It also extends several exceptions that provide funding flexibility or additional appropriations for various programs.

The division also extends the Department of Homeland Security's federal intrusion detection and prevention system and a related reporting requirement.

DIVISION B--OTHER MATTERS

TITLE I--EXTENSIONS

(Sec. 101) This section extends the authority of the Federal Communications Commission to conduct auctions for electromagnetic spectrum licenses.

(Sec. 102) This section extends a special assessment on nonindigent persons or entities convicted of certain offenses involving sexual abuse or human trafficking. The assessment funds programs for human-trafficking survivors.

United States Parole Commission Further Extension Act of 2022

(Sec. 103) This section extends the U.S. Parole Commission.

(Sec. 104) This section extends the Commodity Futures Trading Commission Customer Protection Fund expenses account.

TITLE II--BUDGETARY EFFECTS

This title exempts the budgetary effects of this division and each succeeding division from (1) the Statutory Pay-As-You-Go Act of 2010 (PAYGO), (2) the Senate PAYGO rule, and (3) certain budget scorekeeping rules.

DIVISION C--HEALTH AND HUMAN SERVICES

TITLE I--MEDICARE AND MEDICAID

(Sec. 101) This section extends certain increased payment adjustments for low-volume hospitals under Medicare's inpatient prospective payment system.

(Sec. 102) This section extends the Medicare-Dependent Hospital Program, which provides additional payments to certain small rural hospitals that have a high proportion of Medicare patients.

(Sec. 103) This section extends the increased Medicaid federal matching rate (also known as the Federal Medical Assistance Percentage) for U.S. territories.

(Sec. 104) This section decreases funding for the Medicare Improvement Fund.

TITLE II--HUMAN SERVICES

(Sec. 201) This section extends and provides additional funding for the Maternal, Infant, and Early Childhood Home Visiting Program, which supports pregnant individuals and parents of young children in certain communities through home visits and partnerships with health, social service, and child development professionals.

(Sec. 202) This section extends and provides additional funding for the Stephanie Tubbs Jones Child Welfare Services Program and the MaryLee Allen Promoting Safe and Stable Families Program (i.e., Title IV-B child and family services programs).

TITLE III--EXTENSION OF FDA AUTHORIZATIONS

(Sec. 301) This section reauthorizes the Critical Path Public-Private Partnerships, through which the Food and Drug Administration (FDA) may enter into collaborative agreements with eligible entities to develop projects designed to achieve certain goals, such as fostering medical product innovation and accelerating medical product development.

(Sec. 302) This section reauthorizes a National Institutes of Health program to (1) develop and publish a priority list of needs in pediatric therapeutics, and (2) award funds to entities with expertise in conducting research regarding such needs.

(Sec. 303) This section reauthorizes through December 24, 2022, the humanitarian device exemption program, which authorizes the FDA to, for the purposes of an application for approval to market a medical device, waive certain effectiveness requirements for an eligible device designed to treat or diagnose a disease or condition that affects no more than 8,000 individuals in the United States. Specifically, a request for such an exemption must be submitted on or before December 24, 2022.

(Sec. 304) This section reauthorizes a program that provides grants or contracts to nonprofit consortia for demonstration projects to promote pediatric device development.

(Sec. 305) This section reauthorizes until December 24, 2022, a provision that allows an applicant for market approval for an eligible single-enantiomer drug to make an election that may qualify the drug for a five-year market exclusivity period.

(Sec. 306) This section extends through December 24, 2022, a provision requiring the FDA to accredit persons to inspect facilities that manufacture certain classes of medical devices.

(Sec. 307) This section reauthorizes an FDA program that provides grants to defray the costs of developing drugs, medical devices, and medical foods for rare diseases or conditions.

(Sec. 308) This section reauthorizes a provision requiring the FDA to post on its website quarterly reports with information on received generic drug applications and priority review applications.

(Sec. 309) This section reauthorizes through December 24, 2022, a program that allows accredited persons to review reports and make recommendations to the FDA pertaining to the initial classification of medical devices.

TITLE IV--INDIAN HEALTH

This title extends until December 24, 2022, provisions that prohibit the Indian Health Service from disbursing funds to Alaska Native villages or corporations that are located in areas served by Alaska Native regional health entities.

DIVISION D--PRECIP ACT

Providing Research and Estimates of Changes In Precipitation Act or the PRECIP Act

This division directs the National Oceanic and Atmospheric Administration (NOAA) to take actions regarding precipitation estimation.

NOAA must seek to enter an agreement with the National Academies of Science, Engineering, and Medicine to conduct a study on the state of practice and research needs for precipitation estimation, including probable maximum precipitation estimation.

NOAA, in consideration of the study's recommendations, shall consult with relevant partners on the development of a plan to update probable maximum precipitation estimates.

NOAA shall develop guidance regarding probable maximum precipitation estimates that (1) provides best practices for federal and state regulatory agencies, private meteorological consultants, and other users that perform probable maximum precipitation studies; (2) considers the recommendations provided in the National Academies study; (3) facilitates review of probable maximum precipitation studies by regulatory agencies; and (4) provides confidence in regional and site-specific probable maximum precipitation estimates.

Actions Timeline

- **Dec 16, 2022:** Message on Senate action sent to the House.
- **Dec 16, 2022:** Presented to President.
- **Dec 16, 2022:** Signed by President.
- **Dec 16, 2022:** Became Public Law No: 117-229.
- **Dec 15, 2022:** Message on House action received in Senate and at desk: House amendment to Senate amendment.
- **Dec 15, 2022:** Motion to proceed to consideration of measure agreed to in Senate by Yea-Nay Vote. 75 - 20. Record Vote Number: 393.
- **Dec 15, 2022:** Measure laid before Senate by motion. (consideration: CR S7219-7226, S7237-7242)
- **Dec 15, 2022:** Motion by Senator Schumer to concur in the House amendment to the Senate amendment to H.R. 1437 made in Senate. (CR S7220)
- **Dec 15, 2022:** Motion by Senator Schumer to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment (SA 6534) made in Senate. (CR S7220)
- **Dec 15, 2022:** Motion by Senator Schumer to refer to Senate Committee on Appropriations the House message to accompany H.R. 1437 with instructions to report back forthwith with the following amendment (SA 6536) made in Senate.
- **Dec 15, 2022:** Motion by Senator Lee to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment (SA 6541 as modified) made in Senate. (CR S7238)
- **Dec 15, 2022:** Motion by Senator Scott of Florida to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment (SA 6540) made in Senate. (CR S7240)
- **Dec 15, 2022:** Motion by Senator Scott of Florida to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment (SA 6540) under the order of 12/15/22, not having achieved 60 votes in the affirmative, was not agreed to by Yea-Nay Vote. 45 - 47. Record Vote Number: 397.
- **Dec 15, 2022:** Motion by Senator Lee to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment (SA 6541 as modified) was not agreed to by Yea-Nay Vote. 35 - 56. Record Vote Number: 398.
- **Dec 15, 2022:** Motion by Senator Schumer to refer to Senate Committee on Appropriations the House message to accompany H.R. 1437 with instructions to report back forthwith with the following amendment (SA 6536) withdrawn in Senate by Unanimous Consent. (consideration: CR S7220)
- **Dec 15, 2022:** Motion by Senator Schumer to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment (SA 6534) withdrawn in Senate by Unanimous Consent.
- **Dec 15, 2022:** Resolving differences -- Senate actions: Senate agreed, under the order of 12/15/22, having achieved 60 votes in the affirmative, to the House amendment to the Senate amendment to H.R. 1437 by Yea-Nay Vote. 71 - 19. Record Vote Number: 399.
- **Dec 15, 2022:** Senate agreed, under the order of 12/15/22, having achieved 60 votes in the affirmative, to the House amendment to the Senate amendment to H.R. 1437 by Yea-Nay Vote. 71 - 19. Record Vote Number: 399.
- **Dec 14, 2022:** Ms. DeLauro moved that the House agree with an amendment to the Senate amendment.
- **Dec 14, 2022:** Pursuant to the provisions of H. Res. 1518, Ms. DeLauro called up H.R. 1437 and moved that the House agree to the Senate amendment with an amendment. (consideration: CR H9811, H9813-9815)
- **Dec 14, 2022:** DEBATE - The House proceeded with one hour of debate on the House amendment to the Senate amendment to H.R. 1437.
- **Dec 14, 2022:** The previous question was ordered pursuant to the rule.
- **Dec 14, 2022:** POSTPONED PROCEEDINGS - At the conclusion of debate on the House amendment to the Senate amendment to H.R. 1437, the Chair put the question on concurring the in the Senate amendment with an amendment and by voice vote, announced that the ayes had prevailed. Ms. Granger demanded the yeas and nays and the Chair postponed further proceedings on concurring in the Senate amendment with an amendment until a time to be announced.
- **Dec 14, 2022:** Considered as unfinished business. (consideration: CR H9839-9840)
- **Dec 14, 2022:** Resolving differences -- House actions: On motion that the House agree with an amendment to the Senate amendment Agreed to by the Yeas and Nays: 224 - 201 (Roll No. 523).
- **Dec 14, 2022:** On motion that the House agree with an amendment to the Senate amendment Agreed to by the Yeas and Nays: 224 - 201 (Roll No. 523). (text: CR H9811-9813)
- **Dec 14, 2022:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 25, 2022:** Message on Senate action sent to the House.

- Nov 17, 2022:** Measure laid before Senate by unanimous consent. (consideration: CR S6769-6770)
- **Nov 17, 2022:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text of amendment in the nature of a substitute: CR S6769-6770)
 - **Nov 17, 2022:** Passed Senate with an amendment by Unanimous Consent. (text of amendment in the nature of a substitute: CR S6769-6770)
 - **May 12, 2022:** Received in the Senate, read twice.
 - **May 11, 2022:** Considered as unfinished business. (consideration: CR H4834-4835)
 - **May 11, 2022:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 333 - 81 (Roll no. 154).
 - **May 11, 2022:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 333 - 81 (Roll no. 154). (text: 05/10/2022 CR H4736-4737)
 - **May 11, 2022:** Motion to reconsider laid on the table Agreed to without objection.
 - **May 10, 2022:** Ms. Stevens moved to suspend the rules and pass the bill, as amended.
 - **May 10, 2022:** Considered under suspension of the rules. (consideration: CR H4736-4738)
 - **May 10, 2022:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1437.
 - **May 10, 2022:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
 - **May 3, 2022:** Reported (Amended) by the Committee on Science, Space, and Technology. H. Rept. 117-304.
 - **May 3, 2022:** Placed on the Union Calendar, Calendar No. 224.
 - **Nov 16, 2021:** Committee Consideration and Mark-up Session Held.
 - **Nov 16, 2021:** Ordered to be Reported in the Nature of a Substitute (Amended) by Voice Vote.
 - **Nov 10, 2021:** Subcommittee on Environment Discharged.
 - **Feb 26, 2021:** Introduced in House
 - **Feb 26, 2021:** Referred to the House Committee on Science, Space, and Technology.
 - **Feb 26, 2021:** Referred to the Subcommittee on Environment.

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