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H.R. 1192 — National Clinical Care Commission Act (Rep. Olson, R-TX)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration November 14, 2016, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1192](#) would establish the National Clinical Care Commission within the Department of Health and Human Services (HHS) to evaluate and recommend solutions regarding better coordination and leveraging of programs that relate to supporting appropriate clinical care for those with autoimmune diseases and diseases resulting from insulin deficiency or resistance, such as diabetes, or complications caused by any such disease.

COST:

A Congressional Budget Office (CBO) score is not currently available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

According to the Majority Leader's office, CBO estimates that the bill would not have a significant effect on direct spending or revenues.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, this bill would create a new federal commission within the Department of Health and Human Services that is directed to make recommendations that could increase federal funding through federally funded clinical practice tools.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would establish the National Clinical Care Commission within the Department of Health and Human Services (HHS) to evaluate and recommend solutions regarding better coordination and leveraging of programs that relate to supporting appropriate clinical care for those with autoimmune diseases and diseases resulting from insulin deficiency or resistance, or complications caused by any such disease.

The commission would be comprised of voting members representing federal agencies and departments that address health care issues as well as additional members representing medical specialties and non-physician health care providers and experts. The commission would be required to meet at least twice a year to evaluate programs at HHS regarding the utilization of diabetes screening benefits, annual wellness visits, and other preventative health benefits that may reduce the incidence of certain diseases. In addition, the commission would identify current activities and gaps in providing care as well as make recommendations regarding the development of federally funded clinical practice support tools. The commission would also review and recommend appropriate methods for outreach and dissemination of educational resources regarding the diseases and that are funded by the federal government.

No later than three years after the first meeting of the commission, it must submit to the secretary and to Congress a final report containing all their findings and recommendations. This commission would sunset at the end of fiscal year 2019; however, after reviewing the recommendations the secretary would make a recommendation on whether the commission should be reauthorized after 2019.

COMMITTEE ACTION:

This bill was introduced by Representative Olson on March 2, 2015, and referred to the Committee on Energy and Commerce. The committee held a mark-up and it was ordered to be reported by voice vote.

OUTSIDE GROUP SUPPORT:

- [The American Association of Clinical Endocrinologists](#)
- [The Academy of Nutrition of Dietetics](#)

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 18. No specific enumerating clause was provided.

H.R. 1209 — Improving Access to Maternity Care Act (Rep. Burgess, R-TX)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration November 14, 2016, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1209](#) would amend the Public Health Service Act to direct the Secretary of Health and Human Services to identify areas with a shortage of maternity health care professionals for the purposes of receiving assistance through the assignment of maternity health care professionals through the National Health Service Corps.

COST:

A Congressional Budget Office (CBO) score is not currently available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

According to the Majority Leader's office, CBO estimates that the bill would not have a significant effect on direct spending or revenues.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the Public Health Service Act to direct the Secretary of Health and Human Services to identify areas with a shortage of maternity health care professionals for the purposes of receiving assistance through the assignment of maternity health care professionals. Once the shortage areas are identified, the secretary would publish the available data in the Federal Register comparing the availability and need of maternity health care services in health professional shortage areas. In coordination with relevant provider organizations, the secretary would distribute National Health Service Corps maternity care health professionals within health professional shortage areas using the identified targets.

COMMITTEE ACTION:

This bill was introduced by Representative Burgess on March 3, 2015, and referred to the Committee on Energy and Commerce. The committee held a mark-up and it was ordered to be reported, as amended, by voice vote.

OUTSIDE GROUP SUPPORT:

- [The American Congress of Obstetricians and Gynecologists](#)

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Article One, Section Eight, Clause Three “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

H.R. 2713 — Title VIII Nursing Workforce Reauthorization Act of 2015 (Rep. Capps, D-CA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration November 14, 2016, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 2713](#) would amend the Public Health Service Act to include clinical nurse leaders on the list of advanced education nurses eligible for advanced education nursing grants. In addition, it would reauthorize funding for nursing loan repayment and scholarship programs, nurse faculty loan programs, and comprehensive geriatric education through fiscal year 2021 at FY2016 levels.

COST:

A Congressional Budget Office (CBO) score is not currently available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

According to the Majority Leader's office, CBO estimates that the bill would not have a significant effect on direct spending or revenues.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes. The bill would expand the scope of eligible grant recipients.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the Public Health Service Act to include clinical nurse leaders on the list of advanced education nurses eligible for advanced education nursing grants. A [clinical nurse leader](#) is a master's educated nurse that works to improve the quality of patient care outcomes. In addition, it would specify that clinical nurse specialist programs are eligible for advanced nursing grants. A [clinical nurse specialist](#) program must provide registered nurses with full-time clinical nurse specialist education, and have as their objective that clinical nurse specialist be qualified to effectively provide care to inpatients and outpatients experiencing acute chronic illness.

This bill would also reauthorize through FY2021 and set funding levels for several nursing programs including: loan repayment and scholarship programs, nurse faculty loan program, and comprehensive geriatric education. These programs would be funded at FY2016 appropriated levels.

COMMITTEE ACTION:

This bill was introduced by Representative Capps on June 10, 2015, and referred to the Committee on Energy and Commerce. The committee held a mark-up and it was ordered to be reported, as amended, by voice vote.

OUTSIDE GROUP SUPPORT:

- [American Association of Colleges of Nursing](#)

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the United States Constitution.

H.R. 4365 — Protecting Patient Access to Emergency Medications Act, as amended (Rep. Hudson, R-NC)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration November 14, 2016, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4365](#) would amend the Controlled Substances Act to streamline how emergency medical service (EMS) agencies register to administer controlled substances and clarify when EMS professionals can administer a controlled substance pursuant to standing or verbal orders, which authorize the administration of specific medication based on a set of predefined medical criteria.

COST:

A Congressional Budget Office (CBO) score is not currently available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

According to the Majority Leader's office, CBO estimates that the bill would not have a significant effect on direct spending or revenues.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The Controlled Substances Act gives the Drug Enforcement Act (DEA) the authority to regulate controlled substances, without any specific mention of emergency medical services. Instead the law is based on situations that take place in "brick and mortar" locations, such as permanent medical facilities. This has led to differences in enforcement and expectations between such facilities and more mobile EMS operations. Due to the variations, the DEA announced it would create universal regulations governing the use of controlled substances by EMS professionals. The proposed regulation was met with significant opposition when the DEA threatened to prohibit EMS personnel from administering controlled substances.

This bill would amend the Controlled Substances Act to allow the attorney general to register an emergency medical services (EMS) agency to administer schedule II, III, IV, or V controlled substances if the agency submits an application demonstrating it is authorized to conduct that activity under state law. The attorney general would allow an EMS agency the option of a single registration in each state where the agency administers controlled substances in lieu of requiring a separate registration for each location of the EMS agency. Currently, some EMS medical directors are required to obtain a DEA registration for each physical station or location that houses a response unit. This could mean up to 50 separate registrations in some reported instances.

Under the bill, EMS professionals could administer a controlled substance outside the physical presence of a medical director or authorizing medical professional in the course of providing emergency care if it is authorized by state law and is pursuant to a standing order adopted by the medical director or a verbal order provided by an authorizing medical professional.

An EMS agency could receive controlled substances from a hospital for the purposes of restocking their vehicle if specific qualifications are met including, maintenance of records.

The attorney general could issue regulations with regard to the delivery of controlled substances, their storage, and the ability to deliver controlled substances in the event of a shortage or public health emergency.

COMMITTEE ACTION:

This bill was introduced by Representative Hudson on January 12, 2016, and referred to the Committee on Energy and Commerce and the Committee on the Judiciary. The Energy and Commerce Committee held a mark-up and it was ordered to be reported, as amended, by voice vote.

OUTSIDE GROUP SUPPORT:

- The American Ambulance Association
- American College of Emergency Physicians
- Association of Air Medical Services
- Association of Critical Care Transport
- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Association of EMS Physicians
- National Association of Emergency Medical Technicians
- National Association of State EMS Officials
- National EMS Management Association

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following:
Per the Section 8, Clause 3 of the Constitution, Congress shall have the power to regulate Commerce with foreign nations and among the several states.

H.R. 985 — Concrete Masonry Products Research, Education, and Promotion Act of 2015, as amended (Rep. Guthrie, R-KY)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on November 14, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 985](#) would establish a Concrete Masonry Products Board, after a referendum approval by producers of concrete masonry products. The board would establish, finance, and carry out a coordinated research and education program to promote concrete masonry products in the domestic market, funded by a federally administered assessment on concrete masonry producers.

COST:

The Congressional Budget Office (CBO) has not provided an official score for the amended suspension print of H.R. 985 as scheduled for consideration. Based on a preliminary analysis, CBO estimates the amended legislation would have an effect on direct spending, but that it would be insignificant over the ten year period.

Based on the text of the bill as reported by the Committee on Energy and Commerce, CBO previously [estimated](#) that enacting H.R. 985 would increase direct spending by \$111 million and increase net revenues by \$85 million over the 2016-2025 period, leading to a net increase in the deficit of \$26 million over the 10-year period. According to the sponsor and committee, the amended suspension print is intended to eliminate the net increase in the deficit identified by CBO in this previous iteration of the bill.

CONSERVATIVE CONCERNS: The legislation would incur an assessment rate on concrete masonry products based on the number of masonry units sold each year in order to fund the Concrete Masonry Products Board's activities. Some conservatives may be concerned that such an arrangement functions similarly to a combination of federal tax and directed spending program benefiting the covered product.

- **Expand the Size and Scope of the Federal Government?** Yes. The bill would create a new federally administered fee collection and remittance program covering concrete masonry products.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

[H.R. 985](#) would establish a Concrete Masonry Products Board, after a referendum approval by producers of concrete masonry products. The board would establish, finance, and carry out a coordinated research and education program to promote concrete masonry products in the domestic market, funded by a federally administered assessment on concrete masonry producers.

The federal government has authorized several programs of similar nature, known as “checkoff programs”, for other products including eggs, beef, and Christmas trees. More information on this type of program is available from the [Heritage Foundation](#) and [Citizens Against Government Waste](#).

H.R. 985 would declare that its purpose would be to authorize the establishment of an orderly program for developing, financing, and carrying out an effective, continuous, and coordinated program of research, education, and promotion, including funds for marketing and market research activities, that is designed to: (1) strengthen the position of the concrete masonry products industry in the domestic marketplace; (2) maintain, develop, and expand markets and uses for concrete masonry products in the domestic marketplace; and (3) promote the use of concrete masonry products in construction and building. Nothing in the bill would be construed to provide for the control of production or otherwise limit the right of any person to manufacture concrete masonry products.

H.R. 985 would direct the Secretary of Commerce to issue orders applicable to manufacturers of concrete masonry products and national in scope. The bill would allow that a proposed order with respect to the generic research, education, and promotion with regards to concrete masonry products be: (1) proposed by the Secretary at any time; (2) requested by or submitted to the Secretary by an existing national organization of concrete masonry product manufacturers, or any person that may be affected by the issuance of an order. The bill would further clarify specific guidelines for the issuance and publication of an order.

H.R. 985 would mandate that any order provide for the establishment of a Concrete Masonry Products Board to carry out a program of generic promotion, research, and education regarding concrete masonry products. The bill would set the conditions for the board’s composition, to include between 15 and 25 members, appointed by the Secretary of Commerce from submitted nominations, and composed of manufacturers. The bill would prohibit an employee of an industry trade organization exempt from tax under paragraphs (3) or (6) of section 501(c) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)) representing the concrete masonry industry or related industries from serving on the board. No member of the board would be allowed to serve concurrently as an officer of the board of directors of a national concrete masonry products industry trade association. Additionally, only two individuals from any single company or its affiliates would be allowed to serve on the board at any one time. To ensure fair and equitable representation of the concrete masonry products industry, the composition of the board would be mandated to reflect the geographical distribution of the manufacture of concrete masonry products in the United States, the types of concrete masonry products manufactured, and the range in size of manufacturers in the United States. The members and any alternates of the board would each serve for a 3 year term, except members and any alternates initially appointed to the board who would serve for terms of not more than 2, 3, and 4 years, as specified by an order.

The bill would issue an order that would specify the board’s powers and duties, including the power and duty: (1) to administer the order in accordance with its terms and conditions and to collect assessments; (2) to develop and recommend to the Secretary of Commerce for approval, bylaws and rules as may be necessary for the functioning of the board; (3) to meet, organize, and select a chairperson, other officers, and committees and subcommittees, from among members of the board; (4) to establish regional organizations or committees to administer regional initiatives; (5) to establish working committees of persons other than board members; (6) to employ such persons, other than the members, as the board considers necessary, and to determine the compensation and specify the duties of the persons; (7) to prepare and submit for the approval of the Secretary, rates of assessment and an annual budget of the anticipated expenses to be incurred in the administration of the order, including the probable cost of each promotion, research, and information activity proposed to be developed or carried out by the board; (8) to borrow funds necessary for the startup expenses of the order (9) to carry out generic research, education, and promotion programs and projects relating to concrete masonry products, and to pay the costs of such programs and projects with assessments collected (10) to enter into contracts or agreements to develop and carry out programs or projects of research, education, and promotion relating to concrete masonry products; (11) to keep minutes, books, and records, and promptly report minutes of each board meeting to the Secretary; (12) to receive,

investigate, and report to the Secretary complaints of violations of the order; (13) to furnish the Secretary with information as the Secretary may request; (14) to recommend to the Secretary amendments to the order as the board considers appropriate; and (15) to provide the Secretary with advance notice of meetings to permit the Secretary or the Secretary's representative to attend the meetings.

The board would additionally be required to submit a budget of anticipated expenses and disbursements to the Secretary of Commerce for approval. The bill would further layout additional requirements for the operation of the board. With the approval of the Secretary, the board would be authorized to: (1) enter into contracts and agreements to carry out generic research, education, and promotion programs and projects relating to concrete masonry products, including contracts and agreements with manufacturer associations or other entities; (2) enter into contracts and agreements for administrative services; and (3) pay the cost of approved generic research, education, and promotion programs and projects using collected assessments, earnings obtained from assessments, and other income of the board.

Each contract or agreement would be required to provide that any person who enters into the contract or agreement with the board would develop and submit a proposed program or project together with a budget that specifies the cost to be incurred to carry out the program or project; keep accurate records of all of transactions relating to the contract or agreement; account for funds received and expended in connection with the contract or agreement; make periodic reports to the board of activities conducted under the contract or agreement; and make other reports as the board or the Secretary considers relevant.

The board would be prohibited from engaging in any program or project to, nor shall any funds received by the board be used to: (1) influence legislation, elections, or governmental action; (2) engage in an action that would be a conflict of interest; (3) engage in advertising that is false or misleading; (4) engage in any promotion, research, or education that would be disparaging to other construction materials; or (5) engage in any promotion or project that would benefit any individual manufacturer. The board would be required to provide for the independent evaluation of all research, education, and promotion programs or projects undertaken under the order, beginning five years after the bill's enactment and every three years afterwards. The manufacturers would be directed to maintain records sufficient to ensure compliance with the order and regulations; and make the records available, during normal business hours for inspection by employees of the Department of Commerce or board.

Any order would additionally require that quarterly assessments be paid by manufacturers for any concrete masonry products manufactured at least 180 days before the assessment's remittance to the board. As part of the remittance of assessments, manufacturers would be required to identify the total amount due in assessments on all sales receipts, invoices or other commercial documents of sale as a result of the sale of concrete masonry units to ensure compliance with the order. The assessment rate on concrete masonry products would be \$0.01 per concrete masonry unit sold. The board would be authorized to increase or decrease the rate but any change would not exceed \$0.01 per unit, and be made no more than once per year. The maximum rate would be \$0.05 per unit. Pending disbursement of assessments under a budget approved by the Secretary of Commerce, the board may invest collected assessments under specified conditions. No less than 50 percent of the assessments paid by a manufacturer would be used to support research, education, and promotion programs and projects in support of the geographic region of the manufacturer.

During the 60-day period preceding the proposed effective date of an order, the Secretary of Commerce would be directed to conduct a referendum for an order approval, according to specified procedures, among the manufacturers required to pay assessments under it.

A person subject to an order would be allowed to file a petition with the Department of Commerce: (1) stating that the order, any provision of the order, or any obligation imposed in connection with the order, is not established in accordance with law; and (2) requesting a modification of the order or an exemption from the order.

A district court of the United States would have jurisdiction to enforce, and to prevent and restrain any person from violating, this legislation or an order or regulation issued by the Secretary of Commerce under the legislation. Any person in violation of such orders or regulations would potentially be assessed by the Secretary a civil penalty of not more than \$5,000 for each violation. The Department of Commerce would have the ability to conduct appropriate investigations to administer the legislation with the power to issue subpoena to witnesses, take evidence, and require the production of records.

The Secretary of Commerce would be required to suspend or terminate an order or a provision of an order if the Secretary finds that it obstructs or does not tend to effectuate the purpose of the bill, or if the Secretary determines that the order or a provision of an order is not favored by a majority of all votes cast in the referendum. The bill would not affect or preempt any other federal or state law authorizing research, education, and promotion relating to concrete masonry products. Funds appropriated to carry out the legislation would not be used for the payment of the expenses or expenditures of the board in administering an order.

In each covered fiscal year, the board would not be authorized to obligate an amount greater than the sum of: (1) 73 percent of the amount of assessments estimated to be collected under section 6 in such fiscal year; (2) 73 percent of the amount of assessments actually collected in the most recent fiscal year for which an audit report has been submitted under specified conditions; and (3) amounts permitted in preceding fiscal years to be obligated pursuant to this subsection that have not been obligated. Assessments collected in excess of the amount permitted to be obligated in a fiscal year would be deposited in an escrow account for the duration of the covered period, during which the board would not be permitted to obligate or borrow against amounts required to be deposited in the escrow account. After the covered period, the board would be permitted to withdraw and obligate in any fiscal year an amount in the escrow account that does not exceed 1/5th of the amount in the escrow account on the last day of the covered period.

The bill would require the Government Accountability Office to prepare and submit a study examining: (1) how the board spends assessments collected; (2) the extent to which the board's reported activities help achieve its annual objectives; (3) any changes in demand for concrete masonry products relative to other building materials; (4) any impact of the board's activities on the market share of competing products; as well as other requirements.

The House report (H. Rept. 114-671) accompanying H.R. 985 can be found [here](#).

COMMITTEE ACTION:

H.R. 985 was introduced on February 13, 2015 and was referred to the House Committee on Energy and Commerce. On July 8, 2016, the bill was ordered to be reported (amended) by the committee.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

H.R. 4665 — Outdoor Recreation Jobs and Economic Impact Act of 2015, as amended (Rep. Beyer, D-VA)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on November 14, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4665](#) would require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 4665 would require the Secretary of Commerce shall enter into a joint memorandum with the Secretary of Agriculture and the Secretary of the Interior to conduct, acting through the Director of the Bureau of Economic Analysis, an assessment and analysis of the outdoor recreation economy of the United States and the effects attributable to such economy on the overall economy of the United States. In conducting the assessment, the Secretary of Commerce would be directed to consider employment, sales, and contributions to travel and tourism, and such other contributing components of the outdoor recreation economy of the United States. The Secretary of Commerce would be directed to submit a report to Congress based on the findings of the assessment.

No additional funds would be authorized to carry out H.R. 4665's requirements. Such requirements would be carried out using amounts otherwise authorized.

COMMITTEE ACTION:

H.R. 4665 was introduced on March 2, 2016 and was referred to the House Committee on Energy and Commerce.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the United States Constitution."

H.R. 2566 — Improving Rural Call Quality and Reliability Act of 2015 (Rep. Young, R-IA)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on November 14, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 2566](#) would require that intermediate telecommunication providers register with the Federal Communications Commission (FCC). The bill would additionally require the FCC to issue rules establishing specified service quality standards for intermediate telecommunication providers.

COST:

The Congressional Budget Office (CBO) [estimates](#) that that implementing H.R. 2566 would cost \$3 million over the 2017-2021 period. However, under current law the FCC is authorized to collect fees sufficient to offset the cost of its regulatory activities each year. Therefore, CBO estimates that the net cost to implement H.R. 2566 would be negligible, assuming annual appropriation actions consistent with the agency's authorities. Enacting H.R. 2566 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 2566 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** The bill would require intermediate providers to register with the FCC and set new call quality standards for such providers
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 2566 would amend part II of title II of the Communications Act of 1934 ([47 U.S.C. 251 et seq.](#)) by requiring that intermediate telecommunication providers that offer the capability to transmit covered voice communications from one destination to another and that charge any rate to any other entity for the transmission, register with the FCC and comply with specified service quality standards. The bill would prohibit a covered provider from using an intermediate provider unless it is registered with the FCC.

Intermediate providers route and connect long distance calls between local phone companies.

Within 1 year, the FCC would be directed to promulgate rules to establish service quality standards for the transmission of covered voice communications by intermediate providers. The FCC would be mandated to: (1) ensure the integrity of the transmission of covered voice communications to all customers in the United States; and (2) prevent unjust or unreasonable discrimination among areas of the United States in the delivery of covered voice communications.

Under [64.2101 of title 47, Code of Federal Regulations](#), a "covered provider" is a provider of long-distance voice service that makes the initial long-distance call path choice for more than 100,000 domestic retail subscriber lines, counting the total of all business and residential fixed subscriber lines and mobile phones and aggregated over all of the providers' affiliates.

COMMITTEE ACTION:

H.R. 2566 was introduced on May 21 2015 and was referred to the House Committee on Energy and Commerce. On September 21, 2016, the bill was ordered to be reported by voice vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill’s sponsor: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8: The Congress shall have Power to regulate Commerce among the several states.”

H.R. 2669 — Anti-Spoofing Act of 2015 (Rep. Meng, D-NY)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on November 14, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 2669](#) would expand the Federal Communications Commission (FCC)'s authority to enforce criminal penalties and levy fines against individuals that use fake information about a caller's identification to defraud or harm another ("spoofing"), to include the use of text messages.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 2669 would increase the FCC's costs by less than \$500,000 to enforce the expanded prohibition and to update current consumer education materials. CBO estimates that the net effect on discretionary spending would be negligible, assuming appropriation actions consistent with that authority. Based on the costs of similar reports conducted by the Government Accountability Office (GAO), CBO estimates that the increased costs to conduct the required study would be insignificant. CBO estimates that enacting H.R. 2669 would not increase net direct spending or on budget deficits in any of the four consecutive 10-year periods beginning in 2027.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 2669 would amend section 227(e)(1) of the Communications Act of 1934 ([47 U.S.C. 227\(e\)\(1\)](#)) by expanding the FCC's authority to enforce criminal fines and penalties against individuals that use fake information about a caller's identification to apply to violators outside of the United States if the recipient is within the United States. The bill would further the FCC's authority to levy fines and enforce criminal penalties against those who commit spoofing using voice service or a text message sent using a text messaging service.

H.R. 2669 would amend section 227(e)(3)(A) of the Communications Act of 1934 ([47 U.S.C. 227\(e\)\(3\)\(A\)](#)) by updating FCC requirements to prescribe regulations to implement the bill.

The bill would direct the FCC, in coordination with the Federal Trade Commission (FTC) to develop consumer education materials that provide information about: (1) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and (2) existing technologies that a consumer can use to protect against such scams and other fraudulent activity.

The bill would require the GAO to conduct a study of the actions the FCC and the FTC have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

COMMITTEE ACTION:

H.R. 2669 was introduced on June 4, 2015 and was referred to the House Committee on Energy and Commerce. On September 21, 2016, the bill was ordered to be reported (as amended) by voice vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 3."

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*