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H.R. 583 — PIRATE Act (Rep. Tonko, D-NY)

FLOOR SCHEDULE:

Expected to be considered February 25, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 583](#) would impose enhanced penalties for pirate radio broadcasting.

COST:

A Congressional Budget Office (CBO) estimate is not available.

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. 583 would amend title V of the Communications Act of 1934 (47 U.S.C. 501 et seq.) to mandate that any person who willfully and knowingly violates the bill or any rule, regulation, restriction, or condition made or imposed by the Federal Communications Commissions (FCC) under authority of the bill, or any rule, regulation, restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become party, relating to pirate radio broadcasting shall, in addition to any other penalties provided by law, be subject to a fine of not more than \$100,000 for each day during which such offense occurs.

The bill would require a report to Congress summarizing the bill's implementation and associated enforcement activities for the previous fiscal year, which may include the efforts by the FCC to enlist the cooperation of Federal, State, and local law enforcement personnel (including United States Attorneys and the United States Marshals Service) for service of process, collection of fines or forfeitures, seizures of equipment, and enforcement of orders.

The FCC would assign appropriate enforcement personnel to focus specific and sustained attention on the elimination of pirate radio broadcasting within the top five radio markets identified as prevalent for such broadcasts. The FCC would conduct monitoring sweeps to ascertain whether the pirate radio broadcasting identified by enforcement sweeps is continuing to broadcast and whether additional pirate radio broadcasting is occurring. The FCC shall not decrease or diminish the regular enforcement efforts targeted to pirate radio broadcast stations for other times of the year.

The FCC may not preempt any State or local law prohibiting pirate radio broadcasting. The FCC shall publish a database in a clear and legible format of all licensed radio stations operating in the AM and FM bands.

H.R. 583 contains similar language to H.R. 5709, which passed the House in the 115th Congress by voice vote on July 23, 2018. The RSC's legislative bulletin for H.R. 5709 can be found [here](#).

COMMITTEE ACTION:

H.R. 583 was introduced in the House on January 16, 2019 and referred to the House Committee on Energy and Commerce.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

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 I

Provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

H.R. 501 – Poison Center Network Enhancement Act of 2019 (Engel, D-NY)

FLOOR SCHEDULE: Expected to be considered on February 25, 2019 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 501](#) would reauthorize the national poison center toll-free number, related poison control grants, and media promotion.

COST:

A Congressional Budget Office (CBO) [estimate](#) for the same bill passed in the 115th Congress -- H.R. 5329 – determined implementing the bill would “authorize a total of about \$30 million per year over the 2019-2023 period. Based on historical spending patterns for similar activities, CBO estimates that implementing H.R. 5329 would cost \$125 million over the 2019-2023 period; the remaining amounts would be spent in years after 2023.” The same would hold true, but the time period would be for FY2020 – FY2024.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** This legislation would extend the national network of Poison Control Centers authorization, which is set to expire at the end of the current fiscal year, for five more years.
- **Encroach into State or Local Authority?** Some conservatives may believe these activities would be more appropriately handled by state and local governments, or by civil society.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This legislation would reauthorize the national poison center toll-free number and service. For this purpose, this legislation would authorize \$700,000 for each fiscal year 2020 through 2024.

This legislation would require the Secretary of Health and Human Services to carry out a national promotional campaign. This legislation would authorize \$800,000 for each of fiscal years 2020 through 2024 to carry out such a campaign.

This legislation would reauthorize the [poison center grant program](#). To carry out such a grant program, \$28,600,000 for each of fiscal years 2020 through 2024 would be authorized. Under the bill, centers would no longer be required to maintain annual spending at the same spending level from the previous fiscal year, but instead would be required to maintain an annual spending level at least 80 percent of their three-year average.

COMMITTEE ACTION: H.R. 501 was introduced on January 11, 2019 and was referred to the House Committee on Energy and Commerce.

ADMINISTRATION POSITION: No stated Administration position is available at this time.

CONSTITUTIONAL AUTHORITY: According to the bills sponsor: “Congress has the power to enact this legislation pursuant to the following: The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution: Article I, Section 1; Article I, Section 8, Clause 1; Article I, Section 8, Clause 3; and Article I, Section 8, Clause 18.””

H.R. 525 – Strengthening the Health Care Fraud Prevention Task Force Act of 2019 (Walden, R-OR)

FLOOR SCHEDULE:

Scheduled for consideration on February 25, 2019, under a suspension of the rules which requires a 2/3 majority for final passage.

TOPLINE SUMMARY: [H.R. 525](#) would codify the Healthcare Fraud Prevention Partnership. This partnership would be a voluntary public-private partnership between the federal government, state agencies, law enforcement, private health insurance plans, and health care anti-fraud associations.

COST: A Congressional Budget Office score is not available.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** This legislation codifies an existing Federal partnership.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** This legislation would authorize the Secretary to perform such duties as the Secretary determines appropriate in carrying out this legislation.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 525 would codify the [Healthcare Fraud Prevention Partnership](#). This partnership would be a voluntary public-private partnership between the federal government, state agencies, law enforcement, private health insurance plans, and health care anti-fraud associations.

This legislation would state that in carrying out the partnership, the Secretary of Health and Human Services would enter into a contract with a trusted third party in order to carry out the duties of the partnership.

The duties of the partnership would be to: 1) provide technical and operational support to facilitate data sharing between partners in the partnership; 2) analyze data shared to identify fraudulent and aberrant billing patterns; 3) conduct aggregate analyses of health care data so shared across Federal, State, and private health plans for purposes of detecting fraud, waste, and abuse schemes; 4) identify outlier trends and potential vulnerabilities of partners in the partnership with respect to such schemes; 5) refer specific cases of potential criminal conduct to appropriate law enforcement entities; 6) convene, not less than annually, meetings with partners in the partnership for purposes of providing updates on the partnership's work and facilitating information sharing between the

partners; 7) enter into data sharing and data use agreements with partners in the partnership in such a manner so as to ensure the partnership has access to data necessary to identify waste, fraud, and abuse while maintaining the confidentiality and integrity of such data; 8) provide partners in the partnership with plan-specific, confidential feedback on any aberrant billing patterns or potential fraud identified by the partnership with respect to such partner; 9) establish a process by which entities may enter the partnership and requirements such entities must meet to enter the partnership; 10) provide appropriate training, outreach, and education to partners based on the results of data analyses; and 11) perform such other duties as the Secretary determines appropriate.

This legislation would require that not later than two years after the date of the enactment of this legislation, the trusted third party would be required to perform an analysis of aberrant or fraudulent billing patterns and trends with respect to providers and suppliers of substance use disorder treatments from data shared with the partnership.

This legislation would specify the Executive Board membership requirements, including who must be represented and the frequency of meetings.

This legislation would require that periodic reports be sent to the Congress by the Secretary which shall contain a review of the partnership, including: 1) Savings; 2) outcomes from the program; and 3) additional strategic plans.

This legislation would specify that the partnership described shall be funded by amounts otherwise made available to the Secretary for carrying out this partnership.

This legislation would state that not later than two years after the date of enactment, the Secretary of Health and Human Services shall conduct a study on the feasibility of the partnership and submit such a report to the Congress. The report would be required to include the estimated cost and any potential barriers to the partnership.

COMMITTEE ACTION: H.R. 525 was introduced on January 11, 2019 and was referred to the House Committee on Energy and Commerce.

This legislation was [previously passed](#) during the 115th Congress by voice vote on November 28, 2018.

ADMINISTRATION POSITION: No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY: According to the sponsor of this legislation: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8” No specific enumerating clause was cited.

H.R. 539 – Innovators to Entrepreneurs Act of 2019 (Rep. Lipinski, D-IL)

FLOOR SCHEDULE:

Expected to be considered on February 25, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 539](#) would expand eligibility for the National Science Foundation's Innovation Corps (I-Corps), so that private funding, Small Business Innovation Research grants and Small Business Technology Transfer grants could be used for I-Corps training expenses.

COST:

A Congressional Budget Office (CBO) cost estimate is not available. However, the cost estimate for H.R. 5086, with is the same as H.R. 539, from last Congress [estimated](#) "that implementing H.R. 5086 would cost \$5 million over the 2018-2022 period, assuming appropriation of the authorized amounts."

CONSERVATIVE CONCERNS:

Some conservatives may be concerned that this legislation would expand allowable uses for multiple research grants.

- **Expand the Size and Scope of the Federal Government?** Yes – this legislation would expand allowable uses for multiple research grants.
- **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. 539 would expand eligibility for the [National Science Foundation's Innovation Corps \(I-Corps\)](#), so that private funding, Small Business Innovation Research grants and Small Business Technology Transfer grants could be used for I-Corps training expenses.

This legislation would also create a new I-Corps course on company organization, attracting investors, building a brand, and hiring for commercialization-ready research ventures. This legislation would also require the Comptroller General to submit a report to Congress within two years evaluating the I-Corps program.

This legislation would authorize to be appropriated for FY 2020 and FY 2021 \$5 million dollars to come out of amounts otherwise authorized for the National Science Foundation.

COMMITTEE ACTION:

H.R. 539 was introduced on January 14, 2019, and was referred to the Committees in Science, Space and Technology and Small Business.

Similar legislation, [H.R. 5086](#), passed last Congress on April 24, 2018, by [379-16](#).

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 U.S. Constitution."

H.R. 425 – Supporting Veterans in STEM Careers Act (Rep. Dunn, R-FL)

FLOOR SCHEDULE:

Expected to be considered on February 25, 2019, under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 425](#) would direct the National Science Foundation to encourage veteran involvement in STEM education, scientific research, and computer science, and would establish a working group to coordinate federal programs for transitioning and training veterans and military spouses for careers in STEM.

COST:

The Congressional Budget Office (CBO) cost estimate for H.R. 425 is not available. However, last Congress, CBO [estimated](#) that implement H.R. 4223, which is substantially the same as H.R. 425, “would cost \$1 million over the 2018-2022 period; such spending would be subject to the availability of appropriated funds.”

CONSERVATIVE CONCERNS:

Some conservatives may believe that the Constitutional way to “promote the Progress of Science and useful Arts” is for the federal government to “[secure] for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries,” instead of through central planning.

- **Expand the Size and Scope of the Federal Government?** This legislation creates a new subcommittee to help coordinate programs for transitioning veterans and military spouses into STEM careers.
- **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. 425 would direct the National Science Foundation (NSF) to encourage veteran involvement in STEM education, scientific research, and computer science. It would require the NSF to submit to Congress a veteran outreach plan within 180 days following enactment and to include in its annual indicators report any relevant data on veterans in science and engineering careers or education programs.

Further, this legislation would require the Director of the Office of Science and Technology policy to establish a working group to help coordinate federal programs for transitioning and training veterans and military spouses for careers in STEM. The working group would be required to facilitate the implementation of a strategic plan with short and long-term objectives by federal agencies. The Office of Science and Technology Policy would be required to submit a report to Congress within one year, detailing any progress made. The working group would sunset after 5 years.

COMMITTEE ACTION:

H.R. 425 was introduced on January 10, 2019 and was referred to the House Committee on Science, Space, and Technology.

A similar bill passed last Congress by a [vote](#) of 420-1.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not 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 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof."

H.R. 276 — Recognizing Achievement in Classified School Employees Act (Rep. Titus, D-NV)

FLOOR SCHEDULE:

Expected to be considered February 25, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 276](#) would require the Secretary of Education to establish a Recognizing Achievement in Classified School Employees award to recognize school employees that provide exemplary service to students.

COST:

No Congressional Budget Office (CBO) estimate is available.

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. 276 would require the Secretary of Education to establish a Recognizing Achievement in Classified School Employees award to recognize school employees that provide exemplary service to students. The award will have no monetary value. Nominees must demonstrate excellence in the following areas; (1) work performance; (2) school and community involvement; (3) leadership and commitment; (4) local support; and, (5) enhancement of classified school employees' image in the community and schools.

COMMITTEE ACTION:

H.R. 276 was introduced on January 8, 2019 and referred to the House Committee on Education and Labor.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution." No specific enumerating clause was cited.

H.R. 1235 — MSPB Temporary Term Extension Act (Rep. Cummings, D-MD)

FLOOR SCHEDULE:

Expected to be considered February 25, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1235](#) would allow for members of the Merit Systems Protection Board to serve for an additional year beyond the current end date of each member's term. The bill would prohibit members from concurrently holding other federal positions through their extension.

COST:

A Congressional Budget Office (CBO) estimate is not available.

CONSERVATIVE CONCERNS:

Currently, there is only one member of the MSPB, and his term will expire on March 1. He also serves as the General Counsel of the [Office of Personnel Management \(OPM\)](#), but would be prohibited from keeping that dual employment under the bill, which may concern some conservatives.

- **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. 1235 would allow for members of the Merit Systems Protection Board (MSPB) to serve for an additional year beyond the current end date of each member's term. The bill would prohibit members from concurrently holding other federal positions through their extension.

Currently, there is only one member of the MSPB, and his term will expire on March 1. He also serves as the General Counsel of the [Office of Personnel Management \(OPM\)](#), but would be prohibited from keeping that dual employment under the bill, which may concern some conservatives. The pace at which Trump Administration appointees have been confirmed by the Senate has in part resulted in significant dual employment in the executive branch.

COMMITTEE ACTION:

H.R. 1235 was introduced on February 14, 2019 and referred to the House Committee on Oversight and Reform.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

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 18 of the Constitution of the United States grants Congress the power to enact this law." No specific enumerating clause was cited.

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