

# Union Calendar No. 717

114th Congress, 2d Session - - - - - House Report 114-906

ACTIVITY REPORT  
OF THE  
COMMITTEE ON ENERGY AND COMMERCE  
OF THE  
HOUSE OF REPRESENTATIVES  
FOR THE  
ONE HUNDRED FOURTEENTH CONGRESS  
together with  
DISSENTING VIEWS



JANUARY 3, 2017.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

**ACTIVITY REPORT OF THE COMMITTEE ON ENERGY AND COMMERCE**

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## LETTER OF TRANSMITTAL

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
*Washington, DC, January 3, 2017.*

Hon. KAREN L. HAAS,  
*Clerk, House of Representatives,*  
*Washington, DC.*

DEAR MS. HAAS: Pursuant to clause 1(d) of Rule XI of the Rules of the House of Representatives, I present herewith a report on the activity of the Committee on Energy and Commerce for the 114th Congress, including the Committee's review and study of legislation within its jurisdiction and the oversight activities undertaken by the Committee.

Sincerely,

FRED UPTON,  
*Chairman.*



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## Union Calendar No. 717

114TH CONGRESS } 2d Session }	HOUSE OF REPRESENTATIVES {	REPORT 114-906
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### ACTIVITY REPORT OF THE COMMITTEE ON ENERGY AND COMMERCE OF THE HOUSE OF REPRESENTATIVES FOR THE ONE HUNDRED FOURTEENTH CONGRESS

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JANUARY 3, 2017.—Committed to the Committee of the Whole House on the State  
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Mr. UPTON, from the Committee on Energy and Commerce,  
submitted the following

#### R E P O R T

together with

#### DISSENTING VIEWS

#### JURISDICTION

The jurisdiction of the Committee on Energy and Commerce, as prescribed by Clause 1(f) of Rule X of the Rules of the House of Representatives, is as follows:

- (1) Biomedical research and development.
- (2) Consumer affairs and consumer protection.
- (3) Health and health facilities (except health care supported by payroll deductions).
- (4) Interstate energy compacts.
- (5) Interstate and foreign commerce generally.
- (6) Exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.
- (7) Conservation of energy resources.
- (8) Energy information generally.
- (9) The generation and marketing of power (except by Federally chartered or Federal regional power marketing authorities); reliability and interstate transmission of, and ratemaking for, all power; and siting of generation facilities (except the installation of interconnections between Government waterpower projects).

(10) General management of the Department of Energy and management and all functions of the Federal Energy Regulatory Commission.

(11) National energy policy generally.

(12) Public health and quarantine.

(13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.

(14) Regulation of interstate and foreign communications.

(15) Travel and tourism.

The committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy.

In addition, clause 3(e) of Rule X of the Rules of the House of Representatives provides that the Committee on Energy and Commerce shall review and study on a continuing basis laws, programs, and Government activities relating to nuclear and other energy and nonmilitary nuclear energy research and development including the disposal of nuclear waste.

RULES FOR THE COMMITTEE ON ENERGY AND COMMERCE, U.S.  
HOUSE OF REPRESENTATIVES, 114TH CONGRESS

*Rule 1. General Provisions*

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Energy and Commerce (the “Committee”) and its subcommittees so far as is applicable.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

*Rule 2. Meetings*

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings. The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) Notice. The date, time, place, and subject matter of any meeting of the Committee scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. The date, time, place, and subject matter of other meetings when the House is in session shall be announced to allow Members to have at least three days notice (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) of such meeting. The date, time, place, and subject matter of all other meetings shall be announced at least 72 hours in advance of the commencement of such meeting.

(d) Agenda. The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) Availability of Texts. No bill, recommendation, or other matter shall be considered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an ex-

planation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) Waiver. The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chairman with the concurrence of the ranking member, as the case may be.

### *Rule 3. Hearings*

(a) Notice. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) Memorandum. Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) Witnesses. (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of any federal grant or contract or foreign government contracts and payments related to the subject matter of the hearing received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness. The disclosure shall include (i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and (ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(d) Questioning. (1) The right to interrogate the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. The chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee.

(2) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side. The chairman with the concurrence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(3) Each member may submit to the chairman of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record. After consultation with the ranking minority member, the chairman is authorized to close the hearing record no earlier than 120 days from the date the questions were transmitted to the appropriate witness.

*Rule 4. Vice Chairmen; Presiding Member*

The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

*Rule 5. Open Proceedings*

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

*Rule 6. Quorum*

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee in question. A majority of the members of the Committee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

*Rule 7. Official Committee Records*

(a)(1) Journal. The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those

present at each meeting, and include a record of the vote on any question on which a record vote is demanded and a description of the amendment, motion, order, or other proposition voted. A copy of the journal shall be furnished to the ranking minority member.

(2) Record Votes. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum. The result of each record vote in any meeting of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House, within 24 hours. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting. The chairman, with the concurrence of the ranking minority member, may from time to time postpone record votes ordered on amendments to be held at a time certain during the consideration of legislation.

(b) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

#### *Rule 8. Subcommittees*

(a) Establishment. There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

(b) Powers and Duties. Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(c) Ratio of Subcommittees. The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable

to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

(d) Selection of Subcommittee Members. Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(e) Ex Officio Members. The chairman and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

#### *Rule 9. Opening Statements*

(a) Written Statements. All written opening statements at hearings and business meetings conducted by the committee shall be made part of the permanent record.

(b) Length. (1) At full committee hearings, the chairman and ranking minority member shall be limited to 5 minutes each for an opening statement, and may designate another member to give an opening statement of not more than 5 minutes. At subcommittee hearings, the subcommittee chairman and ranking minority member of the subcommittee shall be limited to 5 minutes each for an opening statement. In addition, the full committee chairman and ranking minority member shall each be allocated 5 minutes for an opening statement for themselves or their designees.

(2) At any business meeting of the Committee, statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. The chairman may further limit opening statements for Members (including, at the discretion of the Chairman, the chairman and ranking minority member) to one minute.

#### *Rule 10. Reference of Legislation and Other Matters*

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full Committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

*Rule 11. Managing Legislation on the House Floor*

The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

*Rule 12. Committee Professional and Clerical Staff Appointments*

(a) Delegation of Staff. Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) Minority Professional Staff. Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) Additional Staff Appointments. In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) Sufficient Staff. The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) Fair Treatment of Minority Members in Appointment of Committee Staff. The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Contracts for Temporary or Intermittent Services. Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.



*Rule 13. Supervision, Duties of Staff*

(a) Supervision of Majority Staff. The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) Supervision of Minority Staff. The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

*Rule 14. Committee Budget*

(a) Administration of Committee Budget. The chairman of the Committee, in consultation with the ranking minority member, shall for the 114th Congress attempt to ensure that the Committee receives necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight.

(b) Monthly Expenditures Report. Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

*Rule 15. Broadcasting of Committee Hearings*

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

*Rule 16. Subpoenas Power*

The power to authorize and issue subpoenas is delegated to the Chair of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chair shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the Chair shall consult with the ranking minority member at least 72 hours in advance of a subpoena being issued under such authority. The chairman shall report to the members of the Committee on the issuance of a subpoena as soon as practicable but in no event later than one week after issuance of such subpoena.

*Rule 17. Travel of Members and Staff*

(a) Approval of Travel. Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party professional staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

*Rule 18. Website*

The chairman shall maintain an official Committee website for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities, including communicating information about the activities of the minority members of the Committee to Committee members and other members of the House.

*Rule 19. Conferences*

The chairman of the Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chairman considers it appropriate.

MEMBERSHIP AND ORGANIZATION  
ONE HUNDRED FOURTEENTH CONGRESS  
COMMITTEE ON ENERGY AND COMMERCE  
(Ratio 31–23)

FRED UPTON, Michigan, *Chairman*

JOE BARTON, Texas  
ED WHITFIELD, Kentucky\*  
JOHN SHIMKUS, Illinois  
JOSEPH R. PITTS, Pennsylvania  
GREG WALDEN, Oregon  
TIM MURPHY, Pennsylvania  
MICHAEL C. BURGESS, Texas  
MARSHA BLACKBURN, Tennessee,  
*Vice Chairman*  
STEVE SCALISE, Louisiana  
ROBERT E. LATTA, Ohio  
CATHY McMORRIS RODGERS,  
*Washington*  
GREGG HARPER, Mississippi  
LEONARD LANCE, New Jersey  
BRETT GUTHRIE, Kentucky  
PETE OLSON, Texas  
DAVID McKINLEY, West Virginia  
MIKE POMPEO, Kansas  
ADAM KINZINGER, Illinois  
H. MORGAN GRIFFITH, Virginia  
GUS M. BILIRAKIS, Florida  
BILL JOHNSON, Ohio  
BILLY LONG, Missouri  
RENEE L. ELLMERS, North Carolina  
LARRY BUCSHON, Indiana  
BILL FLORES, Texas  
SUSAN W. BROOKS, Indiana  
MARKWAYNE MULLIN, Oklahoma  
RICHARD HUDSON, North Carolina  
CHRIS COLLINS, New York  
KEVIN CRAMER, North Dakota

FRANK PALLONE, JR.,  
*Ranking Member*  
BOBBY L. RUSH, Illinois  
ANNA G. ESHOO, California  
ELIOT L. ENGEL, New York  
GENE GREEN, Texas  
DIANA DeGETTE, Colorado  
LOIS CAPPS, California  
MICHAEL F. DOYLE, Pennsylvania  
JANICE D. SCHAKOWSKY, Illinois  
G.K. BUTTERFIELD, North Carolina  
DORIS O. MATSUI, California  
KATHY CASTOR, Florida  
JOHN P. SARBANES, Maryland  
JERRY McNERNEY, California  
PETER WELCH, Vermont  
BEN RAY LUJAN, New Mexico  
PAUL TONKO, New York  
JOHN A. YARMUTH, Kentucky  
YVETTE D. CLARKE, New York  
DAVID LOEBSACK, Iowa  
KURT SCHRADER, Oregon  
JOSEPH P. KENNEDY, Massachusetts  
TONY CARDENAS, California

\*Representative Ed Whitfield (R-KY) resigned from the Committee on Energy and Commerce on September 6, 2016. A vacancy exists on the Committee and subcommittees for which he was a member, including the chairmanship of the Subcommittee on Energy and Power.

SUBCOMMITTEE MEMBERSHIPS AND JURISDICTION  
SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE  
(Ratio 12–8)

MICHAEL C. BURGESS, Texas, *Chairman*

LEONARD LANCE, New Jersey, <i>Vice Chairman</i>	JANICE D. SCHAKOWSKY, Illinois, <i>Ranking Member</i>
MARSHA BLACKBURN, Tennessee	YVETTE D. CLARKE, New York
GREGG HARPER, Mississippi	JOSEPH P. KENNEDY, Massachusetts
BRETT GUTHRIE, Kentucky	TONY CARDENAS, California
PETE OLSON, Texas	BOBBY L. RUSH, Illinois
MIKE POMPEO, Kansas	G.K. BUTTERFIELD, North Carolina
ADAM KINZINGER, Illinois	PETER WELCH, Vermont
GUS M. BILIRAKIS, Florida	FRANK PALLONE, Jr., New Jersey
SUSAN W. BROOKS, Indiana	<i>(Ex Officio)</i>
MARKWAYNE MULLIN, Oklahoma	
FRED UPTON, Michigan <i>(Ex Officio)</i>	

*Jurisdiction:* Interstate and foreign commerce, including all trade matters within the jurisdiction of the full committee; Regulation of commercial practices (the FTC), including sports-related matters; Consumer affairs and consumer protection, including privacy matters generally; Consumer product safety (the CPSC); Product liability; Motor vehicle safety; and, Regulation of travel, tourism, and time.

SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY  
(Ratio 18–13)

GREG WALDEN, Oregon, *Chairman*

ROBERT E. LATTA, Ohio, <i>Vice Chairman</i>	ANNA G. ESHOO, California, <i>Ranking Member</i>
JOHN SHIMKUS, Illinois	MICHAEL F. DOYLE, Pennsylvania
MARSHA BLACKBURN, Tennessee	PETER WELCH, Vermont
STEVE SCALISE, Louisiana	JOHN A. YARMUTH, Kentucky
LEONARD LANCE, New Jersey	YVETTE D. CLARKE, New York
BRETT GUTHRIE, Kentucky	DAVID LOEBSACK, Iowa
PETE OLSON, Texas	BOBBY L. RUSH, Illinois
MIKE POMPEO, Kansas	DIANA DEGETTE, Colorado
ADAM KINZINGER, Illinois	G.K. BUTTERFIELD, North Carolina
GUS M. BILIRAKIS, Florida	DORIS O. MATSUI, California
BILL JOHNSON, Ohio	JERRY MCNERNEY, California
BILLY LONG, Missouri	BEN RAY LUJAN, New Mexico
RENEE L. ELLMERS, North Carolina	FRANK PALLONE, Jr., New Jersey
CHRIS COLLINS, New York	<i>(Ex Officio)</i>
KEVIN CRAMER, North Dakota	
JOE BARTON, Texas	
FRED UPTON, Michigan <i>(Ex Officio)</i>	

*Jurisdiction:* Interstate and foreign telecommunications including, but not limited to, all telecommunication and information transmission by broadcast, radio, wire, microwave, satellite, or other mode.

## SUBCOMMITTEE ON ENERGY AND POWER

(Ratio 18–13)

ED WHITFIELD, Kentucky, *Chairman*\*PETE OLSON, Texas,  
*Vice Chairman*JOHN SHIMKUS, Illinois  
JOSEPH R. PITTS, Pennsylvania  
ROBERT E. LATTA, Ohio  
GREGG HARPER, Mississippi  
DAVID MCKINLEY, West Virginia  
MIKE POMPEO, Kansas  
ADAM KINZINGER, Illinois  
H. MORGAN GRIFFITH, Virginia  
BILL JOHNSON, Ohio  
BILLY LONG, Missouri  
RENEE L. ELLMERS, North Carolina  
BILL FLORES, Texas  
MARKWAYNE MULLIN, Oklahoma  
RICHARD HUDSON, North Carolina  
JOE BARTON, Texas  
FRED UPTON, Michigan  
(*Ex Officio*)BOBBY L. RUSH, Illinois,  
*Ranking Member*  
JERRY MCNERNEY, California  
PAUL TONKO, New York  
ELIOT L. ENGEL, New York  
GENE GREEN, Texas  
LOIS CAPPS, California  
MICHAEL F. DOYLE, Pennsylvania  
KATHY CASTOR, Florida  
JOHN P. SARBANES, Maryland  
PETER WELCH, Vermont  
JOHN A. YARMUTH, Kentucky  
DAVID LOEBSACK, Iowa  
FRANK PALLONE, Jr., New Jersey  
(*Ex Officio*)

\* Representative Ed Whitfield (R-KY) resigned from the Committee on Energy and Commerce on September 6, 2016. A vacancy exists on the Committee and subcommittees for which he was a member, including the chairmanship of the Subcommittee on Energy and Power.

*Jurisdiction:* National energy policy generally; Fossil energy, renewable energy resources and synthetic fuels, energy conservation, energy information; Energy regulation and utilization; Utility issues and regulation of nuclear facilities; Interstate energy compacts; Nuclear energy; The Clean Air Act and air emissions; and, All laws, programs, and government activities affecting such matters.

## SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY

(Ratio 13–9)

JOHN SHIMKUS, Illinois, *Chairman*GREGG HARPER, Mississippi,  
*Vice Chairman*  
ED WHITFIELD, Kentucky\*  
JOSEPH R. PITTS, Pennsylvania  
TIM MURPHY, Pennsylvania  
ROBERT E. LATTA, Ohio  
DAVID MCKINLEY, West Virginia  
BILL JOHNSON, Ohio  
LARRY BUCSHON, Indiana  
BILL FLORES, Texas  
RICHARD HUDSON, North Carolina  
KEVIN CRAMER, North Dakota  
FRED UPTON, Michigan  
(*Ex Officio*)PAUL TONKO, New York,  
*Ranking Member*  
KURT SCHRADER, Oregon  
GENE GREEN, Texas  
DIANA DEGETTE, Colorado  
LOIS CAPPS, California  
MICHAEL F. DOYLE, Pennsylvania  
JERRY MCNERNEY, California  
TONY CARDENAS, California  
FRANK PALLONE, Jr., New Jersey  
(*Ex Officio*)

*Jurisdiction:* All matters relating to soil and water contamination; The regulation of solid, hazardous, and nuclear wastes; The regulation of industrial plant security; The regulation of drinking water; and, The regulation of toxic substances and noise.

## SUBCOMMITTEE ON HEALTH

(Ratio 18–13)

JOSEPH R. PITTS, Pennsylvania, *Chairman*BRETT GUTHRIE, Kentucky,  
*Vice Chairman*ED WHITFIELD, Kentucky\*  
JOHN SHIMKUS, Illinois  
TIM MURPHY, Pennsylvania  
MICHAEL C. BURGESS, Texas  
MARSHA BLACKBURN, Tennessee  
CATHY McMORRIS RODGERS,  
Washington  
LEONARD LANCE, New Jersey  
H. MORGAN GRIFFITH, Virginia  
GUS M. BILIRAKIS, Florida  
BILLY LONG, Missouri  
RENEE L. ELLMERS, North Carolina  
LARRY BUCHSON, Indiana  
SUSAN W. BROOKS, Indiana  
CHRIS COLLINS, New York  
JOE BARTON, Texas  
FRED UPTON, Michigan  
(*Ex Officio*)GENE GREEN, Texas,  
*Ranking Member*ELIOT L. ENGEL, New York  
LOIS CAPPS, California  
JANICE D. SCHAKOWSKY, Illinois  
G.K. BUTTERFIELD, North Carolina  
KATHY CASTOR, Florida  
JOHN P. SARBANES, Maryland  
DORIS O. MATSUI, California  
BEN RAY LUJAN, New Mexico  
KURT SCHRADER, Oregon  
JOSEPH P. KENNEDY, Massachusetts  
TONY CARDENAS, California  
FRANK PALLONE, Jr., New Jersey  
(*Ex Officio*)

*Jurisdiction:* Public health and quarantine; hospital construction; mental health and research; biomedical programs and health protection in general, including public and private health insurance; food and drugs; and, drug abuse.

## SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

(Ratio 14–10)

TIM MURPHY, Pennsylvania, *Chairman*DAVID MCKINLEY, West Virginia,  
*Vice Chairman*  
MICHAEL C. BURGESS, Texas  
MARSHA BLACKBURN, Tennessee  
H. MORGAN GRIFFITH, Virginia  
LARRY BUCSHON, Indiana  
BILL FLORES, Texas  
SUSAN W. BROOKS, Indiana  
MARKWAYNE MULLIN, Oklahoma  
RICHARD HUDSON, North Carolina  
CHRIS COLLINS, New York  
KEVIN CRAMER, North Dakota  
JOE BARTON, Texas  
FRED UPTON, Michigan  
(*Ex Officio*)DIANA DEGETTE, Colorado,  
*Ranking Member*  
JANICE D. SCHAKOWSKY, Illinois  
KATHY CASTOR, Florida  
PAUL TONKO, New York  
JOHN A. YARMUTH, Kentucky  
YVETTE D. CLARKE, New York  
JOSEPH P. KENNEDY, Massachusetts  
GENE GREEN, Texas  
PETER WELCH, Vermont  
FRANK PALLONE, Jr., New Jersey  
(*Ex Officio*)

*Jurisdiction:* Responsibility for oversight of agencies, departments, and programs within the jurisdiction of the full committee, and for conducting investigations within such jurisdiction.

## COMMITTEE STAFF

### MAJORITY COMMITTEE STAFF

GARY ANDRES, *Staff Director*  
 KAREN CHRISTIAN, *General Counsel*  
 MICHAEL BLOOMQUIST, *Deputy Staff Director*  
 PAUL EDATTEL, *Chief Counsel, Health*  
 SEAN BONYUN, *Communications Director*  
 THOMAS HASSENBOEHLER, *Chief Counsel, Energy and Power*  
 CHARLES INGEBRETSON, *Chief Counsel, Oversight and Investigations*  
 PAUL NAGLE, *Chief Counsel, Commerce, Manufacturing, and Trade*  
 DAVID REDL, *Chief Counsel, Communications and Technology*  
 GRACE APPELBE, *Staff Assistant*  
 JENNIFER BARBLAN, *Counsel*  
 WILLIAM BATSON, *Legislative Clerk*  
 ELENA BRENNAN, *Legislative Clerk*  
 ADAM BUCKALEW, *PROFESSIONAL STAFF MEMBER*  
 REBECCA CARD, *Assistant Press Secretary*  
 SEAN CORCORAN, *Financial and Administrative Coordinator*  
 GERALD COURI, *Senior Environmental Policy Advisor*  
 JAMES DECKER, *Policy Coordinator, Commerce, Manufacturing, and Trade*  
 PAIGE DECKER, *Executive Assistant and Committee Clerk*  
 JESSICA DONLON, *Counsel*  
 GRAHAM DUFALT, *Counsel*  
 SCOTT DZIENGELSKI, *Policy Coordinator, Oversight and Investigations*  
 CATHERINE “BLAIR” ELLIS, *Press Secretary and Digital Coordinator*  
 EMILY FELDER, *Counsel*  
 MELISSA FROELICH, *Counsel*  
 THERESA GAMBO, *Human Resources and Office Administrator*  
 GIULIA GIANNANGELI, *Legislative Clerk*  
 JAY GULSHEN, *Legislative Clerk*  
 KELSEY GUYSelman, *Counsel*  
 BRITTANY HAVENS, *Professional Staff Member*  
 ANN “AT” JOHNSTON, *Senior Advisor and Professional Staff Member*  
 PETER KIELTY, *Deputy General Counsel*  
 GRACE KOH, *Deputy Chief Counsel, Communications and Technology*  
 BEN LIEBERMAN, *Counsel*  
 CARLYLE “CARLY” MCWILLIAMS, *Professional Staff Member*  
 BRANDON MOONEY, *Senior Policy Advisor*  
 MARY NEUMAYR, *Senior Energy Counsel*  
 JOHN OHLY, *Professional Staff Member*  
 JAMES “JP” PALUSKIEWICZ, *Professional Staff Member*  
 TIMOTHY PATAKI, *Senior Advisor and Director of Member Services*  
 MARK RATNER, *Policy Coordinator*  
 TINA RICHARDS, *Counsel*  
 ANNE LISE RICKERT, *Counsel*  
 CHRISTOPHER SARLEY, *Policy Coordinator, Environment and the Economy*  
 DAN SCHNEIDER, *Press Secretary*  
 JENNIFER SHERMAN, *Press Secretary*  
 ADRIANNA SIMONELLI, *Professional Staff Member*  
 ALAN SLOBODIN, *Chief Investigative Counsel, Oversight and Investigations*  
 SAMUEL SPECTOR, *Counsel*  
 PETER SPENCER, *Professional Staff Member*  
 HEIDI STIRRUP, *Policy Coordinator, Health*  
 JOHN STONE, *Counsel*  
 TIMOTHY TORRES, *Deputy Information Technology Director*  
 SOPHIE TRAINOR, *Policy Coordinator, Health J*  
 JOSHUA TRENT, *Deputy Chief Counsel, Health*  
 ALLISON TREXLER, *POLICY COORDINATOR, ENERGY AND POWER*  
 OLIVIA TRUSTY, *Professional Staff Member*  
 DYLAN VORBACH, *Assistant Press Secretary*  
 LUKE WALLWORK, *STAFF ASSISTANT*  
 GREGORY WATSON, *Legislative Clerk*  
 JESSICA WILKERSON, *Professional Staff Member*  
 ANDY ZACH, *Professional Staff Member*

DETAILEES

GENARO "GENE" FULLANO, *FCC*  
WAYNE LAUFERT, *GPO*  
DAVID SCHAUB, *GPO*  
CHRISTOPHER WELLS, *GPO*



# MINORITY COMMITTEE STAFF

JEFF CARROLL, *Staff Director*  
 TIFFANY GUARASCIO, *Deputy Staff Director and Chief Health Advisor*  
 RICK KESSLER, *Staff Director, Energy and Environment and Senior Policy Advisor*  
 CHRIS KNAUER, *Staff Director, Oversight and Investigations*  
 MICHELLE ASH, *Chief Counsel, Commerce, Manufacturing, Trade*  
 DAVID GOLDMAN, *Chief Counsel, Communications and Technology*  
 LEE UNA, *Chief Counsel, Oversight and Investigations*  
 TIM ROBINSON, *Chief Counsel*  
 ANDREW SOUVALL, *Director of Communications, Outreach and Member Services*  
 JENNIFER BERENHOLZ, *Chief Clerk*  
 JACQUELINE COHEN, *Senior Counsel*  
 RYAN SKUKOWSKI, *Senior Policy Analyst*  
 LISA GOLDMAN, *Counsel*  
 JERRY LEVERICH, *Counsel*  
 ARIELLE WORONOFF, *Counsel, Health*  
 WAVERLY GORDON, *Professional Staff Member*  
 CAITLIN HABERMAN, *Professional Staff Member*  
 ELIZABETH LETTER, *Professional Staff Member*  
 JEAN FRUCI, *Policy Advisor, Energy and Environment*  
 RACHEL PRYOR, *Policy Advisor, Health*  
 KIMBERLEE TRZECIAK, *Policy Advisor, Health*  
 TULEY WRIGHT, *Policy Advisor, Energy and Environment*  
 JOHN MARSHALL, *Policy Coordinator*  
 CAROLINE PARIS-BEHR, *Policy Analyst*  
 ALEXANDER RATNER, *Policy Analyst*  
 SAMANTHA SATCHELL, *Policy Analyst*  
 C.J. YOUNG, *Press Secretary*  
 MATT SCHUMACHER, *Press Assistant*  
 JESSICA MARTINEZ, *Outreach and Member Services Coordinator*  
 DAVID CWIERTNY, *Fellow, Energy and Environment*  
 ALEXANDRINE DEBIANCHI, *Fellow, Communications and Technology*  
 OLIVIA PHAM, *Fellow, Health*  
 ELIZABETH ERTEL, *Deputy Clerk*  
 EDWARD WALKER, *Technology Director*  
 MILES LICHTMAN, *Staff Assistant*  
 DAN MILLER, *Staff Assistant*

## DETAILEES

RYAN GOTTSCHALL, *GAO*  
 LORI MAARBJERG, *FCC*  
 MEGAN VELEZ, *FDA*



## LEGISLATIVE AND OVERSIGHT ACTIVITY

### SUMMARY OF COMMITTEE ACTIVITIES

Total Bills and Resolutions Referred to Committee .....	1463
Public Laws .....	40
Bills and Resolutions Reported to the House .....	73
Hearings Held:	
Days of Hearings .....	185
Full Committee .....	0
Subcommittee on Commerce, Manufacturing, and Trade .....	31
Subcommittee on Communications and Technology .....	29
Subcommittee on Energy and Power .....	37
Subcommittee on Environment and the Economy .....	22
Subcommittee on Health .....	47
Subcommittee on Oversight and Investigations .....	29
Hours of Sitting .....	373:13
Full Committee .....	0:00
Subcommittee on Commerce, Manufacturing, and Trade .....	59:36
Subcommittee on Communications and Technology .....	55:38
Subcommittee on Energy and Power .....	89:41
Subcommittee on Environment and the Economy .....	39:41
Subcommittee on Health .....	97:30
Subcommittee on Oversight and Investigations .....	57:42
Legislative Markups:	
Days of Markups .....	75
Full Committee .....	35
Subcommittee on Commerce, Manufacturing, and Trade .....	6
Subcommittee on Communications and Technology .....	10
Subcommittee on Energy and Power .....	9
Subcommittee on Environment and the Economy .....	5
Subcommittee on Health .....	10
Hours of Sitting .....	82:04
Full Committee .....	46:34
Subcommittee on Commerce, Manufacturing, and Trade .....	3:41
Subcommittee on Communications and Technology .....	5:52
Subcommittee on Energy and Power .....	7:50
Subcommittee on Environment and the Economy .....	2:24
Subcommittee on Health .....	15:43
Business Meetings:	
Days of Meetings .....	1
Full Committee .....	1
Subcommittee on Oversight and Investigations .....	0
Hours of Sitting .....	1:12
Full Committee .....	1:12
Subcommittee on Oversight and Investigations .....	0



## SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE

(Ratio 12–8)

MICHAEL C. BURGESS, Texas, *Chairman*

LEONARD LANCE, New Jersey,

*Vice Chairman*

MARSHA BLACKBURN, Tennessee

GREGG HARPER, Mississippi

BRETT GUTHRIE, Kentucky

PETE OLSON, Texas

MIKE POMPEO, Kansas

ADAM KINZINGER, Illinois

GUS M. BILIRAKIS, Florida

SUSAN W. BROOKS, Indiana

MARKWAYNE MULLIN, Oklahoma

FRED UPTON, Michigan

*(Ex Officio)*

JANICE D. SCHAKOWSKY, Illinois,

*Ranking Member*

YVETTE D. CLARKE, New York

JOSEPH P. KENNEDY, Massachusetts

TONY CARDENAS, California

BOBBY L. RUSH, Illinois

G.K. BUTTERFIELD, North Carolina

PETER WELCH, Vermont

FRANK PALLONE, JR., New Jersey

*(Ex Officio)*

*Jurisdiction:* Interstate and foreign commerce, including all trade matters within the jurisdiction of the full committee; Regulation of commercial practices (the FTC), including sports-related matters; Consumer affairs and consumer protection, including privacy matters generally; Consumer product safety (the CPSC); Product liability; Motor vehicle safety; and, Regulation of travel, tourism, and time.

## LEGISLATIVE ACTIVITIES

### CHILD NICOTINE POISONING ACT OF 2015

PUBLIC LAW 114–116 (S. 142, H.R. 3242)

To require special packaging for liquid nicotine containers, and for other purposes.

#### *Summary*

S. 142 establishes a requirement that liquid nicotine containers that are sold, manufactured for sale, distributed for commerce, or imported in the U.S. are packaged according to special packaging standards defined in the Poison Prevention Packaging Act of 1970

#### *Legislative History*

On July 23, 2015, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider the Discussion Draft entitled “Child Nicotine Poisoning Prevention Act of 2016” and forwarded the draft legislation to the full Committee, without amendment, by a voice vote.

H.R. 3242 was introduced by Representative Susan Brooks (IN–05) on July 28, 2015, and referred to the Committee on Energy and Commerce. H.R. 3242 was similar to the Discussion Draft considered by the Subcommittee.

On September 29 and 30, 2015, the full Committee on Energy and Commerce met in open markup session to consider H.R. 3242

and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On January 11, 2016, the Committee on Energy and Commerce reported H.R. 3242 to the House (H. Rept. 114–394), and the bill was placed on the Union Calendar. (Calendar No. 297).

No further action was taken on the bill.

S. 142 was introduced by Senator Bill Nelson (FL) on January 8, 2015, read twice, and referred to the Committee on Commerce, Science, and Transportation. S. 142 was the companion bill to H.R. 3242.

On February 26, 2015, the Committee on Commerce, Science, and Transportation ordered S. 142, as amended, to be favorably reported to the Senate.

On April 13, 2015, Senator John Thune (SD) reported S. 142 to the Senate with a written report (Report 114–12), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 35).

On December 10, 2015, S. 142 was considered in the Senate and passed, as amended, by unanimous consent.

On December 11, 2015, S. 142 was received in the House and held at the desk.

On January 11, 2016, S. 142 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 411 yeas and 0 nays (Roll Call No. 85).

On January 19, 2016, S. 142 was presented to the President, and the President signed the bill on January 28, 2016 (Public Law 114–116).

## E-WARRANTY ACT OF 2015

PUBLIC LAW 114–51 (S. 1359, H.R. 3154)

To allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

### *Summary*

S. 1359 amends the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act to require that the Federal Trade Commission revise its rules to allow manufacturers to satisfy requirements concerning the availability of written warranties on consumer products by making the terms accessible in a digital format on the manufacturer’s Internet website.

### *Legislative History*

H.R. 3154 was introduced by Representative Markwayne Mullin (OK–02) on July 22, 2015, and referred to the Committee on Energy and Commerce. H.R. 3154 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on July 24, 2015.

On July 23, 2015, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider H.R. 3154 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On July 29, 2015, the full Committee on Energy and Commerce met in open markup session to consider H.R. 3154 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On September 8, 2015, the Committee on Energy and Commerce reported H.R. 3154 to the House (H. Rept. 114–243), and the bill was placed on the Union Calendar (Calendar No. 184).

No further action was taken on the bill.

S. 1359 was introduced by Senator Deb Fischer (NE) on May 14, 2015, read twice, and referred to the Committee on Commerce, Science, and Transportation. S. 1359 was the companion bill to H.R. 3152.

On May 20, 2015, the Committee on Commerce, Science, and Transportation ordered S. 1359, without amendment, favorably reported to the Senate.

On July 7, 2015, Senator John Thune (SD) reported S. 1359 to the Senate with a written report (Report 114–77), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 142).

On July 9, 2015, S. 1359 was considered in the Senate and passed, as amended, by unanimous consent.

On July 13, 2015, S. 1359 was received in the House and referred to the Committee on Energy and Commerce. S. 1359 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on July 17, 2015.

On September 8, 2015, S. 1359 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 388 yeas and 2 nays (Roll Call No. 490).

On September 15, 2015, S. 1359 was presented to the President, and the President signed the bill on September 24, 2015 (Public Law 114–51).

## LOW VOLUME MOTOR VEHICLE MANUFACTURERS ACT OF 2015

PUBLIC LAW 114–94 (H.R. 22, H.R. 2675)

To direct the National Highway Traffic Safety Administration to establish a program allowing low volume motor vehicle manufacturers to produce a limited number of vehicles annually within a regulatory system that addresses the unique safety and financial issues associated with limited production, and to direct the Environmental Protection Agency to allow low volume motor vehicle manufacturers to install engines from vehicles that have been issued certificates of conformity.

### *Summary*

H.R. 2675 directs the Secretary of Transportation to exempt no more than 325 replica motor vehicles per year produced or imported by a low volume vehicle manufacturers from certain Federal motor vehicle safety standards and establishes vehicle emission compliance standards and engine installation requirements for low volume manufacturers.

*Legislative History*

H.R. 2675 was introduced by Representative Markwayne Mullin (OK-02) on June 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 2675 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on June 5, 2015.

On October 21, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 2675.

No further action was taken on the bill. Provisions similar to H.R. 2675 were included in H.R. 22.

H.R. 22 was introduced by Representative Rodney Davis (IL-13) on January 6, 2015, and referred to the Committee on Ways and Means.

On January 6, 2015, H.R. 22 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 412 yeas and 0 nays (Roll Call No. 7).

On January 7, 2015, H.R. 22 was received in the Senate, and on January 8, 2015, the bill was read twice and referred to the Committee on Finance.

On January 28, 2015, the Committee on Finance ordered H.R. 22, without amendment, favorably reported to the Senate.

On February 12, 2015, Senator Orrin Hatch (UT) reported S. 22 to the Senate with a written report (Report 114-3), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 19).

On July 30, 2015, H.R. 22 was considered in the Senate and passed, as amended, by a roll call vote of 65 yeas and 35 nays (Roll Call No. 260).

On November 3, November 4, and November 5, 2015, H.R. 22 was considered in the House pursuant to the provisions of H. Res. 512, and the bill was passed, as amended, by a roll call vote of 371 yeas and 54 nays (Roll Call No. 624).

On November 5, 2015, the House agreed to the House amendment to the Senate amendment to H.R. 22, insisted on the House amendment, and requested a conference with the Senate thereon.

On November 5, 2015, the Speaker appointed conferees from the Committee on Transportation and Infrastructure.

On November 10, 2015, H.R. 22 was received in the Senate, and the Senate disagreed to the House amendment to the Senate amendment, agreed to the request for conference, and authorized the Presiding Officer to appoint conferees agreed to in Senate by unanimous consent.

The Senate appointed the following conferees, Senator Inhofe, Senator Thune, Senator Hatch, Senator Murkowski, Senator Fischer, Senator Barrasso, Senator Cornyn, Senator Boxer, Senator Brown, Senator Nelson, Senator Wyden, Senator Durbin, and Senator Schumer.

On November 17, 2015, the Speaker appointed additional conferees. From the Committee on Energy and Commerce, the Speaker appointed Representative Fred Upton (MI-06), Representative Markwayne Mullin (OK-02), and Representative Frank Pallone, Jr. (NJ-06) for consideration of sections 1109, 1201, 1202, and 3003, Division B, sections 31101 and 31201, and Division F of the House amendment, and sections 11005, 11006, 11013, 21003, and 21004,



subtitles B and D of Title XXXIV, and sections 51101 and 51201 of the Senate amendment, and modifications committed to conference.

The conference met on November 11, 2015. The conference report (H. Rept. 114–357) was filed on December 1, 2015.

On December 3, 2015, the conference report was considered in the House pursuant to the provisions of H. Res. 546, and the conference report was agreed to by a roll call vote of 359 yeas and 65 nays (Roll Call No. 673).

The Senate agreed to the conference report by a roll call vote of 83 yeas and 16 nays (Roll Call No. 331).

On December 4, 2015, H.R. 22 was presented to and signed by the President (Public Law 114–94).

#### FIXING AMERICA’S SURFACE TRANSPORTATION ACT

PUBLIC LAW 114–94 (H.R. 22, TITLE XXIV OF DIVISION B)

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

#### *Summary*

H.R. 22 includes several provisions regarding motor vehicle safety. The bill requires the that the National Highway Traffic Safety Administration improve the availability of recall information posted on its website for consumers and submit an annual agenda to Congress on its activities for the upcoming year. H.R. 22 also extends the time period during which automakers and tire manufacturers must pay for defect remedies for motor vehicles and tires and requires auto manufacturers to retain safety records for 10 years. The bill also exempts motor vehicles introduced into interstate commerce solely for the purpose of testing or evaluation from certain Federal motor vehicle safety standards. Finally, the bill includes provisions that establish regulatory parity for natural gas vehicles and provide that guidelines issued by the Secretary cannot be used as the basis of an enforcement action.

#### *Legislative History*

H.R. 22 was introduced by Representative Rodney Davis (IL–13) on January 6, 2015, and referred to the Committee on Ways and Means.

On January 6, 2015, H.R. 22 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 412 yeas and 0 nays (Roll Call No. 7).

On January 7, 2015, H.R. 22 was received in the Senate, and on January 8, 2015, the bill was read twice and referred to the Committee on Finance.

On January 28, 2015, the Committee on Finance ordered H.R. 22 to be favorably reported, without amendment, to the Senate.

On February 12, 2015, Senator Hatch (UT) reported H.R. 22, without amendment, to the Senate with a written report (Report 114–3), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 19).

On July 30, 2015, H.R. 22 was considered in the Senate and passed, as amended, by a roll call vote of 65 yeas and 35 nays (Roll Call No. 260).

On November 3, November 4, and November 5, 2015, H.R. 22 was considered in the House pursuant to the provisions of H.Res. 512, and the bill was passed, as amended, by a roll call vote of 371 yeas and 54 nays (Roll Call No. 624).

On November 5, 2015, the House agreed to the House amendment to the Senate amendment to H.R. 22, insisted on the House amendment, and requested a conference with the Senate thereon.

On November 5, 2015, the Speaker appointed conferees from the Committee on Transportation and Infrastructure.

On November 5, 2015, Representative Huffman (CA-02). The motion was not agreed to by a roll call vote of 179 yeas and 239 nays (Roll Call No. 625).

On November 10, 2015, H.R. 22 was received in the Senate, and the Senate disagreed to the House amendment to the Senate amendment, agreed to the request for conference, and authorized the Presiding Officer to appoint conferees agreed to in Senate by unanimous consent.

The Senate appointed the following conferees, Senator Inhofe, Senator Thune, Senator Hatch, Senator Murkowski, Senator Fischer, Senator Barrasso, Senator Cornyn, Senator Boxer, Senator Brown, Senator Nelson, Senator Wyden, Senator Durbin, and Senator Schumer.

On November 17, 2015, the Speaker appointed additional conferees. From the Committee on Energy and Commerce, the Speaker appointed Representative Fred Upton (MI-06), Representative Markwayne Mullin (OK-02), and Representative Frank Pallone, Jr. (NJ-06) for consideration of sections 1109, 1201, 1202, and 3003, Division B, sections 31101 and 31201, and Division F of the House amendment, and sections 11005, 11006, 11013, 21003, and 21004, subtitles B and D of Title XXXIV, and sections 51101 and 51201 of the Senate amendment, and modifications committed to conference.

The conference met on November 11, 2015. The conference report (H. Rept. 114-357) was filed on December 1, 2015.

On December 3, 2015, the conference report was considered in the House pursuant to the provisions of H. Res. 546, and the conference report was agreed to by a roll call vote of 359 yeas and 65 nays (Roll Call No. 673).

The Senate agreed to the conference report by a roll call vote of 83 yeas and 16 nays (Roll Call No. 331).

On December 4, 2015, H.R. 22 was presented to and signed by the President (Public Law 114-94).

## OUTDOOR RECREATION JOBS AND ECONOMIC IMPACT ACT OF 2015

PUBLIC LAW 114-249 (H.R. 4665)

To require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes.

### *Summary*

H.R. 4665 directs the Bureau of Economic Analysis of the Department of Commerce to assess and analyze the outdoor recreation economy of the United States and the effects attributable to it on the overall U.S. economy.

### *Legislative History*

H.R. 4665 was introduced by Representative Donald Beyer, Jr. (VA-08) on March 2, 2016, and referred to the Committee on Energy and Commerce. H.R. 4665 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on March 4, 2016.

On November 14, 2016, H.R. 4665 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On November 16, 2016, H.R. 4665 was received in Senate read twice, and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 667).

On November 28, 2016, H.R. 4665 was considered in the Senate, and passed, without amendment, by unanimous consent.

On December 1, 2016, H.R. 4665 was presented to the President and the President signed the bill on December 8, 2016 (Public Law 114-249).

## CONSUMER REVIEW FAIRNESS ACT OF 2016

PUBLIC LAW 114-258 (H.R. 5111)

To prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

### *Summary*

H.R. 5111 voids any provision of a form contract used in the course of selling or leasing goods or services to prohibit or restrict an individual who is a party to such a contract from engaging in written, oral, or pictorial reviews, or other similar performance assessments or analyses of, including by electronic means, the goods, services, or conduct of a person that is also a party to the contract.

### *Legislative History*

H.R. 5111 was introduced by Representative Leonard Lance (NJ-07) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5111 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5111.

On June 8 and 9, 2016, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider H.R. 5111 and forwarded the bill, without amendment, to the full Committee, by a voice vote.

On July 12 and 13, 2016, the full Committee on Energy and Commerce met in open markup session to consider H.R. 5111 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 9, 2016 the Committee on Energy and Commerce reported H.R. 5111, as amended, to the House (H. Rept. 114–731), and the bill was placed on the Union Calendar (Calendar No. 567).

On September 12, 2016, H.R. 5111 was considered in the House, under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On September 13, 2016, H.R. 5111 was received in the Senate, and read twice.

On November 28, 2016, H.R. 5111 was considered in the Senate and passed, without amendment, by unanimous consent.

On November 29, 2016, a message on Senate action was sent to the House.

On December 2, 2016, H.R. 5111 was presented to the President, and the President signed the bill on December 8, 2016 (Public Law 114–258).

## DATA SECURITY AND BREACH NOTIFICATION ACT OF 2015

H.R. 1770

To require certain entities who collect and maintain personal information of individuals to secure such information and to provide notice to such individuals in the case of a breach of security involving such information, and for other purposes.

### *Summary*

H.R. 1770 requires certain commercial entities and non-profit organizations that use, access, transmit, store, dispose of, or collect unencrypted nonpublic personal information to restore the integrity, security, and confidentiality of their data systems following the discovery of a security breach.

### *Legislative History*

On March 18, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on a Discussion Draft entitled “Data Security and Breach Notification Act of 2015.”

On March 23 and 24, 2015, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft, as amended, to the full Committee, by a voice vote.

H.R. 1770 was introduced by Representative Marsha Blackburn (TN–07) on April 14, 2015, and referred to the Committee on Energy and Commerce. H.R. 1770 was similar to the Discussion Draft considered by the Subcommittee.

On April 14 and 15, 2015, the full Committee on Energy and Commerce met in open markup session to consider H.R. 1770 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 29 yeas and 20 nays.

No further action was taken on the bill.

CONCRETE MASONRY PRODUCTS RESEARCH, EDUCATION, AND  
PROMOTION ACT OF 2015

H.R. 985

To enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

*Summary*

H.R. 985 would establish a check-off program for concrete masonry products and would direct the Department of Commerce to provide administrative support and exercise certain oversight controls over the program.

*Legislative History*

H.R. 985 was introduced by Representative Brett Guthrie (KY-02) on February 13, 2015, and referred to the Committee on Energy and Commerce. H.R. 985 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on February 20, 2015.

On July 10, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 985.

On July 23, 2015, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider H.R. 985 and forwarded the bill, as amended, to the full Committee, by a voice vote.

On July 29, 2015, the full Committee on Energy and Commerce met in open markup session to consider H.R. 985 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On July 8, 2016, the Committee on Energy and Commerce reported H.R. 985, to the House (H. Rept. 114-671), and the bill was placed on the Union Calendar (Calendar No. 519).

On November 14, 2016, H.R. 985 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 355 yeas and 38 nays (Roll Call No. 575).

On November 15, 2016, H.R. 985 was received in the Senate.  
No further action was taken on the bill.

TARGETING ROGUE AND OPAQUE LETTERS ACT OF 2015

H.R. 2045

To provide that certain bad faith communications in connection with the assertion of a United States patent are unfair or deceptive acts or practices, and for other purposes.

*Summary*

H.R. 2045 provides that it shall be an unfair or deceptive act or practice within the meaning of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)) for a person, in connection with the assertion of a United States patent, to engage in a pattern or practice of sending written communications that state or represent that the recipients are or may be infringing, or have or may have infringed, the patent and bear liability or owe compensation

to another if the sender, in bad faith, takes or fail to take specified actions.

#### *Legislative History*

On April 16, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on a Discussion Draft entitled “Targeting Rogue and Opaque Letters Act of 2015.”

On April 22, 2015, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft to the full Committee by a roll call vote of 10 yeas and 7 nays.

H.R. 2045 was introduced by Representative Michael C. Burgess (TX–26) on April 28, 2015, and referred to the Committee on Energy and Commerce. H.R. 2045 was similar to the Discussion Draft considered by the Subcommittee.

On April 28 and 29, 2015, the full Committee on Energy and Commerce met in open markup session, to consider H.R. 2045 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 30 yeas and 22 nays.

No further action was taken on the bill.

### FTC PROCESS AND TRANSPARENCY REFORM ACT OF 2016

H.R. 5510

To amend the Federal Trade Commission Act to establish new requirements relating to investigations, consent orders, and reporting requirements, and for other purposes.

#### *Summary*

H.R. 5510 amends the Federal Trade Commission Act to provide additional factors for the Federal Trade Commission (FTC) to consider before it may declare acts or practices to be unlawful on the ground that they are unfair and likely to cause substantial injury to consumers; set standards and time limits for the termination and review of consent decrees that the FTC enters into against alleged unfair or deceptive acts or practices that are unrelated to an alleged fraud; prohibit the FTC from recommending a legislative or regulatory action without publishing the economic analysis or advice prepared by the FTC’s Bureau of Economics or indicating that no such analysis or advice was given; require FTC investigations involving civil investigative demands to terminate six months after the FTC sends a verifiable written communication to notify the subject of the investigation; and provide standards under which a bipartisan majority of commissioners may hold a non-public meeting to discuss official business.

The bill prohibits the FTC’s guidelines or general statements of policy from conferring rights upon any person, state, or locality or binding the FTC or any person, state, or locality to a recommended approach. In enforcement actions, the FTC must prove a violation of FTC-enforced law.

#### *Legislative History*

On June 8 and 9, 2016, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider the

Discussion Draft entitled “FTC Process and Transparency Reform Act of 2016” and forwarded the Discussion Draft to the full Committee, as amended, by a roll call vote of 12 yeas and 8 nays.

H.R. 5510 was introduced by Representative Michael C. Burgess (TX–26) on June 16, 2016, and referred to the Committee on Energy and Commerce, and to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 5510 was similar to the Discussion Draft considered by the Subcommittee.

H.R. 5510 was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law on June 23, 2016.

On July 12 and 13, 2016, the full Committee on Energy and Commerce met in open markup session to consider H.R. 5510 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 30 yeas and 20 nays.

No further action was taken on the bill.

#### BETTER ONLINE TICKET SALES ACT OF 2016

H.R. 5104

To prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

##### *Summary*

H.R. 5104 prohibits intentionally using or selling software to circumvent a security measure, access control system, or other control or measure on a ticket seller’s Internet website that is used by the seller to ensure equitable consumer access to tickets for any given event; or selling any ticket in interstate commerce knowingly obtained in violation of such prohibition.

##### *Legislative History*

H.R. 5104 was introduced by Representative Marsha Blackburn (TN–07) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5104 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5104.

On June 8 and 9, 2016, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider H.R. 5104 and forwarded the bill, as amended, to the full Committee, by a voice vote.

On July 12, 13, and 14, 2016, the full Committee on Energy and Commerce met in open markup session to consider H.R. 5104 and ordered the bill favorably reported to the House, as amended, by a voice vote.

No further action was taken on the bill.

S. 3183 was introduced by Senator Jerry Moran (KS) on July 13, 2016, read twice, and referred to the Committee on Commerce, Science, and Transportation. S. 3183 was the companion bill to H.R. 5104.

On September 13, 2016, the Committee on Commerce, Science, and Transportation Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security held a hearing on S. 3183.

On September 27, 2016, Senator Thune (SD) reported S. 3183, as amended, to the Senate without a written report, and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 648).

On November 30, 2016, S. 3183 was considered in the Senate and passed, as amended, by unanimous consent.

On December 5, 2016, Senator Thune (SD) filed a written report (Report No. 114–391).

On December 1, 2016, S. 3183 was received in the House and held at the desk.

On December 7, 2016, Representative Marsha Blackburn (TN–07) asked unanimous consent to take from the Speaker’s table S. 3183, and asked for its immediate consideration in the House. The bill was passed by unanimous consent.

No further action was taken on the bill.

#### REINFORCING AMERICAN MADE PRODUCTS ACT OF 2016

H.R. 5092

To make exclusive the authority of the Federal Government to regulate the labeling of products introduced in interstate or foreign commerce as made in the United States, and for other purposes.

#### *Summary*

H.R. 5092 amends the Violent Crime Control and Law Enforcement Act of 1994 to provide that the Federal Trade Commission’s regulation of the labeling of products as “Made in the U.S.A.” or “Made in America” shall supersede any state laws regarding the extent to which a product is introduced, delivered, sold, advertised, or offered for sale in interstate or foreign commerce with such a label in order to represent that the product was in whole or substantial part of domestic origin.

#### *Legislative History*

H.R. 5092 was introduced by Representative Gregg Harper (MS–03) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5092 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5092.

On June 8 and 9, 2016, the Subcommittee on Commerce, Manufacturing, and Trade met in open markup session to consider H.R. 5092 and forwarded the bill, to the full Committee, without amendment, to the full Committee by a voice vote.

On July 12, 13, and 14, 2016, the full Committee on Energy and Commerce met in open markup session to consider H.R. 5092 and ordered the bill favorably reported to the House, without amendment, by a roll call vote of 29 yeas and 21 nays.

No further action was taken on the bill.



## CLARIFYING LEGALITY AND ENFORCEMENT ACTION REASONING ACT

H.R. 5109

To amend the Federal Trade Commission Act to require annual reports to Congress regarding the status and disposition of investigations of unfair or deceptive acts or practices in or affecting commerce.

*Summary*

H.R. 5109 requires the Federal Trade Commission to submit an annual report to Congress on investigations relating to unfair or deceptive acts or practices in or affecting commerce.

*Legislative History*

H.R. 5109 was introduced by Representative Brett Guthrie (KY-02) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5109 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5109.

No further action was taken on the bill. Provisions similar to H.R. 5109 were included in H.R. 5510.

## FREEING RESPONSIBLE AND EFFECTIVE EXCHANGES ACT

H.R. 5116

To amend the Federal Trade Commission Act to permit a bipartisan majority of Commissioners to hold a meeting that is closed to the public to discuss official business.

*Summary*

H.R. 5116 amends the Federal Trade Commission Act to permit a bipartisan majority of Federal Trade Commission (FTC) commissioners to hold a nonpublic meeting to discuss official business if no votes or actions are taken, each person at the meeting is an FTC commissioner or employee, and an attorney from the FTC's Office of General Counsel is present. Within two business days after such a nonpublic meeting, the FTC must disclose on its website a list of persons who attended such meeting, and a summary of discussed matters, except for matters that are classified or otherwise exempt from disclosure.

*Legislative History*

H.R. 5116 was introduced by Representative Pete Olson (TX-22) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5116 was referred to the Subcommittee Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5116.

No further action was taken on the bill. Provisions similar to H.R. 5116 were included in H.R. 5510.

FTC ROBUST ELDERLY PROTECTIONS AND ORGANIZATIONAL  
REQUIREMENTS TO TRACK SCAMS ACT

H.R. 5098

To amend the Federal Trade Commission Act to require an annual plan and a report on elder fraud, and for other purposes.

*Summary*

H.R. 5098 amends the Federal Trade Commission Act to require the Federal Trade Commission (FTC) to publish and submit to Congress annually the FTC's plan for the next calendar year, and a report on FTC enforcement actions involving allegations of fraud targeting individuals who are 65 or older during the previous year.

*Legislative History*

H.R. 5098 was introduced by Representative Gus Bilirakis (FL-12) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5098 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5098.

No further action was taken on the bill. Provisions similar to H.R. 5098 were included in H.R. 5510.

SOLIDIFYING HABITUAL AND INSTITUTIONAL EXPLANATIONS OF  
LIABILITY AND DEFENSES ACT

H.R. 5118

To amend the Federal Trade Commission Act to specify certain effects of guidelines, general statements of policy, and similar guidance issued by the Federal Trade Commission.

*Summary*

H.R. 5118 amends the Federal Trade Commission Act to prohibit guidelines or general statements of policy issued by the Federal Trade Commission (FTC) from conferring rights upon any person, state, or locality, or binding the FTC or any person, state, or locality to a recommended approach. In enforcement actions, the FTC may not rely solely on allegations that acts or practices are inconsistent with guidelines or general policy statements unless the acts or practices violate a FTC-enforced law. Lastly, compliance with guidelines or general statements of policy may be used as evidence of compliance with a law under which the guidelines or statements were issued.

*Legislative History*

H.R. 5118 was introduced by Representative Mike Pompeo (KS-04) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5118 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5118.

No further action was taken on the bill. Provisions similar to H.R. 5118 were included in H.R. 5510.

## START TAKING ACTION ON LINGERING LIABILITIES ACT

H.R. 5097

To amend the Federal Trade Commission Act to require the termination of inactive investigations after a period of six months.

*Summary*

H.R. 5097 amends the Federal Trade Commission Act to require certain Federal Trade Commission (FTC) investigations to terminate six months after the FTC sends a verifiable written communication to notify the subject of the investigation. The bill also provides an exception that allows such an investigation to continue beyond that six-month period if, before the period expires, the FTC sends an additional verifiable written communication, or votes to extend the investigation.

*Legislative History*

H.R. 5097 was introduced by Representative Susan W. Brooks (IN-05) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5097 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5097.

No further action was taken on the bill. Provisions similar to H.R. 5097 were included in H.R. 5510.

## STATEMENT OF UNFAIRNESS REINFORCEMENT AND EMPHASIS ACT

H.R. 5115

To amend the Federal Trade Commission Act to include requirements for declaring an act or practice unlawful, and for other purposes.

*Summary*

H.R. 5115 amends the Federal Trade Commission Act to provide additional factors for in the Federal Trade Commission (FTC) to consider before it may declare acts or practices to be unlawful on the ground that they are unfair and likely to cause substantial injury to consumers.

*Legislative History*

H.R. 5115 was introduced by Representative Markwayne Mullin (OK-02) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5115 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5115.

No further action was taken on the bill. Provisions similar to H.R. 5115 were included in H.R. 5510.

TECHNOLOGICAL INNOVATION THROUGH MODERNIZING  
ENFORCEMENT ACT

H.R. 5093

To amend the Federal Trade Commission Act to require a time limitation for certain consent orders, and for other purposes.

*Summary*

H.R. 5093 amends the Federal Trade Commission Act to require any consent order entered into by the Federal Trade Commission (FTC) to include a termination clause providing for the order to expire not later than eight years after it is entered into, unless it relates to alleged fraud by an entity subject to the order and requires a longer time limit. A consent order longer than five years that is unrelated to alleged fraud by the entity must include a clause providing for the FTC to review the order five years after it is entered into. H.R. 5093 also allows entities subject to a consent order that is unrelated to alleged fraud and has been effective for at least five years to petition the FTC to terminate the order. If the FTC determines that such a consent order no longer serves its purposes, the FTC shall terminate the order.

*Legislative History*

H.R. 5093 was introduced by Representative Michael C. Burgess (TX–27) on April 28, 2016, and referred to the Committee on Energy and Commerce. H.R. 5093 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on April 29, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5093.

No further action was taken on the bill. Provisions similar to H.R. 5093 were included in H.R. 5510.

BEREAVED CONSUMER’S BILL OF RIGHTS ACT OF 2016

H.R. 5212

To direct the Federal Trade Commission to establish rules to prohibit unfair or deceptive acts or practices related to the provision of funeral goods or funeral services.

*Summary*

H.R. 5212 directs the Federal Trade Commission (FTC) to prescribe rules prohibiting unfair or deceptive acts or practices in the provision of funeral goods or services.

*Legislative History*

H.R. 5212 was introduced by Representative Bobby L. Rush (IL–01) on May 12, 2016, and referred to the Committee on Energy and Commerce. H.R. 5212 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on May 13, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5212.

No further action was taken on the bill.

## STOP ONLINE BOOKING SCAMS ACT OF 2016

H.R. 4526

To amend the Restore Online Shoppers' Confidence Act to protect consumers from deceptive practices with respect to online booking of hotel reservations and to direct the Federal Trade Commission to conduct a study with respect to online shopping for hotel reservations, and for other purposes.

*Summary*

H.R. 4526 amends the Restore Online Shoppers' Confidence Act (ROSCA) to prohibit a third party online hotel reservation seller from charging a consumer's credit card, debit card, bank account, or other financial account for any good or service sold in an Internet transaction, unless the seller discloses all material terms of the transaction.

*Legislative History*

H.R. 4526 was introduced by Representative Lois Frankel (FL-22) on February 10, 2016, and referred to the Committee on Energy and Commerce. H.R. 4526 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on February 12, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 4526.

No further action was taken on the bill.

## YOUTH SPORTS CONCUSSION ACT

H.R. 4460

To reduce sports-related concussions in youth, and for other purposes.

*Summary*

H.R. 4460 makes it unlawful to sell or offer for sale in interstate commerce, or import into the United States for such purposes, athletic sporting equipment for which the seller or importer makes any deceptive claim with respect to the safety benefits of such item. Violations shall be treated as unfair or deceptive acts or practices under the Federal Trade Commission Act.

*Legislative History*

H.R. 4460 was introduced by Representative Bill Pascrell, Jr. (NJ-09) on February 4, 2016, and referred to the Committee on Energy and Commerce. H.R. 4460 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on February 5, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 4460.

No further action was taken on the bill.

## PROTECTING CONSUMERS IN COMMERCE ACT OF 2016

H.R. 5239

To amend the Federal Trade Commission Act to permit the Federal Trade Commission to enforce such Act against certain common carriers.

*Summary*

H.R. 5239 amends the Federal Trade Commission Act to authorize the Federal Trade Commission to regulate common carriers subject to the Communications Act of 1934.

*Legislative History*

H.R. 5239 was introduced by Representative Jerry McNerney (CA-09) on May 13, 2016, and referred to the Committee on Energy and Commerce. H.R. 5239 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on May 20, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5239.

No further action was taken on the bill.

BETTER OVERSIGHT OF SECONDARY SALES AND ACCOUNTABILITY IN  
CONCERT TICKETING ACT OF 2016

H.R. 5245

To direct the Federal Trade Commission to prescribe rules to protect consumers from unfair and deceptive acts and practices in connection with primary and secondary ticket sales, and for other purposes.

*Summary*

H.R. 5245 directs the Federal Trade Commission to promulgate rules for the primary or secondary sale, distribution, or pricing of tickets for sporting events, theater, musical performances, or places of public amusement

*Legislative History*

H.R. 5245 was introduced by Representative Bill Pascrell, Jr. (NJ-09) on May 16, 2016, and referred to the Committee on Energy and Commerce. H.R. 5245 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on May 20, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5245.

No further action was taken on the bill.

TO AMEND THE FEDERAL TRADE COMMISSION ACT TO PERMIT THE  
FEDERAL TRADE COMMISSION TO ENFORCE SUCH ACT AGAINST  
CERTAIN TAX EXEMPT ORGANIZATIONS

H.R. 5255

To amend the Federal Trade Commission Act to permit the Federal Trade Commission to enforce such Act against certain tax-exempt organizations.

*Summary*

H.R. 5255 amends the Federal Trade Commission Act to certain tax-exempt nonprofit charitable organizations subject to the authority of the Federal Trade Commission.

*Legislative History*

H.R. 5255 was introduced by Representative Bobby L. Rush (IL-01) on May 16, 2016, and referred to the Committee on Energy and Commerce. H.R. 5255 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on May 20, 2016.

On May 24, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 5255.

No further action was taken on the bill.

## ROV IN-DEPTH EXAMINATION

H.R. 999

To direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study.

*Summary*

H.R. 999 provides that the Consumer Product Safety Commission shall have no authority to (1) establish recreational off-highway vehicle (ROV) performance or configuration standards until the completion of a study, or (2) require ROV manufacturers to provide performance and technical data to prospective purchasers and to the first purchaser of an ROV for purposes other than resale.

*Legislative History*

H.R. 999 was introduced by Representative Mike Pompeo (KS-04) on February 13, 2015, and referred to the Committee on Energy and Commerce. H.R. 999 was referred to the Subcommittee on Commerce, Manufacturing, and Trade on February 20, 2015.

On May 20, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on H.R. 999.

No further action was taken on the bill.

## IMPROVING BROADBAND ACCESS FOR VETERANS ACT OF 2016

H.R. 6394

To require the Federal Communications Commission to submit to Congress a report on promoting broadband Internet access service for veterans.

*Summary*

H.R. 6394 would require the Federal Communications Commission to submit to Congress a report on promoting broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas.

### *Legislative History*

H.R. 6394 was introduced by Representative Jerry McNerney (CA-09) on November 29, 2016, and referred to the Committee on Energy and Commerce.

On December 6, 2016, H.R. 6394 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 411 yeas and 4 nays (Roll Call No. 604).

On December 7, 2016, H.R. 6394 was received in the Senate.

No further action was taken on this bill.

### FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING ACT

S. 253, H.R. 734

To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

### *Summary*

H.R. 734 consolidates eight separate reports of the Federal Communications Commission (FCC) into a single comprehensive report focused on intermodal competition, deploying communications capabilities to unserved communities, and eliminating regulatory barriers. By consolidating these reports, H.R. 734 reduces the reporting burdens on the FCC and encourages the agency to analyze competition in the marketplace as a whole. The bill also eliminates several outdated reports, including references to reports made more than a decade ago.

### *Legislative History*

On February 4, 2015, the Subcommittee on Communications and Technology met in open markup session to consider a Discussion Draft entitled “To amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens,” and ordered the Discussion Draft favorably forwarded to the full Committee, as amended, by a voice vote.

H.R. 734 was introduced by Representative Steve Scalise (LA-01) on February 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 734 was identical to the Discussion Draft considered by the Subcommittee.

H.R. 734 was referred to the Subcommittee on Communications and Technology on February 6, 2015.

On February 11 and 12, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 734 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On February 24, 2015, the Committee on Energy and Commerce reported H.R. 734 to the House (H. Rept. 114-27), and the bill was placed on the Union Calendar (Calendar No. 19).

On February 24, 2015, H.R. 734 was considered in the House under a motion to suspend the Rules, and the bill was passed,



without amendment, by a roll call vote of 411 yeas and 0 nays (Roll Call No. 85).

On February 25, 2015, H.R. 734 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

S. 253 was introduced by Senator Dean Heller (NV) on January 26, 2015, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On February 26, 2015, the Committee on Commerce, Science, and Transportation ordered S. 253, as amended, to be favorably reported to the Senate.

On May 22, 2015, Senator John Thune (SD) reported S. 253 to the Senate with a written report (Report 114–58), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 100).

On June 10, 2015, S. 253 was considered in the Senate and passed, as amended, by unanimous consent.

On June 11, 2015, S. 253 was received in the House and held at the Speaker's table.

On September 27, 2016, S. 253 passed the House, as amended, by unanimous consent. The short title of S. 253 was amended to “Communications Act Update Act of 2016.”

No further action was taken on the bill.

## IMPROVING RECALL TRACKING ACT

### DISCUSSION DRAFT

#### *Summary*

The bill requires the Secretary of Transportation to establish a national database of vehicle identification numbers and registration information

#### *Legislative History*

On September 25, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on the Discussion Draft entitled “Improving Recall Tracking Act.”

No further action was taken on the bill.

## MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT

### DISCUSSION DRAFT

#### *Summary*

The bill would encourage automotive employees and contractors to disclose information about possible safety violations if they are concealed or go unreported.

#### *Legislative History*

On September 25, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing on the Discussion Draft entitled “Motor Vehicle Safety Whistleblower Act.”

No further action was taken on the bill. Provisions similar to the Discussion Draft were included in H.R. 22.

## OVERSIGHT ACTIVITIES

## WHAT ARE THE ELEMENTS OF SOUND DATA BREACH LEGISLATION?

On January 27, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “What are the Elements of Sound Data Breach Legislation.” The purpose of the hearing was to examine the different state laws dealing with data breach notification and the laws governing commercial data security. The Subcommittee received testimony from Elizabeth Hyman, Executive Vice President, Public Policy, Tech America, powered by CompTIA; Jennifer Glasgow, Chief Privacy Officer, Acxiom Corporation; Brian Dodge, Executive Vice President, Communications and Strategic Initiatives, Retail Industry Leaders Association; and Woodrow Hartzog, Associate Professor, Cumberland School of Law.

## UPDATE: PATENT DEMAND LETTER PRACTICES AND SOLUTIONS

On February 26, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Update: Patent Demand Letter Practices and Solutions.” The purpose of the hearing was to examine the practice of sending demand letters on a large scale that contain inaccuracies, misrepresentations, or omissions in order to extract unjustified payments from businesses and individuals. The Subcommittee received testimony from Vince Malta, Liaison for Law and Policy, National Association of Realtors; Paul Gugliuzza, Associate Professor, Boston University School of Law; Laurie Self, Vice President and Counsel, Government Affairs, Qualcomm; and Vera Ranieri, Staff Attorney, Electronic Frontier Foundation.

## THE INTERNET OF THINGS: EXPLORING THE NEXT TECHNOLOGY FRONTIER

On March 24, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Internet of Things: Exploring the Next Technology Frontier.” The purpose of the hearing was to learn about the emerging Internet of Things marketplace and its role in strengthening the U.S. economy and improving the quality of life for consumers. The Subcommittee received testimony from Daniel Castro, Vice President, Information Technology and Innovation Foundation; Brian Van Harlingen, Chief Technology Officer, Belkin International, Inc.; Rose Schooler, Vice President, Internet of Things Group and GM, IoT Strategy and Technology Office, Intel Corporation; and Brad Morehead, Chief Executive Officer, LiveWatch Security, LLC.

## OVERSIGHT OF THE CONSUMER PRODUCT SAFETY COMMISSION

On May 19, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Oversight of the Consumer Product Safety Commission.” The purpose of the hearing was to examine the Chairman’s priorities and goal while discussing the relationship between the CPSC and the regulated communities. The subcommittee received testimony from Elliot F. Kaye, Chairman, U.S. Consumer Product Safety Commission; Robert S. Adler,

Commissioner, U.S. Consumer Product Safety Commission; Ann Marie Buerkle, Commissioner, U.S. Consumer Product Safety Commission; Joseph Mohorovic, Commissioner, U.S. Consumer Product Safety Commission; Cheryl Falvey, Co-Chair, Advertising and Product Risk Management, Crowell & Moring LLP; Ronald Warfield, Chief Executive Office, ATV/ROV/UTV Safety Consulting; Erik Pritchard, Executive Vice President and General Counsel, Recreational Off-Highway Vehicle Association; and, Heidi Crow-Michael, Winnsboro, Texas

#### AN UPDATE ON THE TAKATA AIRBAG RUPTURES AND RECALLS

On June 2, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “An Update on the Takata Airbag Ruptures and Recalls.” The purpose of this hearing was to review the investigations surrounding the Takata airbag inflator defects and learn about the new and expanded recalls initiated since the Subcommittee’s December 2014 hearing on this issue. The Subcommittee received testimony from Mark Rosekind, Administrator, National Highway Traffic Safety Administration; Kevin Kennedy, Executive Vice President, Takata; David Kelly, Project Director, Independent Testing Coalition; Mitch Bainwol, President and CEO, Alliance of Automobile Manufacturers; and John Bozzella, Chief Executive Officer, Global Automakers.

#### EPA’S PROPOSED OZONE RULE: POTENTIAL IMPACTS ON MANUFACTURING

On June 16, 2015, the Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Energy and Power held a joint hearing entitled “EPA’s Proposed Ozone Rule: Potential Impacts on Manufacturing.” The purpose of this hearing was to examine the potential impacts of the Environmental Protection Agency’s proposed ozone rule on the U.S. manufacturing sector. The Subcommittee received testimony from Ross E. Eisenberg, Vice President, Energy and Resources Policy, National Association of Manufacturers; Erin Monroe Wesley, Executive Vice President and Chief Operating Officer, Baton Rouge Area Chamber; Michael Freeman, Division President, The Americas, WD-40 Company; Stacey-Ann Taylor, Director, Product Stewardship, Henry Company; Louis Anthony Cox, Jr., President, Cox Associates; Gregory B. Diette, Professor of Medicine, Johns Hopkins University School of Medicine on behalf of the American Thoracic Society; and Robert L. Glicksman, J.B. and Maurice C. Shapiro Professor of Environmental Law, George Washington University School of Law.

#### VEHICLE TO VEHICLE COMMUNICATIONS AND CONNECTED ROADWAYS OF THE FUTURE

On June 25, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Vehicle-to-Vehicle Communications and Connected Roadways of the Future.” The purpose of the hearing was to learn about vehicle-to-vehicle (V2V) communications technology and what it means for safety, the future of the nation’s roadways, and the U.S. economy. The Subcommittee received testimony from Peter Sweatman, Director, University of

Michigan Transportation Research Institute; Nat Beuse, Associate Administrator, Vehicle Safety Research, National Highway Traffic Safety Administration; David St. Amant, President and COO, Econolite Group Inc.; Barry Einsig, Global Transportation Executive, Cisco; and Harry Lightsey, Executive Director, Global Connected Customer Experience, General Motors.

THE DISRUPTER SERIES: HOW THE SHARING ECONOMY CREATES JOBS, BENEFITS CONSUMERS, AND RAISES POLICY QUESTIONS

On September 29, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Disrupter Series: How Sharing is Faring: Growth and Adjustment in the Sharing Economy.” The purpose of the hearing was to examine the growth of sharing economies and the platforms that comprise the networks of people and services. The Subcommittee received testimony from Alex Chriss, Vice President and General Manager, Intuit, Inc.; Bob Passmore, Assistant Vice President, Personal Lines Policy, Property Casualty Insurers Association of America; Luceele Smith, Driver, Partner, Uber Technologies, Inc.; Jon Lieber, Chief Economist, Thumbtack; Michael Beckerman, President and CEO, The Internet Association; and Dean Baker, Co-Director, Center for Economic and Policy Research.

EXAMINING WAYS TO IMPROVE VEHICLE AND ROADWAY SAFETY

On October 21, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Examining Ways to Improve Vehicle and Roadway Safety.” The purpose of the hearing was

FIGHTING FRAUD AGAINST THE ELDERLY, AN UPDATE

On October 23, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Fighting Fraud Against the Elderly, an Update.” The purpose of the hearing was to examine how local, state, and Federal agencies are working together to address fraud against the elderly, and what enforcement challenges these agencies face in combating fraud. The Subcommittee received testimony from Daniel Kaufman, Deputy Director, Bureau of Consumer Protection, Federal Trade Commission; Stacy Canan, Deputy Director, Office of Financial Protection for Older Americans, Consumer Financial Protection Bureau; Robert F. Harris, Cook County Public Guardian; Charles Wallace, Associate Professor and Undergraduate Program Director, Computer Science, Michigan Technological University; and Tobie Stanger, Senior Editor, Consumer Reports.

EXAMINING THE EU SAFE HARBOR DECISION AND IMPACTS FOR TRANSATLANTIC DATA FLOWS

On November 3, 2015, the Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology held a joint hearing entitled “Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows.” The purpose of the hearing was to examine the impact on United

States' industry following the European Court of Justice's decision in the Schrems case in which the Court of Justice of the European Union ruled that the U.S.-EU Safe Harbor Framework is no longer available as a valid transfer mechanism for data between the U.S. and the EU. The Subcommittees received testimony from Victoria Espinel, President and CEO, Business Software Alliance; Joshua Meltzer, Senior Fellow, Global Economy and Development, The Brookings Institution; John Murphy, Senior Vice President for International Policy, U.S. Chamber of Commerce; and Marc Rotenberg, President, Electronic Privacy Information Center.

#### THE DISRUPTER SERIES: THE FAST-EVOLVING USES AND ECONOMIC IMPACTS OF DRONES

On November 19, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "The Disrupter Series: The Fast-Evolving Uses and Economic Impacts of Drones." The purpose of the hearing was to examine the commercial uses for drones and the types of drones that are expected to be developed in the next five years. The Subcommittee received testimony from Joshua M. Walden, Senior Vice President and General Manager, New Technology Group, Intel Corporation; John Villasenor, Professor of Public Policy and Electrical Engineering, University of California, Los Angeles, Luskin School of Public Affairs; Brian Wynne, President and CEO, Association for Unmanned Vehicle Systems International; and Margot Kaminski, Assistant Professor, Moritz School of Law, Ohio State University.

#### THE DISRUPTER SERIES: MOBILE PAYMENTS

On December 1, 2015, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "The Disrupter Series: Mobile Payments." The purpose of the hearing was to examine how mobile payment options impact the traditional payment landscape and what hurdles exist for widespread consumer adoption. The Subcommittee received testimony from John Muller, Vice President for Global Payments Policy, PayPal; Sang Ahn, Chief Commercial Officer, U.S. Samsung Pay; Jessica Deckinger, Chief Marketing Officer, Merchant Customer Exchange; and Sarah Jane Hughes, University Scholar and Fellow in Commercial Law, Indiana University Maurer School of Law.

#### INDUSTRY PERSPECTIVES ON THE CONSUMER PRODUCT SAFETY COMMISSION

On February 10, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled "Industry Perspectives on the Consumer Product Safety Commission." The purpose of the hearing was to examine the voluntary standards setting process, the Consumer Product Safety Commission's (CPSC) statutory obligation to evaluate those standards prior to issuing mandatory standards, and how this process impacts industry's ability to adjust and improve standards and compliance activities for consumer products. Additionally, the hearing examined the CPSC's budget request for Fiscal Year 2017 and whether the agency has been efficiently meeting Congressional directives and public safety goals.

The Subcommittee received testimony from Jonathan Gold, Vice President, Supply Chain and Customs Policy, National Retail Federation; Mark Fellin, Director of Regulatory and Legislative Affairs, Juvenile Products Manufacturers Association; Erik Pritchard, Executive Vice President and General Counsel, Recreational Off-Highway Vehicle Association; and Rachel Weintraub, Legislative Director and General Counsel, Consumer Federation of America.

#### DISRUPTER SERIES: 3D PRINTING

On February 26, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Disrupter Series: 3D Printing.” The purpose of the hearing was to examine the types of additive manufacturing that are poised to revolutionize manufacturing in use and in development, as well as the most significant barriers to investment in 3D printing technology. The Subcommittee received testimony from Alan Amling, Vice President, Global Logistics and Marketing, United Parcel Service, Inc.; Edward Herderick, Additive Technologies Leader, GE Corporate Supply Chain and Operations; Neal Orringer, Vice President, Alliances and Partnerships, 3D Systems Corp.; and Ed Morris, Vice President and Director, America Makes, the National Additive Manufacturing Innovation Institute National Center for Defense Manufacturing and Machining.

#### DISRUPTER SERIES: WEARABLE DEVICES

On March 3, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Disrupter Series: Wearable Devices.” The purpose of the hearing was to examine how wearables impact consumer and employer engagement in commerce, data-driven innovation, economic growth, job creation, and obstacles to widespread adoption of these devices. The Subcommittee received testimony from Doug Webster, Vice President for Service Provider Marketing, Cisco; Suresh Palliparambil, American Sales and Business Development Director, NXP; Meg Burich, Director Commercial Development and Marketing, Adidas Digital Sports; Thomas D. Bianculli, Vice President, Emerging Technology Office, Zebra Technologies; and Scott R. Peppet, Professor of Law, University of Colorado Law School.

#### DISRUPTER SERIES: DIGITAL CURRENCY AND BLOCK CHAIN TECHNOLOGY

On March 16, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Disrupter Series: Digital Currency and Blockchain Technology.” The purpose of the hearing was to learn about blockchain technology and digital currencies, the regulatory environment for blockchain technology and digital currencies, and the hurdles that exist for the industry and consumer adoption. The Subcommittee received testimony from John A. Beccia III, General Counsel and Chief Compliance Officer, Circle Internet Financial (on behalf of the Electronic Transactions Association); Jerry Brito, Executive Director, Coin Center; Jerry Cuomo, Vice President Blockchain Technologies, IBM; Matthew Roszak, Chairman, Chamber of Digital Commerce, and Co-Found-

er, Bloq, Inc.; Paul Snow, Chief Architect, Factom; and Juan Suarez, Counsel, Coinbase.

#### NHTSA OVERSIGHT

On April 14, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “NHTSA Oversight.” The purpose of the hearing was to examine changes in vehicle technology, matters related to recent vehicle recalls, FAST Act implementation, advanced automotive technologies, Cybersecurity, and distracted driving. The Subcommittee received testimony from Mark Rosekind, Administrator, National Highway Traffic Safety Administration; Mitch Bainwol, President and CEO, Alliance of Automobile Manufacturers; John Bozzella, President and CEO, Global Automakers; Michael Wilson, CEO, Automotive Recyclers Association; Ann Wilson, Senior Vice President, Motor and Equipment Manufacturers Association; and Jackie Gillan, President, Advocates for Highway and Auto Safety.

#### THE PET MEDICATION INDUSTRY: ISSUES AND PERSPECTIVES

On April 29, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Pet Medication Industry: Issues and Perspectives.” The purpose of the hearing was to examine a variety of issues in the pet medication industry, including consumer protection issues. The Subcommittee received testimony from Tara Koslov, Deputy Director, Office of Policy Planning, Federal Trade Commission; Nathan Smith, Vice President, True Science; and John H. de Jong, Chair Board of Directors, American Veterinary Medical Association.

#### DAILY FANTASY SPORTS: ISSUES AND PERSPECTIVES

On May 11, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Daily Fantasy Sports: Issues and Perspectives.” The purpose of the hearing was to examine the current regulatory environment for fantasy sport operators at the Federal and state level and consumer protection issues. The Subcommittee received testimony from Steve Brubaker, Executive Director, Small Business Fantasy Sports Trade Association; Kurt Eggert, Professor of Law, Chapman University Fowler School of Law; Jordan Gnat, Senior Vice President, Strategic Business Development, Scientific Games; Mark Locke, Chief Executive Officer, Genius Sports; John M. McManus, Executive Vice President, General Counsel and Secretary, MGM Resorts International; Ryan Rodenberg, Assistant Professor, Department of Sport Management, Florida State University; Peter Schoenke, President, Rotowire.com, Chairman, Fantasy Sports Trade Association; and Lindsay Slader, Operations Manager, GeoComply.

#### DISRUPTER SERIES: HEALTH CARE APPS

On July 13, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “The Disrupter Series: Health Care Apps.” The purpose of the hearing was to define and classify health care apps and understand how health care apps are

disrupting the way consumers and professionals engage in the health care system. The Subcommittee received testimony from Diane Johnson, North America Regulatory Affairs Policy and Intelligence Medical Devices, Johnson & Johnson; Matt Patterson, President, AirStrip; E. Ray Dorsey, Professor of Neurology and Director of the Center for Human Experimental Therapeutics, University of Rochester Medical Center; Bettina Experton, President and CEO, Humetrix; Laura Ferris, Assistant Professor, University of Pittsburgh, Department of Dermatology; and Nicolas P. Terry, Hall Render Professor of Law and Executive Director of the William S. and Christine S. Hall Center for Law and Health, Indiana University Robert H. McKinney School of Law.

#### DISRUPTER SERIES: ADVANCED ROBOTICS

On September 14, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Disrupter Series: Advanced Robotics.” The purpose of the hearing was to explore the future of advanced robotics applications, educational initiatives, and how the United States is positioned to leverage these innovations in the future. The Subcommittee received testimony from Jeff Burnstein, President, Robotic Industries Association; Meg Jones, Assistant Professor, Communication, Culture, and Technology, Georgetown University; Dean Kamen, Founder, Dekka Research; Sridhar Kota, Herrick Professor of Engineering, University of Michigan.

#### MIDTERM REVIEW AND UPDATE ON THE CORPORATE AVERAGE FUEL ECONOMY PROGRAM AND GREENHOUSE GAS EMISSIONS STANDARDS FOR MOTOR VEHICLES

On September 22, 2016, the Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Energy and Power held a joint hearing entitled “Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards for Motor Vehicles.” The purpose of the hearing was to examine the status of economic and marketplace estimates and projections made in 2012 and the impact that those assumptions will have on auto manufacturers’ ability to meet increasing fuel economy standards. Furthermore, the hearing explored the CAFE program’s impact on economic growth, innovation, product development and job creation within the auto industry. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; Paul Hemmersbaugh, Chief Counsel, National Highway Traffic Safety Administration; John Bozzella, President and CEO, Global Automakers; Mitch Bainwol, President and CEO, Alliance of Automobile Manufacturers; Peter Welch, President, National Automobile Dealers Association; John D. Graham, Ph.D., Dean, School of Public and Environmental Affairs, Indiana University Bloomington; John German, Senior Fellow/U.S. Co-Lead, The International Council on Clean Transportation; and Mark Cooper, Director of Research, Consumer Federation of America.



#### DISRUPTER SERIES: SELF-DRIVING CARS

On November 15, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Disrupter Series: Self-Driving Cars.” The purpose of the hearing was to examine the impacts self-driving cars will have on vehicular travel, mobility and roadway safety. Furthermore, to examine NHTSA’s guidance and what impacts it will have on development and deployment of self-driving cars. The Subcommittee received testimony from Mark Rosekind, Administrator, National Highway Traffic Safety Administration; Mitch Bainwol, President and CEO, Alliance of Automobile Manufacturers; Ann Wilson, Senior Vice President, Motor & Equipment Manufacturers Association; Gary Shapiro, President and CEO, Consumer Technology Association; Kirk Steudle, Chief Deputy Director, Michigan Department of Transportation; and Laura MacCleery, Vice President Consumer Policy and Mobilization, Consumer Reports.

#### UNDERSTANDING THE ROLE OF CONNECTED DEVICES IN RECENT CYBER ATTACKS

On November 16, 2016, the Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Communications and Technology held a joint hearing entitled “Understanding the Role of Connected Devices in Recent Cyber Attacks.” The purpose of the hearing was to review the series of connected device-based distributed denial of service attacks, understand current countermeasures, and consider future efforts to combat malicious actors that could target vulnerabilities in modern digital infrastructure. The Subcommittees received testimony from Dale Drew, Senior Vice President, Chief Security Officer, Level 3 Communications; Kevin Fu, CEO, Virta Labs, and Associate Professor, Department of Electrical Engineering and Computer Science, University of Michigan; and Bruce Schneier, Adjunct Lecturer, Kennedy School of Government, Harvard University, and Fellow, Berkman Klein Center, Harvard University.

#### MIXED MARTIAL ARTS: ISSUES AND PERSPECTIVES

On December 8, 2016, the Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Mixed Martial Arts: Issues and Perspectives.” The purpose of the hearing was to examine how the structure of the MMA industry is different from that of other professional sports and what these differences mean for policymakers. The Subcommittee received testimony from Randy Couture, President, Xtreme Couture; Lydia Robertson, Treasurer, Association of Boxing Commissions and Combative Sports; Jeff Novitzky, Vice President, Athlete Health and Performance, and Pathology, Alzheimer’s Disease Center, Boston University.

#### HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-4 ....	What are the Elements of Sound Data Breach Legislation? (Subcommittee on Commerce, Manufacturing, and Trade).	January 27, 2015

## HEARINGS HELD—Continued

Serial No.	Hearing Title	Hearing Date(s)
114–14 ..	Update: Patent Demand Letter Practices and Solution. (Subcommittee on Commerce, Manufacturing, and Trade).	February 26, 2015
114–21 ..	Discussion Draft of H.R. _____, Data Security and Breach Notification Act of 2015. (Subcommittee on Commerce, Manufacturing, and Trade).	March 18, 2015
114–26 ..	The Internet of Things: Exploring the Next Technology Frontier. (Subcommittee on Commerce, Manufacturing, and Trade).	March 24, 2015
114–32 ..	H.R. _____, Targeting Rogue and Opaque Letters (TROL) Act. (Subcommittee on Commerce, Manufacturing, and Trade).	April 16, 2015
114–45 ..	Oversight of the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	May 19, 2015
114–49 ..	An Update on the Takata Airbag Ruptures and Recalls. (Subcommittee on Commerce, Manufacturing, and Trade).	June 2, 2015
114–56 ..	EPA's Proposed Ozone Rule: Potential Impacts on Manufacturing. (Subcommittee on Energy and Power and Subcommittee on Commerce, Manufacturing, and Trade).	June 16, 2015
114–60 ..	Vehicle to Vehicle Communications and Connected Roadways of the Future. (Subcommittee on Commerce, Manufacturing, and Trade).	June 25, 2015
114–65 ..	H.R. 985, Concrete Masonry Products Research, Education, and Promotion Act of 2015. (Subcommittee on Commerce, Manufacturing, and Trade).	July 10, 2015
114–78 ..	Legislative Hearing on VIN Database and Auto Whistleblower Bills. (Subcommittee on Commerce, Manufacturing, and Trade).	September 25, 2015
114–80 ..	The Disrupter Series: How the Sharing Economy Creates Jobs, Benefits Consumers, and Raises Policy Questions. (Subcommittee on Commerce, Manufacturing, and Trade).	September 29, 2015
114–87 ..	Examining Ways to Improve Vehicle and Roadway Safety. (Subcommittee on Commerce, Manufacturing, and Trade).	October 21, 2015
114–92 ..	Fighting Fraud Against the Elderly, an Update. (Subcommittee on Commerce, Manufacturing, and Trade).	October 23, 2015
114–97 ..	Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology).	November 3, 2015
114–103	The Disrupter Series: The Fast-Evolving Uses and Economic Impacts of Drones. (Subcommittee on Commerce, Manufacturing, and Trade).	November 19, 2015
114–105	The Disrupter Series: Mobile Payments. (Subcommittee on Commerce, Manufacturing, and Trade).	December 1, 2015
114–116	Industry Perspectives on the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	February 10, 2016
114–120	Disrupter Series: 3D Printing. (Subcommittee on Commerce, Manufacturing, and Trade)	February 26, 2016
114–125	Disrupter Series: Wearable Devices. (Subcommittee on Commerce, Manufacturing, and Trade).	March 3, 2016
114–126	Disrupter Series: Digital Currency and Block Chain Technology. (Subcommittee on Commerce, Manufacturing, and Trade).	March 16, 2016
114–133	NHTSA Oversight. (Subcommittee on Commerce, Manufacturing, and Trade) .....	April 14, 2016
114–142	The Pet Medication Industry: Issues and Perspectives. (Subcommittee on Commerce, Manufacturing, and Trade).	April 29, 2016
114–144	Daily Fantasy Sports: Issues and Perspectives. (Subcommittee on Commerce, Manufacturing, and Trade).	May 11, 2016
114–148	Legislative Hearing on 17 FTC Bills. (Subcommittee on Commerce, Manufacturing, and Trade).	May 24, 2016
114–163	Disrupter Series: Health Care Apps. (Subcommittee on Commerce, Manufacturing, and Trade).	July 13, 2016
114–169	Disrupter Series: Advanced Robotics. (Subcommittee on Commerce, Manufacturing, and Trade).	September 14, 2016
114–171	Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards For Motor Vehicles. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Energy and Power).	September 22, 2016
114–174	Disrupter Series: Self-Driving Cars (Subcommittee on Commerce, Manufacturing, and Trade).	November 15, 2016
114–175	Understanding the Role of Connected Devices in Recent Cyber Attacks. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology).	November 16, 2016
114–179	Mixed Martial Arts: Issues and Perspectives (Subcommittee on Commerce, Manufacturing, and Trade).	December 8, 2016

## SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

(Ratio 18–13)

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*Vice Chairman*

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BEN RAY LUJAN, New Mexico

FRANK PALLONE, Jr., New Jersey

*(Ex Officio)*

*Jurisdiction:* Interstate and foreign telecommunications including, but not limited to, all telecommunication and information transmission by broadcast, radio, wire, microwave, satellite, or other mode.

## LEGISLATIVE ACTIVITIES

### RURAL HEALTH CARE CONNECTIVITY ACT OF 2016

PUBLIC LAW 114–182 (S. 1916, H.R. 4111, H.R. 2576)

To include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934.

#### *Summary*

H.R. 4111 amends the Communications Act of 1934 to include skilled nursing facilities among the types of health care providers eligible for subsidized service under the Universal Service Fund.

#### *Legislative History*

H.R. 4111 was introduced by Representative Leonard Lance (NJ–07) on November 19, 2015, and referred to the Committee on Energy and Commerce. H.R. 4111 was referred to the Subcommittee on Communications and Technology on November 20, 2015.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Seven Communications Bills” and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4111

and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016 the Committee on Energy and Commerce met in open markup session to consider H.R. 4111 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 23, 2016, the Committee on Energy and Commerce reported H.R. 4111 to the House (H. Rept. 114–582), and the bill was placed on the Union Calendar (Calendar No. 452).

No further action was taken on the bill.

On May 24, 2016, the House considered a Senate amendment to H.R. 2576, Frank R. Lautenberg Chemical Safety for the 21st Century Act. A motion offered by Representative John Shimkus (IL–15) to concur in the Senate amendment to H.R. 2576 with an amendment, which included the provisions of H.R. 4111 as Title II, was agreed to by a roll call vote of 403 yeas and 12 nays (Roll Call No. 238).

On May 24, 2016, H.R. 2576, with the House amendment to the Senate amendment, was received in the Senate. On June 7, 2016, the H.R. 2576 was considered in the Senate, and the bill was passed by a voice vote.

On June 14, 2016, H.R. 2576 was presented to the President, and the President signed the bill on June 22, 2016 (Public Law 114–182).

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT PROTECTIONS AGAINST CRAMMING SHOULD BE IMPROVED AND CONSUMERS SHOULD BE EMPOWERED TO STOP UNWANTED THIRD-PARTY CHARGES ON THEIR TELEPHONE BILLS

H. RES. 932

Expressing the sense of the House of Representatives that protections against cramming should be improved and consumers should be empowered to stop unwanted third-party charges on their telephone bills.

*Summary*

H. Res. 932 provides that it is the sense of the House of Representatives that protections against cramming should be improved and consumers should be empowered to stop unwanted third-party charges on their telephone bills.

*Legislative History*

H. Res. 932 was introduced by Representative Janice D. Schakowsky (IL–09) on November 29, 2016, and referred to the Committee on Energy and Commerce.

On December 6, 2016, H. Res. 932 was considered in the House under a motion to suspend the Rules, and the resolution was passed, without amendment, by a voice vote.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT  
ACCESS TO DIGITAL COMMUNICATIONS TOOLS AND CONNECTIVITY  
IS NECESSARY TO PREPARE YOUTH IN THE UNITED STATES TO  
COMPETE IN THE 21ST CENTURY ECONOMY

H. RES. 939

*Summary*

H. Res. 939 provides that it is the sense of the House of Representatives that all students should have access to the digital tools necessary to further their education and compete in the 21st century economy.

*Legislative History*

H. Res. 939 was introduced by Representative Peter Welch (VT–At Large) on November 30, 2016 and referred to the Committee on Energy and Commerce.

On December 6, 2016, H. Res. 932 was considered in the House under a motion to suspend the Rules, and the resolution was passed, without amendment, by a roll call vote of 414 yeas and 1 nay.

DOMAIN OPENNESS THROUGH CONTINUED OVERSIGHT MATTERS ACT  
OF 2014

H.R. 805

To provide for certain requirements relating to the Internet Assigned Numbers Authority stewardship transition.

*Summary*

On March 14, 2014, National Telecommunications and Information Administration (NTIA) announced its intention to transition its oversight of the Internet domain system's root zone functions, performed by the Internet Assigned Numbers Authority (IANA), to the global multi-stakeholder community.

H.R. 805 prohibits the Assistant Secretary of Commerce for Communications and Information from allowing the National Telecommunications and Information Administration's role in the performance of the Internet Assigned Numbers Authority functions to terminate, lapse, or otherwise cease until 30 legislative days after the Assistant Secretary submits a report to Congress.

Such report must contain the proposal relating to the transition of the NTIA's stewardship of the IANA functions that was developed in a process convened by the Internet Corporation for Assigned Names and Numbers (ICANN) at the request of NTIA. Furthermore, the report must contain certifications by the Assistant Secretary that the proposal: supports and enhances the multistakeholder model of Internet governance; maintains the security, stability, and resiliency of the Internet domain name system; meets the needs and expectations of the global customers and partners of IANA services; maintains the openness of the Internet; and does not replace the role of NTIA with a government-led or intergovernmental organization solution.

*Legislative History*

H.R. 805 was introduced by Representative John Shimkus (IL-15) on February 5, 2015, and referred to the Committee on Energy and Commerce. H.R. 805 was referred to the Subcommittee on Communications and Technology on February 6, 2015.

On May 13, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Stakeholder Perspectives on the IANA Transition” and received testimony on the bill.

On June 10, 2015, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 805 and forwarded the bill to the full Committee, as amended, by a voice vote.

On June 16 and 17, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 805 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On June 23, 2015, the Committee on Energy and Commerce reported H.R. 805 to the House (H. Rept. 114-75), and the bill was placed on the Union Calendar (Calendar No. 130).

On June 23, 2015, H.R. 805 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 378 yeas and 25 nays (Roll Call No. 377).

On June 24, 2016, H.R. 805 was received in the Senate, read twice, and on July 14, 2016, the bill was referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF  
2015

H.R. 2583

To amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes.

*Summary*

H.R. 2583 amends the Communications Act of 1934 to require the Federal Communications Commission (FCC or Commission) to complete a rulemaking proceeding to adopt rules establishing: minimum comment and reply periods for rulemakings; policies to ensure that the public has sufficient notice to respond to comments, ex parte communications, or materials submitted near the end, or after, the comment period; deadlines for public notice; and procedures to include the specific language of proposed rules or amendments in proposed rulemaking notices. The legislation would require the FCC to establish procedures for publishing on the Commission’s website and submitting reports to Congress regarding: the status of open rulemakings and items circulated for review; the number of pending petitions, applications, complaints, and other requests for action and the amount of time such requests have been pending; and pending congressional investigations of the FCC and the cost of such investigations.

H.R. 2583 requires performance measures be included in notices of proposed rulemakings or orders that would substantially change a program activity, defined as each FCC program listed in the Federal budget, as well as each program through which the FCC collects or distributes \$100 million or more. The bill includes a periodic review clause requiring the Commission to initiate a new rulemaking proceeding every five years to continue its consideration of procedural rule changes. The legislation requires the Commission to seek public comment on whether the Commission should establish procedures for allowing a bipartisan majority of Commissioners to place an order or action on the agenda of an open meeting; establish procedures for ensuring all Commissioners have adequate time to review the proposed Commission decision document; and establish procedures for publishing the text of agenda items to be voted on at an open meeting in advance of the open meeting to allow time for the public review. The legislation also adds a new procedure for non-public meetings of the Commission, subject to disclosure requirements.

The legislation also contains statutory requirements for the Commission, including a requirement to publish on its website information including budget and personnel data, and any policies or procedures that are established by the Chairman that relate to the FCC's function or its agenda. Finally, the bill requires annual reports to Congress on the FCC's performance in conducting its proceedings and meeting the deadlines established in the act.

#### *Legislative History*

On May 20, 2015, the Subcommittee on Communications and Technology met in open markup session to consider a Committee Print entitled "Federal Communications Commission Process Reform Act of 2015" and forwarded the Committee Print to the full Committee, without amendment, by a voice vote.

H.R. 2583 was introduced by Representative Greg Walden (OR-02) on May 29, 2015, and referred to the Committee on Energy and Commerce. H.R. 2583 was identical to the Committee Print considered by the Subcommittee.

On June 2 and 3, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2583 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On October 22, 2015, the Committee on Energy and Commerce reported H.R. 2583 to the House (H. Rept. 114-305), and the bill was placed on the Union Calendar (Calendar No. 231).

On November 16, 2015, H.R. 2583 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On November 17, 2015, H.R. 2583 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

A BILL TO AMEND THE COMMUNICATIONS ACT OF 1934 TO REQUIRE THE FEDERAL COMMUNICATIONS COMMISSION TO PUBLISH ON ITS INTERNET WEBSITE THE TEXT OF ANY ITEM THAT IS ADOPTED BY VOTE OF THE COMMISSION NOT LATER THAN 24 HOURS AFTER RECEIPT OF DISSENTING STATEMENTS FROM ALL COMMISSIONERS WISHING TO SUBMIT SUCH A STATEMENT WITH RESPECT TO SUCH ITEM

H.R. 2589

A bill to Amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website the text of any item that is adopted by vote of the Commission not later than 24 hours after receipt of dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.

*Summary*

H.R. 2589 amends the Communications Act of 1934 to require the Federal Communications Commission (FCC), for items adopted by an FCC vote, to publish on the FCC website the text of such items within 24 hours after the FCC Secretary has received dissenting statements from all Commissioners wishing to submit such statements.

*Legislative History*

On April 30, 2015, the Subcommittee on Communications and Technology held a hearing entitled “FCC Reauthorization: Improving Commission Transparency” and received testimony on a Committee Print entitled “H.R. —, to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption.”

On May 20, 2015, the Subcommittee on Communications and Technology met in open markup session to consider the Committee Print and forwarded the bill to the full Committee, without amendment, by a roll call vote of 17 yeas and 13 nays.

H.R. 2589 was introduced by Representative Renee Ellmers (NC–02) on June 1, 2015, and referred to the Committee on Energy and Commerce. H.R. 2589 was referred to the Subcommittee on Communications and Technology on June 5, 2015.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2589 and ordered the bill favorably reported to the House, as amended, by voice vote.

On May 23, 2016, the Committee on Energy and Commerce reported H.R. 2589 to the House (H. Rept. 114–581), and the bill was placed on the Union Calendar (Calendar No. 451).

On May 23, 2016, H.R. 2589 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On May 24, 2016, H.R. 2589 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.



## NO RATE REGULATION OF BROADBAND INTERNET ACCESS ACT

H.R. 2666

To prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service.

*Summary*

H.R. 2666 prohibits the Federal Communications Commission (FCC or Commission) from regulating the rates charged for broadband Internet access service. The bill clarifies that nothing in the bill shall be construed to affect the FCC's authority to administer the Universal Service program. The legislation also includes exceptions for the Commission to enforce regulations relating to truth-in-billing requirements and paid prioritization.

*Legislative History*

H.R. 2666 was introduced by Representative Adam Kinzinger (IL-16) on June 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 2666 was referred to the Subcommittee on Communications and Technology on June 5, 2015.

On January 12, 2016, the Subcommittee on Communications and Technology held a hearing entitled "Legislative hearing on Four Communications Bills" and received testimony on the bill.

On February 10 and 11, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 2666 and forwarded to the full Committee, without amendment, by a roll call vote of 15 yeas and 11 nays.

On March 14 and 15, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2666 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 29 yeas and 19 nays.

On March 30, 2016, the Committee on Energy and Commerce reported H.R. 2666 to the House (H. Rept. 114-478), and the bill was placed on the Union Calendar (Calendar No. 364).

On April 15, 2016, H.R. 2666 was considered in the House pursuant to the provisions of H. Res. 672, and the bill was passed, as amended, by a roll call vote of 241 yeas and 173 nays (Roll Call No. 152).

On April 18, 2016, H.R. 2666 was received in the Senate, and on April 20, 2016, H.R. 2666 was read the first time and placed on the Senate Legislative calendar under Read the First Time. On April 21, 2016, H.R. 2666 was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 431).

No further action was taken on the bill.

## SECURING ACCESS TO NETWORKS IN DISASTERS ACT

H.R. 3998

To direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes.

### *Summary*

H.R. 3998 requires the Federal Communications Commission to submit to Congress and publish on its website a report on the technical feasibility, public safety benefits, and cost of providing the public with access to 9–1–1 services during times of emergency when mobile service is unavailable through service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum available to the general public for access to 9–1–1 services during times of emergencies when mobile service is unavailable. The bill also amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to expand the categories of essential service providers to include specific telecommunications services, including wireline or mobile telephone, Internet access, cable, radio or television broadcasting, or direct broadcast satellite.

### *Legislative History*

H.R. 3998 was introduced by Representative Frank Pallone, Jr. (NJ–06) on November 16, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period subsequently determined by the Speaker. H.R. 3998 was referred to the Subcommittee on Communications and Technology on November 20, 2015.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Seven Communications Bills” and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 3998 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016 the Committee on Energy and Commerce met in open markup session to consider H.R. 3998 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 23, 2016, the Committee on Energy and Commerce reported H.R. 3998 to the House (H. Rept. 114–583, Part 1), and the bill was placed on the Union Calendar (Calendar No. 453).

On May 23, 2016, H.R. 3998 was considered in the House under a motion to suspend the Rules, and the bill passed, as amended, by a roll call vote of 389 yeas and 2 nays (Roll Call No. 230).

On May 24, 2016, H.R. 3998 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

### KARI’S LAW ACT OF 2016

H.R. 4167

To amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes.

### *Summary*

H.R. 4167 prohibits businesses from manufacturing or selling multi-line telephone systems in the United States unless it is pre-configured to allow users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix. The bill also prohibits businesses from installing or operating multi-line telephone systems without a direct dial 9–1–1 call configuration.

### *Legislative History*

H.R. 4167 was introduced by Representative Louie Gohmert (TX–01) on December 3, 2015, and referred to the Committee on Energy and Commerce. H.R. 4167 was referred to the Subcommittee on Communications and Technology on December 4, 2015.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Seven Communications Bills” and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4167 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016 the Committee on Energy and Commerce met in open markup session to consider H.R. 4167 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 23, 2016, the Committee on Energy and Commerce reported H.R. 4167 to the House (H. Rept. 114–579), and the bill was placed on the Union Calendar (Calendar No. 449).

On May 23, 2016, H.R. 4167 was considered in the House under a motion to suspend the Rules, and the bill passed, as amended, by a voice vote.

On May 24, 2016, H.R. 4167 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

## SMALL BUSINESS BROADBAND DEPLOYMENT ACT

H.R. 4596

To ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements.

### *Summary*

The Federal Communications Commission’s (FCC or Commission) 2015 Open Internet Order included enhanced transparency requirements for broadband Internet access service providers. Recognizing the burden these requirements placed on small businesses, the FCC temporarily exempted small internet service providers with 100,000 or fewer subscribers from these disclosures until December 2016. H.R. 4596 would extend the exemption for small businesses for five years and requires the Commission to submit a report to Congress with its recommendations on whether or not the exemption should be made permanent and whether the

definition of “small business” as defined in the statute should be modified.

#### *Legislative History*

On January 12, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Four Communications Bills” and received testimony on a Discussion Draft entitled “Small Business Broadband Deployment Act.”

On February 10 and 11, 2016, the Subcommittee on Communications and Technology met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft to the full Committee, without amendment, by a voice vote.

H.R. 4596 was introduced by Representative Greg Walden (OR-02) on February 24, 2016, and referred to the Committee on Energy and Commerce. H.R. 4596 was identical to the Discussion Draft considered by the Subcommittee.

On February 24, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4596 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On March 7, 2016, the Committee on Energy and Commerce reported H.R. 4596 to the House (H. Rept. 114-444), and the bill was placed on the Union Calendar (Calendar No. 339).

On March 10, 2016, the Committee on Energy and Commerce filed a supplemental report to H.R. 4596 (H. Rept. 114-444, Part 2).

On March 16, 2016, H.R. 4596 was considered pursuant to the provisions of H. Res. 640, and the bill was passed, without amendment, by a roll call vote of 411 yeas and 0 nays (Roll Call No. 124).

On March 17, 2016, H.R. 4596 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

#### KELSEY SMITH ACT

H.R. 4889

To amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement office in an emergency situation involving risk of death or serious physical injury or in order to respond to the user’s call for emergency services.

#### *Summary*

H.R. 4889 amends the Communications Act of 1934 to require a mobile or Internet voice service provider to disclose, at the request of a law enforcement officer, the call location information of a device when it has been used to call 9-1-1 for emergency assistance, or for a device reasonably believed to be in the possession of an individual who is in an emergency situation that involves a risk of death or serious physical harm. The bill would allow states to keep their current laws or to adopt more stringent requirements.

*Legislative History*

H.R. 4889 was introduced by Representative Kevin Yoder (KS-03) on March 23, 2016, and referred to the Committee on Energy and Commerce. H.R. 4889 was referred to the Subcommittee on Communications and Technology on March 25, 2016.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Seven Communications Bills” and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4889 and forwarded the bill to the full Committee, as amended, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4889 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 23, 2016, the Committee on Energy and Commerce reported H.R. 4889 to the House (H. Rept. 114-580), and the bill was placed on the Union Calendar (Calendar No. 452).

On May 23, 2016, H.R. 4889 was considered in the House under a motion to suspend the Rules, and the bill was defeated by a roll call vote of 229 yeas and 158 nays (Roll Call No. 229) (pursuant to clause 1(a) of Rule XV of the Rules of the House, a motion to suspend the Rules requires a vote of two-thirds of the Members voting.).

No further action was taken on the bill.

## AMATEUR RADIO PARITY ACT OF 2015

H.R. 1301

To direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur radio service communications.

*Summary*

H.R. 1301 directs the Federal Communications Commission to amend regulations concerning the height and dimensions of station antenna structures to prohibit a private land use restriction from applying to amateur service communications if the restriction precludes such communications, fails to accommodate such communications, or does not constitute the minimum practicable restriction to accomplish the legitimate purpose of the private entity seeking to enforce the restriction.

*Legislative History*

H.R. 1301 was introduced by Representative Adam Kinzinger (IL-16) on March 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 1301 was referred to the Subcommittee on Communications and Technology on March 6, 2015.

On January 12, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Four Communications Bills” and received testimony on the bill.

On February 10 and 11, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R.

1301 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On July 12 and 13, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 1301 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 9, 2016, the Committee on Energy and Commerce reported H.R. 1301 to the House (H. Rept. 114-732), and the bill was placed on the Union Calendar (Calendar No. 568).

On September 12, 2016, H.R. 1301 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On September 13, 2016, H.R. 1301 was received in the Senate. No further action was taken on the bill.

#### ANTI-SWATTING ACT OF 2015

H.R. 2031

To amend the Communications Act of 1934 to provide for enhanced penalties for the transmission of misleading or inaccurate caller identification information with the intent to trigger a response by a law enforcement agency.

##### *Summary*

H.R. 2031 creates enhanced penalties for the transmission of misleading or inaccurate caller identification information with the intent of triggering a law enforcement response, including fines and imprisonment. The bill directs the court to order anyone convicted of the violation to reimburse law enforcement, government agencies, and any private organization that responds to a swatting call with emergency services for any expenses incurred.

##### *Legislative History*

H.R. 2031 was introduced by Representative Eliot Engel (NY-16) on April 27, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 2031 was referred to the Subcommittee on Communications and Technology on May 1, 2015.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Seven Communications Bills” and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4111 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2031 and ordered the bill favorably reported to the House, as amended, by a voice vote.

No further action was taken on the bill.

A BILL TO AMEND THE COMMUNICATIONS ACT OF 1934 TO REQUIRE  
THE FEDERAL COMMUNICATIONS COMMISSION TO PUBLISH ON THE  
WEBSITE OF THE COMMISSION DOCUMENTS TO BE VOTED ON BY  
THE COMMISSION

H.R. 2592

A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on the website of the Commission documents to be voted on by the Commission.

*Summary*

H.R. 2592 amends the Communications Act of 1934 to prohibit the Federal Communications Commission from adopting orders, decision, reports, or actions by vote of the Commission unless the Chairman causes the text to be published on the Commission's website not later than either twenty-four hours after such text is circulated for review by the Commissioners, or twenty-one days before the vote. H.R. 2592 includes exemptions for orders, decision, report, or action if the publishing of such portion is likely to lead to disclosure of information exempt from disclosure under Federal administrative procedure laws.

*Legislative History*

On April 30, 2015, the Subcommittee on Communications and Technology held a hearing entitled "FCC Reauthorization: Improving Commission Transparency" and received testimony on a Discussion Draft entitled "H.R. —, to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on the website of the Commission documents to be voted on by the Commission."

On May 20, 2015, the Subcommittee on Communications and Technology met in open markup session to consider the Discussion Draft and forwarded the bill to full Committee, as amended, by a voice vote.

H.R. 2592 was introduced by Representative Adam Kinzinger (IL-16) on June 1, 2015, and referred to the Committee on Energy and Commerce. On June 5, 2015, the bill was referred to the Subcommittee on Communications and Technology.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2592 and ordered the bill favorably reported to the House, without amendment, by a roll call vote of 30 yeas and 22 nays.

No further action was taken on H.R. 2592.

A BILL TO AMEND THE COMMUNICATIONS ACT OF 1934 TO REQUIRE  
IDENTIFICATION AND DESCRIPTION ON THE WEBSITE OF THE FED-  
ERAL COMMUNICATIONS COMMISSION OF ITEMS TO BE DECIDED  
ON AUTHORITY DELEGATED BY THE COMMISSION

H.R. 2593

A bill to amend the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of items to be decided on authority delegated by the Commission.

### *Summary*

H.R. 2593 amends the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of the items to be decided at the bureau level by direction of the Chairman. The bill requires identification and description to be published on the Commission website at least 48 hours before the action is taken.

### *Legislative History*

On April 30, 2015, the Subcommittee on Communications and Technology held a hearing entitled “FCC Reauthorization: Improving Commission Transparency” and received testimony on a Discussion Draft entitled “H.R. —, to amend the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of items to be decided on authority delegated by the Commission.”

On May 20, 2015, the Subcommittee on Communications and Technology met in open markup session to consider the Discussion Draft and forwarded the bill to the full Committee, without amendment, by a roll call vote of 16 yeas and 12 nays.

H.R. 2593 was introduced by Representative Robert E. Latta (OH-05) on June 1, 2015, and referred to the Committee on Energy and Commerce. H.R. 2593 was referred to the Subcommittee on Communications and Technology on June 5, 2015.

On April 27 and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2593 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

No further action was taken on the bill.

## SPECTRUM CHALLENGE PRIZE ACT OF 2015

H.R. 4190

To promote innovation, investment, and economic growth by accelerating spectrum efficiency through a challenge prize competition.

### *Summary*

H.R. 4190 requires the National Telecommunications Information Administration (NTIA) to conduct prize competitions to accelerate the development and commercialization of technology that improves spectrum efficiency and is capable of cost-effective deployment. The bill authorizes the Department of Commerce to enter into an agreement with a private or non-profit entity to administer the competition and award to a winner up to \$5,000,000 in prize compensation. The bill also requires the Federal Communications Commission to publish a technical paper on spectrum efficiency, providing criteria that may be used for the design of the prize competition.

### *Legislative History*

H.R. 4190 was introduced by Representative Doris Matsui (CA-06) on December 8, 2015, and referred to the Committee on Energy



and Commerce. H.R. 4190 was referred to the Subcommittee on Communications and Technology on December 11, 2015.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Seven Communications Bills” and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4190 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016 the Committee on Energy and Commerce met in open markup session to consider H.R. 4190 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

No further action was taken on the bill.

#### FEDERAL SPECTRUM INCENTIVE ACT OF 2015

H.R. 1641

To amend the National Telecommunications Information Administration Organization Act to provide incentives for the reallocation of Federal Government spectrum for commercial use, and for other purposes.

#### *Summary*

H.R. 1641 amends the Commercial Spectrum Enhancement Act to allow Federal entities to participate in an incentive auction and voluntarily relinquish their licenses to be auctioned for commercial use. In exchange for participation, the bill would allow participating Federal entities to receive a percentage of auction proceeds for discontinuing or relocating operations on those frequencies. Current law only allows for entities to be reimbursed for the costs of sharing with nonfederal users or relocating. Funds from the proceeds would be placed into a fund at the Office of Management and Budget, to be used by participating agencies to offset sequestration or relocation and sharing.

#### *Legislative History*

H.R. 1641 was introduced by Representative Brett Guthrie (KY-02) on March 26, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker. H.R. 1641 was referred to the Subcommittee on Communications and Technology on March 27, 2015.

On October 7, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Improving Federal Spectrum Systems” and received testimony on the bill.

On December 2, 2015, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 1641 and forwarded the bill to the full Committee, without amendment, by a voice vote.

No further action was taken on the bill.

## END TAXPAYER FUNDED CELL PHONES ACT OF 2016

H.R. 5525, H.R. 4884

To amend the Communications Act of 1934 to place an annual cap on support provided through the Lifeline program of the Federal Communications Commission and to provide for certain other requirements relating to such program.

*Summary*

The bill would place a statutory cap of \$1.5 billion on the Lifeline fund of the Federal Communications Commission and would prohibit the use of the subsidy to be used towards devices, and eliminate the subsidy for voice-only mobile service. The bill would also require a GAO report on the effectiveness of the cap in reducing waste, fraud, and abuse in the Lifeline program.

H.R. 5525 is similar to H.R. 4884 in that the bill would prohibit providers of commercial mobile service or commercial mobile service from receiving support from the Universal Service Fund for provision of such service through the Federal Communications Commission's Lifeline program.

*Legislative History*

H.R. 4884, Controlling the Unchecked and Reckless Ballooning of Lifeline Act of 2016, was introduced by Representative Austin Scott (GA-08) on March 23, 2016, and referred to the Committee on Energy and Commerce. H.R. 4884 was referred to the Subcommittee on Communications and Technology on March 25, 2016.

On April 13, 2016, the Subcommittee on Communications and Technology held a hearing entitled "Legislative Hearing on Seven Communications Bills" and received testimony on the bill.

On April 18 and 19, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 4884 and forwarded the bill to the full Committee, as amended, by a roll call vote of 17 yeas and 11 nays.

No further action was taken on the bill.

H.R. 5525, End Taxpayer Funded Cell Phones Act of 2016, was introduced by Representative Austin Scott (GA-08) on June 16, 2016, and referred to the Committee on Energy and Commerce.

On June 21, 2016, H.R. 5525 was considered under a motion to suspend the Rules and the bill was defeated by a roll call vote of 207 yeas and 143 nays (Roll Call No. 334) (pursuant to clause 1(a) of Rule XV of the Rules of the House, a motion to suspend the Rules requires a vote of two-thirds of the Members voting.).

TO PROVIDE FOR THE ESTABLISHMENT OF AN INVENTORY OF FEDERAL ASSETS TO PROVIDE INFORMATION TO ENTITIES THAT CONSTRUCT OR OPERATE BROADBAND FACILITIES OR PROVIDE BROADBAND SERVICE AND TO PROVIDE FOR THE TRACKING OF APPLICATIONS TO LOCATE OR MODIFY BROADBAND FACILITIES ON FEDERAL REAL PROPERTY

## DISCUSSION DRAFT

To provide for the establishment of an inventory of Federal assets to provide information to entities that construct or operate

broadband facilities or provide broadband service and to provide for the tracking of applications to locate or modify broadband facilities on Federal real property.

#### *Summary*

The Discussion Draft would require the National Telecommunications and Information Administration (NTIA) to establish and maintain a database of Federal assets on which broadband infrastructure can be attached or installed. The Discussion Draft requires all landholding agencies to provide the requisite information and a point of contact for permitting purposes. The Discussion Draft also requires clear identification of properties implicated as historic properties. The Discussion Draft requires timely updates to the data and also requires NTIA to ensure that the data is adequately protected from cybersecurity risks and other dangers.

Similarly, the Discussion Draft also provides for discretion to determine whether the data on Federal property may be too sensitive to include in the database for reasons of national security and allows for exemptions. The Discussion Draft also charges the Senior Real Property Officer (SRPO) of each landholding agency with the responsibility of tracking the permit process and assessing whether the agency has fulfilled its obligation to improving the permitting process for broadband deployment. The Federal Real Property Council, which is comprised of all SRPOs, must provide an annual report to Congress, detailing the progress in improving the permitting process for broadband deployment.

#### *Legislative History*

On October 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Breaking Down Barriers to Broadband Infrastructure Deployment” and received testimony on the Discussion Draft entitled “To provide for the establishment of an inventory of Federal assets to provide information to entities that construct or operate broadband facilities or provide broadband service and to provide for the tracking of applications to locate or modify broadband facilities on Federal real property.”

On December 2, 2015, the Subcommittee on Communications and Technology met in open markup session to consider the Discussion Draft entitled “To provide for the establishment of an inventory of Federal assets to provide information to entities that construct or operate broadband facilities or provide broadband service and to provide for the tracking of applications to locate or modify broadband facilities on Federal real property” and forwarded the Discussion Draft to the full Committee, without amendment, by a voice vote.

No further action was taken on the bill.

### ANTI-SPOOFING ACT OF 2015

H.R. 2669

To amend the Communications Act of 1934 to expand and clarify the prohibition on provisions of inaccurate caller identification information, and for other purposes.

### *Summary*

H.R. 2669 extends provisions in the Truth in Caller ID Act of 2009, which prohibits entities from transmitting misleading or inaccurate caller identification information, to include text messaging as well as Voice over Internet Protocol services. The bill also amends the Communications Act of 1934 to expand the prohibition of inaccurate caller identification information to persons outside the United States if the recipient is within the United States.

### *Legislative History*

H.R. 2669 was introduced by Representative Grace Meng (NY-06) on June 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 2669 was referred to the Subcommittee on Communications and Technology on June 5, 2015.

On January 12, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Legislative Hearing on Four Communications Bills” and received testimony on the bill.

On September 12 and 13, 2016, the Subcommittee on Communications and Technology met in open markup session to consider H.R. 2669 and forwarded the bill, without amendment, to the full Committee by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2669 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On November 14, 2016, the Committee on Energy and Commerce reported H.R. 2669 to the House (H. Rept. 114-806), and the bill was placed on the Union Calendar (Calendar No. 630).

On November 14, 2016, was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 382 yeas and 5 nays (Roll No. 576).

On November 15, 2016, H.R. 2669 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

No further action was taken on the bill.

## BROADBAND CONDUIT DEPLOYMENT ACT OF 2015

H.R. 3805

To amend title 23, United States Code, to provide for the inclusion of broadband conduit installation in certain highway construction projects, and for other purposes.

### *Summary*

H.R. 3805 requires the Department of Transportation, in conjunction with National Telecommunications Information Administration and the Federal Communications Commission, to evaluate whether broadband conduit should be installed in any highway construction project using Federal funds. If the evaluation indicates that additional broadband capacity would be needed in the next 15 years, the project must include the deployment of broadband conduit. Further, the bill states that broadband conduit must be made available by the states to any broadband provider at cost-based

rates and the availability of the broadband conduit must be published in the National Broadband Map.

#### *Legislative History*

H.R. 3805 was introduced by Representative Anna G. Eshoo (CA-18) on October 22, 2015, and referred to the Committee on Transportation and Infrastructure. H.R. 3805 was referred to the Subcommittee on Highways and Transit on October 23, 2015.

On October 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Breaking Down Barriers to Broadband Infrastructure Deployment” and received testimony on the bill.

No further action was taken on the bill.

TO AMEND THE COMMUNICATIONS ACT OF 1934 TO ENSURE INTERNET OPENNESS, TO PROHIBIT BLOCKING LAWFUL CONTENT AND NON-HARMFUL DEVICES, TO PROHIBIT THROTTLING DATA, TO PROHIBIT PAID PRIORITIZATION, TO REQUIRE TRANSPARENCY OF NETWORK MANAGEMENT PRACTICES, TO PROVIDE THAT BROADBAND SHALL BE CONSIDERED TO BE AN INFORMATION SERVICE, AND TO PROHIBIT THE COMMISSION OR A STATE COMMISSION FROM RELYING ON SECTION 706 OF THE TELECOMMUNICATIONS ACT OF 1996 AS A GRANT OF AUTHORITY

#### DISCUSSION DRAFT

To amend the Communications Act of 1934 to ensure Internet openness, to prohibit blocking lawful content and non-harmful devices, to prohibit throttling data, to prohibit paid prioritization, to require transparency of network management practices, to provide that broadband shall be considered to be an information service, and to prohibit the Commission or a state commission from relying on section 706 of the Telecommunications Act of 1996 as a grant of authority.

#### *Summary*

The Discussion Draft would establish bright line rules for fixed and wireless forms of broadband Internet access service providers. The rules prohibit: blocking of lawful content; blocking of non-harmful devices; throttling of lawful traffic by selectively slowing, speeding, degrading, or enhancing traffic based on source, destination, or content; and bans paid prioritization of traffic. The bill retains and codifies the Federal Communications Commission’s (FCC or Commission) requirement that broadband Internet access service providers disclose accurate and relevant information regarding network management practices, performance, and commercial terms of its services in plain language sufficient for consumers to make informed choices about their choice of providers.

The legislation directs the FCC to enforce these obligations by adopting formal complaint procedures and to interpret and apply them by adjudicating alleged violations. The draft would also restore Congressional intent that section 706 of the Telecommunications Act of 1996 is not a direct grant of authority. Finally, the Discussion Draft proposes to codify broadband Internet access service’s classification as an information service.

*Legislative History*

On January 21, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Protecting the Internet and Consumers Through Congressional Action” and received testimony on a Discussion Draft entitled “To amend the Communications Act of 1934 to ensure Internet openness, to prohibit blocking lawful content and non-harmful devices, to prohibit throttling data, to prohibit paid prioritization, to require transparency of network management practices, to provide that broadband shall be considered to be an information service, and to prohibit the Commission or a state commission from relying on section 706 of the Telecommunications Act of 1996 as a grant of authority.”

No further action was taken on the Discussion Draft.

## FCC REAUTHORIZATION ACT OF 2015

## DISCUSSION DRAFT

To amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission and to streamline the provisions governing the assessment of offsetting collections by the Commission, to provide for an independent Inspector General for the Commission, and for other purposes.

*Summary*

The Discussion authorizes funds for the Federal Communications Commission (FCC or Commission) to carry out functions of the Commission. The legislation also authorizes funds for the Commission to carry out the broadcast incentive auction, and funds to carry out Universal Service support programs.

The reauthorization includes provisions establishing guidelines for the FCC on collecting application and regulatory fees for the purposes of offsetting the authorized appropriations. The bill provides flexibility for the Commission to adjust the schedule of application and regulatory fees under certain provisions, but requires the Commission to notify Congress immediately following any such changes. The Discussion Draft would also establish an independent Inspector General authority at the FCC.

*Legislative History*

On March 19, 2015, the Subcommittee on Communications and Technology held a hearing entitled “FCC Reauthorization: Oversight of the Commission” and received testimony on the Discussion Draft.”

No further action was taken on the Discussion Draft.

## TO AMEND THE COMMUNICATIONS ACT OF 1934 TO MAKE CERTAIN CHANGES WITH RESPECT TO THE REGULATION OF POLE ATTACHMENTS, AND FOR OTHER PURPOSES

## DISCUSSION DRAFT

To amend the Communications Act of 1934 to make certain changes with respect to the regulation of pole attachments, and for other purposes.

### *Summary*

The Discussion Draft requires Federally owned poles to charge the same FCC-determined rate as investor-owned utilities. The Discussion Draft also applies a nondiscriminatory access requirement across the board to all pole owners. The Discussion Draft also requires states that opt to regulate pole attachments within their own states, certify that the state's regulation ensures nondiscriminatory access to all broadband service providers.

The Discussion Draft also requires all pole owners to provide the Federal Communications Commission (FCC) with rate data in order to allow the FCC to report on rate data annually. Pole owners are also required to provide the FCC with pole location data to facilitate an inventory of pole locations. The Discussion Draft also requires the FCC to conduct an inquiry reviewing make-ready costs the costs required to rearrange attachments or completely replace a pole in order to accommodate a new attachment. It also clarifies that pole tops, which are a prime location for wireless broadband attachments, are part of the usable space of the pole.

### *Legislative History*

On October 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled "Breaking Down Barriers to Broadband Infrastructure Deployment" and received testimony on the Discussion Draft entitled "To amend the Communications Act of 1934 to make certain changes with respect to the regulation of pole attachments, and for other purposes."

No further action was taken on the Discussion Draft.

TO PROVIDE FOR THE STREAMLINING AND ACCELERATION OF THE HISTORICAL REVIEW OF BROADBAND FACILITIES AND FOR THE STREAMLINING AND ACCELERATION OF THE PREPARATION OF ENVIRONMENTAL IMPACT STATEMENTS REGARDING SUCH FACILITIES, AND FOR OTHER PURPOSES

### DISCUSSION DRAFT

To provide for the streamlining and acceleration of the historical review of broadband facilities and for the streamlining and acceleration of the preparation of environmental impact statements regarding such facilities, and for other purposes.

### *Summary*

The Discussion Draft requires the Federal Communications Commission (FCC) to work to expand its Nationwide Programmatic Agreement (NPA) to expedite section 106 reviews for wireless broadband tower siting. The Discussion Draft would require Department of Interior, Department of Defense, and the Forest Service to determine whether they could also eliminate their reviews in favor of the FCC's section 106 evaluation. Additionally, the Discussion Draft requires that the FCC begin the process of developing an NPA for wireline projects. If an FCC section 106 process for wireline is adopted, the Discussion Draft requires Department of Homeland Security, Department of Interior, Department of Defense, and the Forest Service to evaluate whether they can eliminate their section 106 reviews in favor of the FCC's.

Also, the Discussion Draft requires similar steps to be taken on the reviews required of agencies by the National Environmental Preservation Act. It first requires the Council on Environmental Quality to consider whether any of its regulations for evaluating broadband undertakings by Federal agencies could be streamlined or consolidated. The Discussion Draft then requires Federal agencies to determine whether they can further consolidate their own reviews in order to eliminate duplication of effort and delays in deployment.

#### *Legislative History*

On October 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Breaking Down Barriers to Broadband Infrastructure Deployment” and received testimony on the Discussion Draft entitled “To provide for the streamlining and acceleration of the historical review of broadband facilities and for the streamlining and acceleration of the preparation of environmental impact statements regarding such facilities, and for other purposes.”

No further action was taken on the Discussion Draft.

TO PROVIDE FOR THE STREAMLINING OF CONSIDERATION BY THE DEPARTMENT OF THE INTERIOR, THE FOREST SERVICE, AND THE DEPARTMENT OF DEFENSE OF APPLICATIONS TO LOCATE OR MODIFY BROADBAND FACILITIES, AND FOR OTHER PURPOSES

#### DISCUSSION DRAFT

To provide for the streamlining of consideration by the Department of the Interior, the Forest Service, and the Department of Defense of applications to locate or modify broadband facilities, and for other purposes.

#### *Summary*

The Discussion Draft requires the Department of Interior, the Forest Service, and the Department of Defense to determine by rulemaking whether they can streamline and consolidate permitting requirements among their bureaus and offices. Once the rulemaking has been completed, the Discussion Draft requires the agencies to communicate and enforce the new processing guidelines to all field offices, or bases, in the case of the Department of Defense.

#### *Legislative History*

On October 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Breaking Down Barriers to Broadband Infrastructure Deployment” and received testimony on the Discussion Draft entitled “To provide for the streamlining of consideration by the Department of the Interior, the Forest Service, and the Department of Defense of applications to locate or modify broadband facilities, and for other purposes.”

No further action was taken on the Discussion Draft.



TO AMEND THE MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT  
OF 2012 TO ESTABLISH DEADLINES FOR THE ADMINISTRATOR OF  
GENERAL SERVICES TO DEVELOP COMMON FORMS, FEES, AND  
MASTER CONTRACTS FOR THE LOCATION OF WIRELESS FACILITIES  
ON FEDERAL PROPERTY, AND FOR OTHER PURPOSES

DISCUSSION DRAFT

To amend the Middle Class Tax Relief and Job Creation Act of 2012 to establish deadlines for the Administrator of General Services to develop common forms, fees, and master contracts for the location of wireless facilities on Federal property, and for other purposes.

*Summary*

Section 6409(c) of the Middle Class Tax Relief and Job Creation Act of 2012 directed the General Services Administration (GSA) to develop master forms, contracts, and section 6409 fee schedules. By standardizing the placement of wireless antennas, among other considerations, these master contracts would lower real estate costs and streamline local zoning and permitting for network infrastructure. Despite a deadline in 2012 deadline, GSA has only recently completed its task, but it lacks the authority to ensure that agencies employ the template documents. The Discussion Draft requires all landholding agencies to use these templates when leasing space for wireless broadband attachments.

*Legislative History*

On October 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Breaking Down Barriers to Broadband Infrastructure Deployment” and received testimony on the Discussion Draft entitled “To amend the Middle Class Tax Relief and Job Creation Act of 2012 to establish deadlines for the Administrator of General Services to develop common forms, fees, and master contracts for the location of wireless facilities on Federal property, and for other purposes.”

No further action was taken on the Discussion Draft.

OVERSIGHT ACTIVITIES

THE UNCERTAIN FUTURE OF THE INTERNET

On February 25, 2015, the Subcommittee on Communications and Technology held a hearing entitled “The Uncertain Future of the Internet.” The purpose of the hearing was to examine the legal, economic, and policy repercussions of the Federal Communications Commission’s proposed action to reclassify broadband Internet access services as a telecommunications service subject to Title II of the Communications Act of 1934. The Subcommittee received testimony from Robert Atkinson, Founder and President, Information Technology and Innovations Foundation; Rick Boucher, Honorary Chairman, Internet Innovation Alliance; Larry Downes, Internet industry analyst and author; and Gene Kimmelman, President and CEO, Public Knowledge.

REAUTHORIZATION OF THE FEDERAL COMMUNICATIONS COMMISSION:  
THE FCC'S FY 2016 BUDGET REQUEST

On March 4, 2015, the Subcommittee on Communications and Technology held a hearing entitled "Reauthorization of the Federal Communications Commission: The FCC's FY 2016 Budget Request." The purpose of the hearing was to discuss and evaluate the Federal Communications Commission's fiscal year 2016 budget request. The Subcommittee received testimony from Jon Wilkins, Managing Director, Federal Communications Commission.

FCC REAUTHORIZATION: OVERSIGHT OF THE COMMISSION

On March 19, 2015, the Subcommittee on Communications and Technology held a hearing entitled "FCC Reauthorization: Oversight of the Commission." The purpose of the hearing was to conduct oversight of the Federal Communications Commission's policy decisions and the process by which it reaches them. The Subcommittee received testimony from Tom Wheeler, Chairman, Federal Communications Commission; Mignon Clyburn, Commissioner, Federal Communications Commission; Jessica Rosenworcel, Commissioner, Federal Communications Commission; Ajit Pai, Commissioner, Federal Communications Commission; and Michael O'Rielly, Commissioner, Federal Communications Commission.

NEXT STEPS FOR SPECTRUM POLICY

On March 26, 2015, the Subcommittee on Communications and Technology held a hearing entitled "Next Steps for Spectrum Policy." The purpose of the hearing was to examine the state of the Federal Communications Commission's preparations for its planned 2016 broadcast incentive auction, Commission work to expand and improve the use of the 5 GHz band for unlicensed services, and future plans for expanding access to spectrum resources. The Subcommittee received testimony from Gary Epstein, Chair, Incentive Auction Task Force, Federal Communications Commission; Julius Knapp, Chief, Office of Engineering and Technology, Federal Communications Commission; John Leibovitz, Deputy Bureau Chief, Wireless Telecommunications Bureau and Special Advisor to the Chairman for Spectrum Policy; and Roger Sherman, Chief, Wireless Telecommunications Bureau, Federal Communications Commission.

PROGRESS TOWARD A NATIONWIDE PUBLIC SAFETY BROADBAND  
NETWORK

On June 16, 2015, the Subcommittee on Communications and Technology held a hearing entitled "Progress Toward a Nationwide Public Safety Broadband Network." The purpose of the hearing was to conduct oversight and examine progress of the First Responder Network Authority (FirstNet), an independent authority within the National Telecommunications and Information Administration charged with creating a nationwide, interoperable broadband public safety network and applications to advance public safety communications. The Subcommittee received testimony from T.J. Kennedy, Acting Executive Director, FirstNet; and Stu Davis, State

Chief Information Officer, Assistant Director, Ohio Department of Administrative Services.

#### INTERNET GOVERNANCE AFTER ICANN 53

On July 8, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Internet Governance After ICANN 53.” The hearing focused on the global Internet community’s meeting in Buenos Aires, Argentina for the Internet Corporation for Assigned Names and Numbers’ fifty-third meeting, which continued discussing and planning for a transition of the Internet Assigned Numbers Authority stewardship. The Subcommittee received testimony from Larry Strickling, Assistant Secretary for Communications and Information and Administrator of the National Telecommunications and Information Administration; and Fadi Chehadé, President and CEO, ICANN.

#### PROMOTING BROADBAND INFRASTRUCTURE DEPLOYMENT

On July 22, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Promoting Broadband Infrastructure Deployment.” The purpose of the hearing was to update the Subcommittee on the state of broadband deployment and to examine policies that could help encourage investment in and deployment of broadband infrastructure. The Subcommittee received testimony from Jonathan Adelstein, President and CEO, PCIA; Stephen Roe Lewis, Governor, Gila River Indian Community, Arizona; Craig Moffett, Senior Research Analyst, Moffett Nathanson; Michael Slinger, Director, Google Fiber Cities; and Deb Socia, Executive Director, Next Century Cities.

#### CONTINUED OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On July 28, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Continued Oversight of the Federal Communications Commission.” The purpose of the hearing was to examine policy decisions by the Federal Communications Commission and the process by which it reached them. The Subcommittee received testimony from Tom Wheeler, Chairman, Federal Communications Commission; and Ajit Pai, Commissioner, Federal Communications Commission.

#### BROADCASTING OWNERSHIP IN THE 21ST CENTURY

On September 25, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Broadcasting Ownership in the 21st Century.” The hearing reconvened on December 3, 2015. The purpose of the hearing was to examine broadcaster ownership rules and examine their relevancy in the modern media industry. The Subcommittee received testimony from Paul Boyle, Senior Vice President of Public Policy, Newspaper Association of America; Kim Keenan, President and CEO, Multicultural Media, Telecom and Internet Council; Jason Kint, CEO, Digital Content Next; Todd O’Boyle, Program Director, Media and Democracy Reform Initiative, Common Cause; Michael Scurato, Vice President,

Policy, National Hispanic Media Coalition; and Gerry Waldron, Partner, Covington and Burling, on behalf of the National Association of Broadcasters.

#### COMMON CARRIER REGULATION OF THE INTERNET: INVESTMENT IMPACTS

On October 27, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Common Carrier Regulation of the Internet: Investment Impacts.” The purpose of the hearing was to examine economic data related to technology and communications sector of the United States economy following the Federal Communications Commission’s reclassification of wireless and wired broadband Internet access service as telecommunication services in its February 26, 2015 Open Internet Order. The Subcommittee received testimony from Nicholas Economides, Professor of Economics, Stern School of Business, New York University; Frank Louthan, Managing Director, Equity Research, Raymond James Financial; Michael Mandel, Chief Economic Strategist, Progressive Policy Institute; and Robert Shapiro, Co-Founder and Chairman, Sonecon LLC.

#### EXAMINING THE EU SAFE HARBOR DECISION AND IMPACTS FOR TRANSATLANTIC DATA FLOWS

On November 3, 2015, the Subcommittee on Communications and Technology and the Subcommittee on Commerce, Manufacturing, and Trade held a joint hearing entitled “Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows.” The purpose of the hearing was to examine the impact on United States’ industry following the European Court of Justice’s decision in the Schrems case in which the Court of Justice of the European Union ruled that the U.S.-EU Safe Harbor Framework is no longer available as a valid transfer mechanism for data between the U.S. and the EU. The Subcommittees received testimony from Victoria Espinel, President and CEO, Business Software Alliance; Joshua Meltzer, Senior Fellow, Global Economy and Development, The Brookings Institution; John Murphy, Senior Vice President for International Policy, U.S. Chamber of Commerce; and Marc Rotenberg, President, Electronic Privacy Information Center.

#### OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On November 17, 2015, the Subcommittee on Communications and Technology held a hearing entitled “Oversight of the Federal Communications Commission.” The purpose of the hearing was to examine the policy decisions of the Federal Communications Commission and the process by which it reached them. The Subcommittee received testimony from Tom Wheeler, Chairman, Federal Communications Commission; Mignon Clyburn, Commissioner, Federal Communications Commission; Jessica Rosenworcel, Commissioner, Federal Communications Commission; Ajit Pai, Commissioner, Federal Communications Commission; and Michael O’Rielly, Commissioner, Federal Communications Commission.

#### STATUS OF THE PUBLIC SAFETY BROADBAND NETWORK

On February 2, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Status of the Public Safety Broadband Network.” The purpose of the hearing was to continue the Committee’s oversight of the First Responder Network Authority’s progress in the deployment of the Public Safety Broadband Network. The hearing also examined the Federal Communications Commission’s progress in satisfying its statutory duties toward the effort. The Subcommittee received testimony from David Furth, Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission; and T.J. Kennedy, President, First Responder Network Authority.

#### PRIVATIZING THE INTERNET ASSIGNED NUMBER AUTHORITY

On March 17, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Privatizing the Internet Assigned Number Authority.” The purpose of the hearing was to continue discussing and planning for a transition of the Internet Assigned Numbers Authority stewardship following the Internet Corporation for Assigned Names and Numbers’ fifty-fifth meeting in Marrakech, Morocco. The Subcommittee received testimony from Alissa Cooper, Chair, IANA Stewardship Transition Coordination Group; Steve DelBianco, Executive Director, NetChoice; David A. Gross, former U.S. Coordinator, International Communications and Information Policy, Wiley Rein LLP; Audrey Plonk, Director, Global Security and Internet Governance Policy, Intel Corporation; Matthew Shears, Representative and Director, Global Internet Policy and Human Rights Project, Center for Democracy and Technology; and Sally Shipman Wentworth, Vice President of Global Policy Development, Internet Society.

#### OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On March 22, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Oversight of the Federal Communications Commission.” The purpose of the hearing was to examine the policy decisions of the Federal Communications Commission and the process by which it reached them. The Subcommittee received testimony from Tom Wheeler, Chairman, Federal Communications Commission; Mignon Clyburn, Commissioner, Federal Communications Commission; Jessica Rosenworcel, Commissioner, Federal Communications Commission; Ajit Pai, Commissioner, Federal Communications Commission; and Michael O’Rielly, Commissioner, Federal Communications Commission.

#### FCC OVERREACH: EXAMINING THE PROPOSED PRIVACY RULES

On June 14, 2016, the Subcommittee on Communications and Technology held a hearing entitled “FCC Overreach: Examining the Proposed Privacy Rules.” The purpose of the hearing was to examine the Federal Communications Commission’s proposed rules on privacy requirements for broadband internet service providers. The Subcommittee received testimony from Doug Brake, Telecommunications Policy Analyst, Information Technology and Innovation

Foundation; Jon Leibowitz, 21st Century Privacy Coalition; and Paul Ohm, Professor, Center on Privacy and Technology, Georgetown University Law Center.

#### OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

On July 12, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Oversight of the Federal Communications Commission.” The purpose of the hearing was to examine the policy decisions of the Federal Communications Commission and the process by which it reached them. The Subcommittee received testimony from Tom Wheeler, Chairman, Federal Communications Commission; Mignon Clyburn, Commissioner, Federal Communications Commission; Jessica Rosenworcel, Commissioner, Federal Communications Commission; Ajit Pai, Commissioner, Federal Communications Commission; and Michael O’Rielly, Commissioner, Federal Communications Commission.

#### RURAL CALL QUALITY AND RELIABILITY

On September 8, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Rural Call Quality and Reliability.” The purpose of the hearing was to learn about issues contributing to poor call quality and reliability in rural areas and to discuss policies to increase transparency and accountability of third party intermediate routers. The Subcommittee received testimony from Eric LeBeau, General Manager, Dakin Farm; and Lance Miller, President, McClure Telephone Company.

#### MODERNIZING THE TELEPHONE CONSUMER PROTECTION ACT

On September 22, 2016, the Subcommittee on Communications and Technology held a hearing entitled “Modernizing the Telephone Consumer Protection Act.” The purpose of the hearing was to consider the challenges faced by consumers and companies in a world where technology and consumer behavior may have outpaced the language of the Telephone Consumer Protection Act of 1991. The Subcommittee received testimony from Shaun W. Mock, CPA, Chief Financial Officer, Snapping Shoals Electric Membership; Richard D. Shockey, Principal, Shockey Consulting; Michelle Turano, Vice President, Government Affairs and Public Policy, WellCare; and Spencer W. Waller, Professor, Director, Institute for Consumer Antitrust Studies, Loyola University Chicago.

#### UNDERSTANDING THE ROLE OF CONNECTED DEVICES IN RECENT CYBER ATTACKS

On November 16, 2016, the Subcommittee on Communications and Technology and the Subcommittee on Commerce, Manufacturing, and Trade held a joint hearing entitled “Understanding the Role of Connected Devices in Recent Cyber Attacks.” The purpose of the hearing was to review the series of connected device-based distributed denial of service attacks, understand current countermeasures, and consider future efforts to combat malicious actors that could target vulnerabilities in modern digital infrastructure. The Subcommittees received testimony from Dale Drew, Senior

Vice President, Chief Security Officer, Level 3 Communications; Kevin Fu, CEO, Virta Labs, and Associate Professor, Department of Electrical Engineering and Computer Science, University of Michigan; and Bruce Schneier, Adjunct Lecturer, Kennedy School of Government, Harvard University, and Fellow, Berkman Klein Center, Harvard University.

## HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-1 ....	Protecting the Internet and Consumers Through Congressional Action. (Subcommittee on Communications and Technology).	January 21, 2015
114-12 ..	The Uncertain Future of the Internet. (Subcommittee on Communications and Technology).	February 25, 2015
114-19 ..	Reauthorization of the Federal Communications Commission: The FCC's FY 2016 Budget Request. (Subcommittee on Communications and Technology).	March 4, 2015
114-24 ..	FCC Reauthorization: Oversight of the Commission. (Subcommittee on Communications and Technology).	March 19, 2015
114-28 ..	Next Steps for Spectrum Policy. (Subcommittee on Communications and Technology) ....	March 26, 2015
114-37 ..	FCC Reauthorization: Improving Commission Transparency. (Subcommittee on Communications and Technology).	April 30, 2015
114-41 ..	Stakeholder Perspectives on the IANA Transition. (Subcommittee on Communications and Technology).	May 13, 2015
114-43 ..	FCC Reauthorization: Improving Commission Transparency Part II. (Subcommittee on Communications and Technology).	May 15, 2015
114-57 ..	Progress Toward a Nationwide Public Safety Broadband Network. (Subcommittee on Communications and Technology).	June 16, 2015
114-62 ..	Internet Governance Progress After ICANN 53. (Subcommittee on Communications and Technology).	July 8, 2015
114-68 ..	Promoting Broadband Infrastructure Investment. (Subcommittee on Communications and Technology).	July 22, 2015
114-70 ..	Continued Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 28, 2015
114-77 ..	Broadcast Ownership in the 21st Century. (Subcommittee on Communications and Technology).	September 25, 2015, December 3, 2015
114-84 ..	Improving Federal Spectrum Systems. (Subcommittee on Communications and Technology).	October 7, 2015
114-93 ..	Common Carrier Regulation of the Internet: Investment Impacts. (Subcommittee on Communications and Technology).	October 27, 2015
114-95 ..	Breaking Down Barriers to Broadband Infrastructure Deployment. (Subcommittee on Communications and Technology).	October 28, 2015
114-97 ..	Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology).	November 3, 2015
114-101	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	November 17, 2015
114-110	A Legislative Hearing on Four Communications Bills. (Subcommittee on Communications and Technology).	January 12, 2016
114-112	Status of the Public Safety Broadband Network. (Subcommittee on Communications and Technology).	February 2, 2016
114-128	Privatizing the Internet Assigned Number Authority. (Subcommittee on Communications and Technology).	1March 17, 2016
114-129	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	March 22, 2016
114-132	Legislative Hearing on Seven Communications Bills. (Subcommittee on Communications and Technology).	April 13, 2016
114-154	FCC Overreach: Examining the Proposed Privacy Rules. (Subcommittee on Communications and Technology).	June 14, 2016
114-161	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 12, 2016
114-166	Rural Call Quality and Reliability. (Subcommittee on Communications and Technology)	September 8, 2016
114-172	Modernizing the Telephone Consumer Protection Act. (Subcommittee on Communications and Technology).	September 22, 2016

## HEARINGS HELD—Continued

Serial No.	Hearing Title	Hearing Date(s)
114–175	Understanding the Role of Connected Devices in Recent Cyber Attacks. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology).	November 16, 2016



## SUBCOMMITTEE ON ENERGY AND POWER

(Ratio 18–13)

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FRANK PALLONE, Jr., New Jersey

*(Ex Officio)*

\*Representative Ed Whitfield (R-KY) resigned from the Committee on Energy and Commerce on September 6, 2016. A vacancy exists on the Committee and subcommittees for which he was a member, including the chairmanship of the Subcommittee on Energy and Power.

*Jurisdiction:* National energy policy generally; Fossil energy, renewable energy resources and synthetic fuels, energy conservation, energy information; Energy regulation and utilization; Utility issues and regulation of nuclear facilities; Interstate energy compacts; Nuclear energy; The Clean Air Act and air emissions; and, All laws, programs, and government activities affecting such matters.

## LEGISLATIVE ACTIVITIES

### ENERGY EFFICIENT IMPROVEMENT ACT OF 2015

PUBLIC LAW 114–11 (S. 535, S. 1, H.R. 906, H.R. 873)

To promote energy efficiency.

#### *Summary*

Title I directs various Federal agencies to take steps to promote energy efficiency. The General Services Administration (GSA) is directed to develop model commercial leasing provisions and best practices to encourage cost-effective energy efficiency and cost-effective water efficiency measures. The Department of Energy (DOE) is directed to study the feasibility of improving energy efficiency in commercial buildings with high performance energy efficiency measures and of encouraging the implementation of such measures.

The Environmental Protection Agency (EPA) is directed to develop a voluntary Tenant Star program to promote energy effi-

ciency in separate spaces leased by tenants or otherwise occupied within commercial buildings and develop methods of recognition for commercial building occupants that achieve lower levels of energy consumption. And the Energy Information Administration is directed to collect and publish, through its Commercial Buildings Energy Consumption Surveys, data on various aspects of the property, building operation, or building occupancy relevant to lowering energy consumption.

Title II establishes energy conservation standards for grid-enabled water heaters for use as part of an electric thermal storage or demand response program, including labeling, reporting, and other requirements.

Title III requires that a Federal agency, when leasing space in a building without an Energy Star label, must include in its lease provisions requirements that the space's energy efficiency be measured against a nationally-recognized benchmark.

DOE is required to study and report on various matters related to energy efficiency and consumption of commercial and multifamily buildings, and also to maintain a database for storing and making available public energy-related information on commercial and multifamily buildings.

#### *Legislative History*

H.R. 906 was introduced by Representative Ed Whitfield (KY-01) on February 11, 2015, and referred to the Committee on Energy and Commerce. On February 13, 2015, H.R. 906 was referred to the Subcommittee on Energy and Power.

On March 19, 2015, the Subcommittee on Energy and Power held a hearing on H.R. 906.

On April 14 and 15, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 906 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On June 9, 2015, the Committee on Energy and Commerce reported H.R. 906 to the House (H. Rept. 114-142), and the bill was placed on the Union Calendar (Calendar No. 102).

No further action was taken on the bill.

Provisions similar to H.R. 906 were included in S. 535.

S. 535 was introduced by Senator Rob Portman (OH) on February 23, 2015, read the first time, and placed on the Senate Legislative Calendar under Read the First Time.

On February 24, 2015, S. 535 was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 23).

On March 27, 2015, S. 535 was considered in the Senate and passed, without amendment, by a voice vote. On April 13, 2015, S. 535 was received in the House and referred to the Committee on Energy and Commerce.

On April 21, 2015, S. 535 was considered in the House under a motion to the suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On April 23, 2015, S. 535 was presented to the President, and the President signed the bill on April 30, 2015 (Public Law 114-11).

## TO ADAPT TO CHANGING CRUDE OIL MARKET CONDITIONS

PUBLIC LAW 114–113 (TITLE I OF DIVISION O OF H.R. 2029, H.R. 702)

To adapt to changing crude oil market conditions.

*Summary*

The bill amends the Energy Policy and Conservation Act to repeal the authority of the President to restrict the export of coal, petroleum products, natural gas, petrochemical feedstocks and supplies of related materials or equipment. The bill also provides that no official of the Federal Government shall impose or enforce any restriction on the export of crude oil, except in specified instances, such as the declaration of a national emergency.

*Legislative History*

H.R. 702 was introduced by Representative Joe Barton (TX–06) on February 4, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker. H.R. 702 was referred to the Subcommittee on Energy and Power on February 6, 2015.

On July 9, 2015, the Subcommittee on Energy and Power held a hearing on H.R. 702.

On September 10, 2015, the Subcommittee on Energy and Power met in open markup session to consider H.R. 702 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On September 17, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 702 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 31 yeas and 19 nays.

On September 25, 2015, the Committee on Energy and Commerce reported H.R. 702 to the House (H. Rept. 114–267, Part I), the bill was placed on the Union Calendar (Calendar No. 203).

On October 1, 2015, the Committee on Energy and Commerce filed a supplemental report on H.R. 702 (H. Rept. 114–267, Part II).

On October 9, 2015, H.R. 702 was considered in the House pursuant to the provisions of H. Res. 466, and the bill was passed by a roll call vote of 261 yeas and 159 nays (Roll Call No. 549).

On October 19, 2015, H.R. 702 was received in the Senate, read twice, and referred to the Committee on Banking, Housing, and Urban Affairs.

No further action was taken on the bill.

On December 17, 2015, H.R. 2029, Consolidated Appropriations Act, 2016, was considered in the House pursuant to the provisions of H. Res. 566, with specified amendments, including provisions similar to H.R. 702.

On December 18, 2015, H.R. 2029 was presented to and signed by the President (Public Law 114–113).

TO AMEND THE DEPARTMENT OF ENERGY ORGANIZATION ACT AND  
THE LOCAL PUBLIC WORKS CAPITAL DEVELOPMENT AND INVEST-  
MENT ACT OF 1976 TO MODERNIZE TERMS RELATING TO MINORI-  
TIES

PUBLIC LAW 114–157 (H.R. 4238)

To amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

*Summary*

H.R. 4238 revises the definitions of both “minority” in the Department of Energy Organization Act and “minority group members” in the Local Public Works Capital Development and Investment Act of 1976 to mean Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Native American, or Alaska Native.

*Legislative History*

H.R. 4238 was introduced by Representative Grace Meng (NY–06) on December 11, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker. H.R. 4238 was referred to the Subcommittee on Energy and Power on December 18, 2015.

On February 10 and 11, 2016, the Subcommittee on energy and Power met in open markup session to consider H.R. 4238 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 24 and 25, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4238 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On April 21, 2015, S. 535 was considered in the House under a motion to the suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On February 29, 2016, H.R. 4238 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 376 yeas and 0 nays (Roll Call No. 102).

On March 1, 2016, H.R. 4238 was received in the Senate and read twice.

On May 9, 2016, H.R. 4238 was considered in the Senate and passed, without amendment, by unanimous consent.

On May 13, 2016, H.R. 4238 was presented to the President, and the President signed the bill on May 20, 2016 (Public Law 114–157).

PIPES ACT OF 2016

PUBLIC LAW 114–183 (S. 2276, H.R. 5050)

To amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

### *Summary*

S. 2276 reauthorizes the Pipeline and Hazardous Materials Safety Administration's (PHMSA) pipeline safety program through fiscal year 2019 and includes mandates to increase transparency and accountability, complete overdue regulations, and improve safety.

The most recent pipeline safety law passed by Congress, the "Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011" (P.L. 112-90, Pipeline Safety Act of 2011), imposed several mandates on PHMSA, some still to be completed.

S. 2276 contains targeted mandates for PHMSA to increase public transparency and accountability, which will facilitate the completion of overdue regulations. The legislation also strengthens safety standards for certain types of facilities, such as underground gas storage reservoirs and oil pipelines that cross under deep freshwater bodies and requires a number studies to inform Congress of emerging issues relating to pipeline integrity management, damage prevention, and corrosion control.

S. 2276 also addresses the gas leak at the Aliso Canyon Underground Storage Facility in California and codifies the Department of Energy and PHMSA interagency task force concept and requires the taskforce to report to Congress on the incident.

### *Legislative History*

On March 1, 2016, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled the "Pipeline Safety Act of 2016."

On March 16, 2015, the Subcommittee on Energy and Power met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft to the full Committee, without amendment, by a voice vote.

H.R. 5050 was introduced by Representative Fred Upton (MI-06) on April 26, 2016, and referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 5050 was similar to the Discussion Draft considered by the Subcommittee.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 5050 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On June 10, 2016, the Committee on Energy and Commerce reported H.R. 5050 to the House (H. Rept. 114-617, Part I).

No further action was taken on the bill.

S. 2276 was introduced by Senator Deb Fischer (NE) on November 10, 2015, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On December 9, 2015, the Committee on Commerce, Science, and Transportation ordered S. 2276, as amended, to be favorably reported to the Senate by a voice vote.

On February 24, 2016, Senator John Thune (SD) reported S. 2276 to the Senate (Rept. 114-209), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 370).

On March 3, 2016, S. 2276 was considered in the Senate and passed, as amended, by unanimous consent.

On March 7, 2016, S. 2276 was received in the House.

On June 8, 2016, S. 2276 was considered in the House under a motion to suspend the Rules, and the bill was passed, with an amendment, by a voice vote.

On June 13, 2016, S. 2276 was considered in the Senate and passed, with a House amendment, by unanimous consent.

On June 16, 2016, S. 2276 was presented to the President, and the President signed the bill on June 22, 2016 (Public Law 114–183).

### KEYSTONE XL PIPELINE APPROVAL ACT

S. 1, H.R. 3, H.R. 873, H.R. 906

A bill to approve the Keystone XL Pipeline.

#### *Summary*

Section 2 authorizes TransCanada Keystone Pipeline, L.P. to construct, connect, operate, and maintain the pipeline and cross-border facilities specified in an application filed by TransCanada Corporation to the Department of State on May 4, 2012.

Section 3 directs the Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy to act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

Section 4 declares that nothing in this Act relieves the United States of its responsibility to consult with Indian nations as required under Executive Order 13175.

Section 5 expresses the sense of the Senate that climate change is real and not a hoax.

Section 6 expresses the sense of the Senate that Congress should approve a bill, originated by the House, to ensure that all forms of bitumen or synthetic crude oil derived from bitumen are subject to the per-barrel excise tax associated with the Oil Spill Liability Trust Fund.

Title I of Division B directs various Federal agencies to take steps to promote energy efficiency. The General Services Administration (GSA) is directed to develop model commercial leasing provisions and best practices to encourage cost-effective energy efficiency and cost-effective water efficiency measures. DOE is directed to study the feasibility of improving energy efficiency in commercial buildings with high performance energy efficiency measures and of encouraging the implementation of such measures.

The Environmental Protection Agency (EPA) is directed to develop a voluntary Tenant Star program to promote energy efficiency in separate spaces leased by tenants or otherwise occupied within commercial buildings and develop methods of recognition for commercial building occupants that achieve lower levels of energy consumption. And the Energy Information Administration is directed to collect and publish, through its Commercial Buildings Energy Consumption Surveys, data on various aspects of the property,

building operation, or building occupancy relevant to lowering energy consumption.

Title II of Division B establishes energy conservation standards for grid-enabled water heaters for use as part of an electric thermal storage or demand response program, including labeling, reporting, and other requirements.

Title III of Division B requires that a Federal agency, when leasing space in a building without an Energy Star label, must include in its lease provisions requirements that the space's energy efficiency be measured against a nationally-recognized benchmark.

DOE is required to study and report on various matters related to energy efficiency and consumption of commercial and multifamily buildings, and also to maintain a database for storing and making available public energy-related information on commercial and multifamily buildings.

#### *Legislative History*

H.R. 3 was introduced by Representative Kevin Cramer (ND-al) on January 6, 2015, and referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, and the Committee on Natural Resources, for a period to be subsequently determined by the Speaker.

On January 9, 2015, H.R. 3 was considered in the House pursuant to the provisions of H. Res. 19, and the bill was passed, without amendment, by a roll call vote of 266 yeas, 153 nays, and 1 present (Roll Call No. 16).

On January 12, 2015, H.R. 3 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 3).

No further action was taken on the bill.

S. 1 was introduced by Senator John Hoeven (ND) on January 6, 2015, read the first time, and placed on the Senate Legislative Calendar under Read the First Time.

On January 7, 2015, S. 1 was read the second time and placed on the Senate Legislative Calendar under General Orders (Calendar No. 1).

On January 13, 16, 20, 21, 22, 26, 27, 28, and 29, 2015, S. 1 was considered in the Senate and passed, as amended, by a roll call vote of 62 yeas and 35 nays (Roll Call No. 49).

On January 30, 2015, S. 1 was received in the House and held at the desk.

On February 11, 2015, S. 1 was considered in the House pursuant to the provisions of H. Res. 100, and the bill was passed, without amendment, by a roll call vote of 270 yeas, 152 nays (Roll Call No. 74).

On February 24, 2015, S. 1 was presented to the President, and the President vetoed the bill.

On February 24, 2015, the President's veto message was received in the Senate and held at the desk.

On March 4, 2015, the veto message on S. 1 was considered in the Senate and the motion to pass S. 1, the objections of the President to the contrary notwithstanding, was defeated by a roll call vote of 62 yeas and 37 nays (Roll Call No. 68) (pursuant to Article

1, section 7 of the U.S. Constitution, a motion to override a veto must be approved by two-thirds of each the Senate and House).

The provisions contained in Division B, Energy Efficiency Improvement, were included in S. 535 (P.L. 114–11).

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO “STANDARDS OF PERFORMANCE FOR GREENHOUSE GAS EMISSIONS FROM NEW, MODIFIED, AND RECONSTRUCTED STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS”

S.J. RES. 23, H.J. RES. 71

A Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units”.

#### *Summary*

The joint resolution provides, pursuant to chapter 8 of title 5, United States Code, that Congress disapproves the rule submitted by the Environmental Protection Agency relating to “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units” (published at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

#### *Legislative History*

H.J. Res. 71 was introduced by Representative Ed Whitfield (KY–01) on October 26, 2015, and referred to the Committee on Energy and Commerce. On October 30, 2015, H.J. Res. 71 was referred to the Subcommittee on Energy and Power.

On November 3, 2015, the Subcommittee on Energy and Power met in open markup session to consider H.J. Res. 71 and forwarded the joint resolution to the full Committee, without amendment, by a roll call vote of 15 ayes and 12 nays.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.J. Res. 71, and ordered the joint resolution favorably reported to the House, without amendment, by a roll call vote of 28 ayes and 20 nays.

On November 19, 2015, the Committee on Energy and Commerce reported H.J. Res. 71 to the House (H. Rept. 114–348), and the joint resolution was placed on the Union Calendar (Calendar No. 266).

No further action was taken on the joint resolution, but H.J. Res. 71 was identical to S.J. Res. 23.

S.J. Res. 23 was introduced by Senator Mitch McConnell (KY) on October 26, 2015, read twice, and referred to the Committee on Environment and Public Works. On November 16, 2015, the Committee was discharged by petition pursuant to 5 U.S.C. 802(c), and the joint resolution was placed on the Senate Legislative Calendar under General Orders (Calendar No. 293).



On November 17, 2015, S.J. Res. 23 was considered in the Senate and passed, without amendment, by a roll call vote of 52 yeas and 46 nays (Roll Call No. 307).

On November 18, 2015, S.J. Res. 23 was received in the House and held at the desk.

On November 30, 2015, S.J. Res. 23 was considered in the House pursuant to the provisions of H. Res. 539, and the joint resolution was passed, without amendment, by a roll call vote of 235 yeas and 188 nays (Roll Call No. 651).

On December 18, 2015, S.J. Res. 23 was presented to the President, and the President vetoed the joint resolution.

On January 11, 2016, the President's veto message was received in the Senate and held at the desk.

No further action was taken on the joint resolution.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "CARBON POLLUTION EMISSION GUIDELINES FOR EXISTING STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS"

S.J. RES. 24, H.J. RES. 72

A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units".

#### *Summary*

The joint resolution provides, pursuant to chapter 8 of title 5, United States Code, that Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (published at 80 Fed. Reg. 64662 (October 23, 2015)), and such rule shall have no force or effect.

#### *Legislative History*

H.J. Res. 72 was introduced by Representative Ed Whitfield (KY-01) on October 26, 2015, and referred to the Committee on Energy and Commerce. On October 30, 2015, H.J. Res. 72 was referred to the Subcommittee on Energy and Power.

On November 3, 2015, the Subcommittee on Energy and Power met in open markup session to consider H.J. Res. 72 and forwarded the joint resolution to the full Committee, without amendment, by a roll call vote of 15 yeas and 12 nays.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.J. Res. 72, and ordered the joint resolution favorably reported to the House, without amendment, by a roll call vote of 28 yeas and 21 nays.

On November 19, 2015, the Committee on Energy and Commerce reported H.J. Res. 72 to the House (H. Rept. 114-349), and the joint resolution was placed on the Union Calendar (Calendar No. 267).

No further action was taken on the joint resolution, but H.J. Res. 72 was identical to S.J. Res. 24.

S.J. Res. 24 was introduced by Senator Shelley Moore Capito (WV) on October 26, 2015, read twice, and referred to the Committee on Environment and Public Works. On November 16, 2015, the Committee was discharged by petition pursuant to 5 U.S.C. 802(c), and the joint resolution was placed on the Senate Legislative Calendar under General Orders (Calendar No. 294).

On November 17, 2015, S.J. Res. 24 was considered in the Senate and passed, without amendment, by a roll call vote of 52 yeas and 46 nays (Roll Call No. 306).

On November 18, 2015, S.J. Res. 24 was received in the House and held at the desk.

On December 1, 2015, S.J. Res. 24 was considered in the House pursuant to the provisions of H. Res. 539, and the joint resolution was passed, without amendment, by a roll call vote of 242 yeas and 180 nays (Roll Call No. 650).

On December 18, 2015, S.J. Res. 24 was presented to the President, and the President vetoed the joint resolution.

On January 11, 2016, the President's veto message was received in the Senate and held at the desk.

No further action was taken on the joint resolution.

## ENERGY POLICY MODERNIZATION ACT OF 2016

S. 2012, H.R. 8

To provide for the modernization of the energy policy of the United States, and for other purposes.

### *Summary*

The bill would amend current law and authorize activities—to be administered primarily by the Department of Energy—to promote energy efficiency and enhance the reliability and security of energy-related infrastructure. The bill also would expand and extend Federal agencies' authority to use certain types of long-term contracts to invest in energy conservation measures and related services and specify various energy-related goals and requirements for federal agencies.

### *Legislative History*

The Subcommittee on Energy and Power held hearings on legislation that was incorporated into the Discussion Draft entitled "To modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, promote energy efficiency and government accountability, and for other purposes." On April 23, 2015, the Subcommittee held a hearing entitled "Title II: 21st Century Workforce." On April 30, 2015, the Subcommittee held a hearing entitled "Strategic Petroleum Reserve Discussion Draft and Title IV Energy Efficiency." On May 13, 2015, the Subcommittee held a hearing entitled "Discussion Drafts Addressing Hydropower Regulatory Modernization and FERC Process Coordination under the Natural Gas Act." On May 19, 2015, the Subcommittee held a hearing entitled "Discussion Draft Addressing Energy Reliability and Security." On June 2,

2015, the Subcommittee held a hearing entitled “Quadrennial Energy Review and Related Discussion Drafts.” On June 4, 2015, the Subcommittee held a hearing entitled “Discussion Draft on Accountability and Department of Energy Perspectives on Title IV: Energy Efficiency.”

On July 22, 2015, the Subcommittee on Energy and Power met in open markup session to consider the Discussion Draft entitled “To modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America’s energy security and diplomacy, promote energy efficiency and government accountability, and for other purposes” and forwarded the Discussion Draft to the full Committee, without amendment, by a voice vote.

H.R. 8 was introduced by Representative Fred Upton (MI–06) on September 16, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, the Committee on Education and the Workforce, the Committee on Oversight and Government Reform, and the Committee Foreign Affairs, for a period to be subsequently determined by the Speaker. On September 18, 2015, H.R. 8 was referred to the Subcommittee on Energy and Power.

H.R. 8 was similar to the Discussion Draft considered by the Subcommittee.

On September 29 and 30, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 8 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 32 yeas and 20 nays.

On November 19, 2015, the Committee on Energy and Commerce reported H.R. 8 to the House (H. Rept. 114–347, Part 1), and the bill was placed on the Union Calendar (Calendar No. 265).

On December 1, 2015, H.R. 8 was considered in the House pursuant to the provisions of H. Res. 539.

On December 2 and 3, 2015, H.R. 8 was considered in the House pursuant to the provisions of H. Res. 542, and on December 3, 2015, the bill was passed, as amended, by a roll call vote of 249 yeas and 174 nays (Roll Call No. 672).

On December 7, 2015, H.R. 8 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

On July 30, 2015, the Committee on Energy and Natural Resources ordered an original bill to be favorably reported to the Senate.

S. 2012 was introduced by Senator Lisa Murkowski (AK) on September 9, 2015, with a written report (Report 114–138), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 218).

On January 28, 2016, and on February 1, 2, 3, 4, 19, and 20, 2016, H.R. S. 2012 was considered in the Senate and passed, as amended, by a roll call vote of 84 yeas and 12 nays (Roll Call No. 54).

On April 21, 2016, S. 2012 was received in the House, and the bill was held at the desk.

On May 25, 2016, S. 2012 was considered in the House pursuant to the provisions of H. Res. 744, and the bill was passed, as amended, by a roll call vote of 241 yeas and 178 nays (Roll Call No. 250).

On May 25, 2016, the House insisted upon its amendment and requested a conference with the Senate thereon, and the Speaker appointed conferees. From the Committee on Energy and Commerce, the Speaker appointed Representative Fred Upton (MI-06), Representative Joe Barton (TX-06), Representative Ed Whitfield (KY-01), Representative John Shimkus (IL-15), Representative Robert E. Latta (OH-05), Representative Cathy McMorris Rodgers (WA-05), Representative Pete Olson (TX-22), Representative David B. McKinley (WV-01), Representative Mike Pompeo (KS-04), Representative Morgan H. Griffith (VA-09), Representative Bill Johnson (OH-06), Representative Bill Flores (TX-17), Representative Markwayne Mullin (OK-02), Representative Frank Pallone, Jr. (NJ-06), Representative Bobby L. Rush (IL-01), Representative Lois Capps (CA-24), Representative Doris O. Matsui (CA-06), Representative Kathy Castor (FL-14), Representative John P. Sarbanes (MD-03), Representative Peter Welch (VT-al), Representative Ben Ray Lujan (NM-03), Representative Paul Tonko (NY-20), and Representative David Loebsack (IA-02) for consideration of the Senate bill and the House amendment, and modifications committed to conference.

On July 12, 2016, the Senate disagreed to the House amendment to the Senate bill, agreed to the request for conference, and the Presiding Officer appointed the following conferees, Senator Murkowski (AK), Senator Barrasso (WY), Senator Risch (ID), Senator Cornyn (TX), Senator Cantwell (WA), Senator Wyden (OR), and Senator Sanders (VT).

On September 7, 2016, Representative Adam Kinzinger (IL-16) was appointed as a conferee to fill the vacancy caused by the resignation of Representative Whitfield.

The conference met on September 8, 2016.

No further action was taken on the bill.

## NATURAL GAS PIPELINE REFORM ACT

H.R. 161

To provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects.

### *Summary*

H.R. 161 amends the Natural Gas Act to direct the Federal Energy Regulatory Commission (FERC) to approve or deny a certificate of public convenience and necessity for a prefired project within twelve months after receiving a complete application that is ready to be processed, and it requires the agency responsible for issuing any federal license, permit, or approval regarding the siting, construction, expansion, or operation of a project for which a certificate is sought to approve or deny issuance of the certificate within ninety days after FERC issues its final environmental document regarding the project.

*Legislative History*

H.R. 161 was introduced by Representative Mike Pompeo (KS-04) on January 6, 2015, and referred to the Committee on Energy and Commerce. H.R. 161 was referred to the Subcommittee on Energy and Power on January 9, 2015.

On January 21, 2015, H.R. 161 was considered in the House pursuant to the provisions of H. Res. 38, and the bill was passed, without amendment, by a roll call vote of 253 yeas to 169 nays (Roll Call No. 41).

On January 22, 2015, H.R. 161 was received in the Senate. No further action was taken on the bill.

## LNG PERMITTING CERTAINTY AND TRANSPARENCY ACT

H.R. 351

To provide for expedited approval of exportation of natural gas, and for other purposes.

*Summary*

This bill directs the Department of Energy, for proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate liquified natural gas (LNG) export facilities, to issue a decision on an application for authorization to export natural gas within thirty days after the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 or the date of enactment of this Act, whichever is later.

*Legislative History*

H.R. 351 was introduced by Representative Bill Johnson (OH-06) on January 14, 2015, and referred to the Committee on Energy and Commerce.

On January 28, 2015, H.R. 351 was considered in the House pursuant to the provisions of H. Res. 48, and the bill was passed, without amendment, by a roll call vote of 277 yeas and 133 nays (Roll Call No. 50).

On January 29, 2015, H.R. 351 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

## STREAMLINING ENERGY EFFICIENCY FOR SCHOOLS ACT OF 2015

H.R. 756

To amend the Energy Policy and Conservation Act to provide for the dissemination of information regarding available Federal programs relating to energy efficiency projects for schools, and for other purposes.

*Summary*

H.R. 756 directs the Department of Energy (DOE) to establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help

initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

*Legislative History*

H.R. 756 was introduced by Representative Matt Cartwright (PA-17) on February 5, 2015, and was referred to the Committee on Energy and Commerce. H.R. 756 was referred to the Subcommittee on Energy and Power on February 6, 2015.

On December 6, 2016, H.R. 756 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On December 7, 2016, H.R. 756 was received in the Senate.

No further action was taken on the bill.

ENERGY EFFICIENT GOVERNMENT TECHNOLOGY ACT

H.R. 1268

To amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes.

*Summary*

H.R. 1268 would require Federal agencies to coordinate with the Office of Management and Budget, the Department of Energy, and the Environmental Protection Agency to develop implementation strategies to purchase, use, and maintain energy-efficient and energy-saving information technologies. The bill also would direct agencies to pursue activities aimed at enhancing the energy efficiency of data centers and would impose certain administrative and reporting requirements.

*Legislative History*

H.R. 1268 was introduced by Representative Anna G. Eshoo (CA-18) on March 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 1268 was referred to the Subcommittee on Energy and Power on March 6, 2016.

On February 24 and 25, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 1268 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On March 14, 2016, H.R. 1268 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On March 15, 2016, H.R. 1268 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

RATEPAYER PROTECTION ACT OF 2015

H.R. 2042

To allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to

allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability.

#### *Summary*

This bill extends compliance deadlines for rules under the Clean Air Act that address carbon dioxide emissions from existing fossil fuel-fired power plants pending final judicial review.

This extension applies to any final rule that succeeds either: (1) the proposed rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units”; or (2) the supplemental proposed rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships.”

The extension period begins 60 days after the notice of promulgation of a final rule appears in the Federal Register and ends when the rule is no longer subject to judicial appeal or review.

The bill urges the Environmental Protection Agency (EPA), in promulgating, implementing, or enforcing the rules, to address how the megawatt hours discharged from a pumped hydroelectric storage system will be incorporated into implementation plans adopted pursuant to the rules.

Furthermore, a state is not required to submit or follow an implementation plan that addresses carbon dioxide emissions from existing power plants if it determines that the plan would have a significant adverse effect on: (1) the state’s residential, commercial, or industrial ratepayers; or (2) the reliability of the state’s electricity system.

Finally, the EPA must treat hydropower as renewable energy when implementing or enforcing the rules.

#### *Legislative History*

On April 14, 2015, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled “Ratepayer Protection Act of 2015.”

On April 22, 2015, the Subcommittee on Energy and Power met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft to the full Committee, without amendment, by a roll call vote of 17 yeas and 12 nays.

H.R. 2042 was introduced by Representative Ed Whitfield (KY-01) on April 28, 2015, and referred to the Committee on Energy and Commerce. H.R. 2042 was similar to the Discussion Draft considered by the Subcommittee.

On April 28 and 29, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2042 and ordered the bill favorably reported to the House, without amendment, by a roll call vote of 28 yeas to 22 nays.

On June 19, 2015, the Committee on Energy and Commerce reported H.R. 2042 to the House (H. Rept. 114-171), and the bill was placed on the Union Calendar (Calendar No. 126).

On June 24, 2015, H.R. 2042 was considered in the House pursuant to the provisions of H. Res. 333, and the bill was passed, as amended, by a roll call vote of 247 yeas and 180 nays (Roll Call No. 384).

On June 25, 2015, H.R. 2042 was received in the Senate. On July 14, 2015, H.R. 2042 was read twice and placed on the Senate Legislative Calendar under General Orders (Calendar No. 569).

No further action was taken on the bill.

TO REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF  
CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING CLARK  
CANYON

H.R. 2080

To reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Clark Canyon Dam.

*Summary*

H.R. 2080 authorizes the Federal Energy Regulatory Commission to reinstate the construction license granted to Clark Canyon Hydro Company for the Clark Canyon Dam Hydroelectric Project located on the Beaverhead River in Beaverhead County, Montana.

*Legislative History*

H.R. 2080 was introduced by Representative Ryan K. Zinke (MT-al) on April 28, 2015, and referred to the Committee on Energy and Commerce. On May 1, 2015, H.R. 2080 was referred to the Subcommittee on Energy and Power.

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 2080. On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 2080 and forwarded the bill to the full Committee, without amendment, by unanimous consent.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2080 and ordered the bill favorably reported to the House, without amendment, by unanimous consent.

On March 14, 2016, H.R. 2080 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On March 15, 2016, H.R. 2080 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 392).

No further action was taken on the bill.

TO REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF  
CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING THE  
GIBSON DAM

H.R. 2081

To reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam.

*Summary*

H.R. 2081 authorizes the Federal Energy Regulatory Commission to extend by six years the time period during which Gibson Dam Hydroelectric Company is required to commence construction on



the Gibson Dam Hydroelectric Project located on the Sun River in Lewis, Clark, and Teton Counties, Montana.

#### *Legislative History*

H.R. 2081 was introduced by Representative Ryan K. Zinke (MT-al) on April 28, 2015, and referred to the Committee on Energy and Commerce. On May 1, 2015, H.R. 2081 was referred to the Subcommittee on Energy and Power.

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 2081. On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 2081 and forwarded the bill to the full Committee, without amendment, by unanimous consent.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2081 and ordered the bill favorably reported to the House, without amendment, by unanimous consent.

On March 14, 2016, H.R. 2081 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 410 yeas and 2 nays (Roll Call No. 116).

On March 16, 2016, H.R. 2081 was received in the Senate, read twice, and placed on the Senate Legislative Calendar under General Orders (Calendar No. 395).

No further action was taken on the bill.

#### FAIR RATEPAYER ACCOUNTABILITY, TRANSPARENCY, AND EFFICIENCY STANDARDS ACT

H.R. 2984

To amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

#### *Summary*

H.R. 2984 amends the Federal Power Act to provide that any failure by the Federal Energy Regulatory Commission to issue an order related to a proposed change in rates or other terms would be considered an order to allow such changes, and any affected parties could seek a rehearing and appellate review of the changes.

#### *Legislative History*

H.R. 2984 was introduced by Representative Joseph P. Kennedy, III (MA-04) on July 8, 2015, and referred to the Committee on Energy and Commerce. H.R. 2984 was referred to the Subcommittee on Energy and Power on July 10, 2015.

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 2984. On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 2984 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2984 and

ordered the bill favorably reported to the House, without amendment, by a voice vote.

On March 14, 2016, H.R. 2984 was reported to the House by the Committee on Energy and Commerce (H. Rept. 114-452), and placed on the Union Calendar (Calendar No. 347).

H.R. 2984 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On March 15, 2016, H.R. 2984 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

TO REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF  
CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING THE W.  
KERR SCOTT DAM

H.R. 3447

To reinstate and extend the deadline for commencement of construction of a hydroelectric project.

*Summary*

H.R. 3447 authorizes the Federal Energy Regulatory Commission to extend by six years the time period during which Wilkesboro Hydroelectric Company is required to commence construction on the W. Kerr Scott Hydropower Project located on the Yadkin River in Wilkes County, North Carolina.

*Legislative History*

H.R. 3447 was introduced by Representative Virginia Foxx (NC-05) on September 8, 2015, and referred to the Committee on Energy and Commerce. H.R. 3447 was referred to the Subcommittee on Energy and Power on September 8, 2015.

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 3447. On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 3447 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 3447 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On March 14 and 15, 2015, H.R. 3447 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 406 yeas and 3 nays (Roll Call No. 117).

On March 16, 2016, H.R. 3447 was received in the Senate, read twice, and placed on Senate Legislative Calendar under General Orders (Calendar No. 396).

No further action was taken on the bill.

## SATISFYING ENERGY NEEDS AND SAVING THE ENVIRONMENT ACTS

H.R. 3797

To establish the bases [sic] by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy.

*Summary*

H.R. 3797 would require the Environmental Protection Agency (EPA) to provide greater flexibility to certain power plants that are subject to emissions limitations under EPA's Cross-State Air Pollution Rule (CSAPR) and the Mercury and Air Toxics Standards for Power Plants (MATS). Affected power plants generate electricity by burning coal as their primary fuel source. The bill would require EPA to allocate to plants using coal refuse in 2017, and subsequent years, the same number of emissions allowances for sulfur dioxide that have been previously allocated to those plants, rather than reducing allowances for those plants.

*Legislative History*

H.R. 3797 was introduced by Representative Keith J. Rothfus (PA-12) on October 22, 2015, and referred to the Committee on Energy and Commerce. On October 23, 2015, H.R. 3797 was referred to the Subcommittee on Energy and Power.

On February 3, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 3797. On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 3797, and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 3797 and ordered the bill favorably reported to the House, without amendment, by a roll call vote of 29 yeas and 22 nays.

On March 7, 2016, the Committee on Energy and Commerce reported H.R. 3797 to the House (H. Rept. 114-445), and the bill was placed on the Union Calendar (Calendar No. 340).

On March 15, 2016, H.R. 3797 was considered in the House pursuant to the provisions of H. Res. 640, and the bill was passed, as amended, by a roll call vote of 231 yeas and 183 nays (Roll Call No. 123).

On March 16, 2016, H.R. 3797 was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

TO EXTEND DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF  
A HYDROELECTRIC PROJECT

H.R. 4411

To extend the deadline for commencement of construction of a hydroelectric project.

*Summary*

H.R. 4411 authorizes the Federal Energy Regulatory Commission to extend by six years the time period during which Jordan Hydroelectric Limited Partnership is required to commence construction on the Gathright Hydroelectric Project located in Alleghany County, Virginia.

*Legislative History*

H.R. 4411 was introduced by Representative Morgan H. Griffith (VA-09) on February 1, 2016, and referred to the Committee on Energy and Commerce. On February 5, 2016, H.R. 4411 was referred to the Subcommittee on Energy and Power.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 4411 and ordered the bill favorably reported to the House, without amendment, by unanimous consent.

On March 14, 2016, H.R. 4411 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On March 15, 2016, H.R. 4411 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

TO EXTEND DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF  
A HYDROELECTRIC PROJECT

H.R. 4412

To extend the deadline for commencement of construction of a hydroelectric project.

*Summary*

H.R. 4412 authorizes the Federal Energy Regulatory Commission to extend by six years the time period during which Jordan Hydroelectric Limited Partnership is required to commence construction on the Flannagan Dam and Reservoir Hydroelectric Project located in Dickenson County, Virginia.

*Legislative History*

H.R. 4412 was introduced by Representative Morgan H. Griffith (VA-09) on February 1, 2016, and referred to the Committee on Energy and Commerce. On February 5, 2016, H.R. 4412 was referred to the Subcommittee on Energy and Power.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 4412 and ordered the bill favorably reported to the House, without amendment, by unanimous consent.

On March 14, 2016, H.R. 4412 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On March 15, 2016, H.R. 4412 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

TO REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF  
CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING THE  
JENNINGS RANDOLPH DAM

H.R. 4416

To extend the deadline for commencement of construction of a hydroelectric project.

*Summary*

H.R. 4416 authorizes the Federal Energy Regulatory Commission to extend by six years the time period during which Fairlawn Hydroelectric Company is required to commence construction on the Jennings Randolph Hydroelectric Project located on the North Branch of the Potomac River in Garrett County, Maryland, and Mineral County, West Virginia.

*Legislative History*

H.R. 4416 was introduced by Representative David B. McKinley (WV-01) on February 1, 2016, and referred to the Committee on Energy and Commerce. On February 1, 2016, H.R. 4416 was referred to the Subcommittee on Energy and Power.

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 4416. On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 4416, and forwarded the bill to the full Committee, without amendment, by unanimous consent.

On February 24 and 25, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4416 and ordered the bill favorably reported to the House, without amendment, by unanimous consent.

On March 14 and 16, 2016, H.R. 4416 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 418 yeas and 2 nays (Roll Call No. 125).

On March 17, 2016, H.R. 4416 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

TO AMEND SECTION 203 OF THE FEDERAL POWER ACT

H.R. 4427

To amend section 203 of the Federal Power Act.

*Summary*

H.R. 4427 would amend the Federal Power Act to specify that only mergers and consolidations involving facilities valued at more than \$10 million would require Federal Energy Regulatory Act approval.

*Legislative History*

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled "To amend section 203 of the Federal Power Act."

H.R. 4427 was introduced by Representative Mike Pompeo (KS-04) on February 2, 2016, and referred to the Committee on Energy and Commerce. H.R. 4427 was referred to the Subcommittee on Energy and Power on February 5, 2016. H.R. 4427 was identical to the Discussion Draft reviewed by the Subcommittee at the February 2 hearing.

On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 4427, and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 4427 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On March 14, 2016, the Committee on Energy and Commerce reported H.R. 4427 to the House (H. Rept. 114-451), and the bill was placed on the Union Calendar (Calendar No. 346).

On March 14, 2016, H.R. 4427 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

No further action was taken on the bill.

TO REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF  
CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING THE  
CANNONSVILLE DAM

H.R. 4434

To reinstate and extend the deadline for commencement of construction of a hydroelectric project.

*Summary*

H.R. 4434 authorizes the Federal Energy Regulatory Commission (FERC), upon the request of the licensee for FERC project numbered 13287 (Cannonsville Hydroelectric Project, New York), to extend the time period during which the licensee is required to commence the construction of the project for up to four consecutive two-year periods from the date of the expiration of the extension originally issued by FERC.

*Legislative History*

On February 2, 2016, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled “To extend the deadline for commencement of construction of a hydroelectric project.”

H.R. 4434 was introduced by Representative Christopher P. Gibson (NY-19) on February 2, 2016, and referred to the Committee on Energy and Commerce. On February 5, 2016, H.R. 4434 was referred to the Subcommittee on Energy and Power.

On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 4434, and forwarded the bill to the full Committee, without amendment, by unanimous consent.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 4434 and

ordered the bill favorably reported to the House, without amendment, by unanimous consent.

On March 14 and 16, 2016, H.R. 4434 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a roll call vote of 417 yeas and 2 nays (Roll Call No. 126).

On March 17, 2016, H.R. 4434 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

#### EPS IMPROVEMENT ACT OF 2016

H.R. 4444

To amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

#### *Summary*

H.R. 4444 amends the Energy Policy and Conservation Act to exclude from energy conservation standards for external power supplies any power supply circuit, driver, or device designed to power certain light-emitting diodes or to power ceiling fans using direct current motors. The Department of Energy may prescribe energy conservation standards for that equipment no earlier than one year after the date on which a test procedure has been prescribed by using its authority to improve the energy efficiency of electric motors, pumps, and other industrial equipment.

#### *Legislative History*

On January 12, 2016, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled “EPS Improvement Act of 2016.”

H.R. 4444 was introduced by Representative Renee Ellmers (NC–02) on February 3, 2016, and referred to the Committee on Energy and Commerce. H.R. 4444 was referred to the Subcommittee on Energy and Power on February 3, 2016.

On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 4444, and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 4444 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On February 29, 2016, H.R. 4444 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On March 1, 2016, H.R. 4444 was received in the Senate, and on July 7, 2016, the bill was read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

## BLOCKING REGULATORY INTERFERENCE FROM CLOSING KILNS ACT

H.R. 4557

To allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule.

*Summary*

H.R. 4557 would extend compliance dates for entities affected by any final rule addressing national emission standards for hazardous air pollutants (NESHAP) under the Clean Air Act for brick, structural clay, and ceramic products manufactured in kilns. The bill would extend compliance dates for manufacturers to allow for resolution of the judicial review process. Manufacturers would not need to comply with the rule until a specified period of time after a judgement becomes final (and would no longer be subject to further appeal or review) for all legal actions filed during the 60 days after the final rule is published in the Federal Register.

*Legislative History*

On February 3, 2016, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled “Blocking Regulatory Interference from Closing Kilns Act of 2016.”

On February 10 and 11, 2016, the Subcommittee on Energy and Power met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft to the full Committee, without amendment, by a voice vote.

H.R. 4557 was introduced by Representative Bill Johnson (OH-06) on February 12, 2016, and referred to the Committee on Energy and Commerce. H.R. 4557 was similar to the Discussion Draft considered by the Subcommittee.

On February 24 and 25, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 4557 and ordered the bill favorably reported to the House, without amendment, by a roll call vote of 28 yeas and 22 nays.

On February 29, 2016, the Committee on Energy and Commerce reported H.R. 4557 to the House (H. Rept. 114-439), and the bill was placed on the Union Calendar (Calendar No. 336).

On March 3, 2016, H.R. 4557 was considered in the House pursuant to the provisions of H. Res. 635, and the bill was passed by a roll call vote of 238 yeas and 163 nays (Roll Call No. 109).

On March 7, 2016, H.R. 4557 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

TO PROMOTE A 21ST CENTURY ENERGY AND MANUFACTURING  
WORKFORCE

H.R. 4583

To promote a 21st century energy and manufacturing workforce.



*Summary*

H.R. 4583 directs the Department of Energy (DOE) to prioritize education and training for energy and manufacturing-related jobs in order to increase the number of skilled workers trained to work in those fields.

*Legislative History*

H.R. 4583 was introduced by Representative Bobby L. Rush (IL–01) on February 23, 2016, and referred to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker.

On February 24 and 25, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4583 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On February 29, 2016, H.R. 4583 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On March 1, 2016, H.R. 4583 was received in the Senate, and on July 7, 2016, the bill was read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

## OZONE STANDARDS IMPLEMENTATION ACT OF 2016

H.R. 4775

To facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

*Summary*

H.R. 4775 would delay the implementation of the final rule promulgated by the Environmental Protection Agency (EPA) in 2015 related to ambient-air-quality standards for ozone emissions. That rule, published in the Federal Register on October 26, 2015, requires states to determine whether different geographical areas in the states are in compliance with federal limits on ozone pollution and to submit plans to reduce ozone emissions to EPA starting in 2020. The legislation would delay the requirement for states to submit those plans until 2026. The bill also would require EPA to make several changes to its process for reviewing National Ambient Air Quality Standards for ozone and other pollutants. The bill would extend the review cycle for certain pollutants from 5 to 10 years and would allow EPA to consider technological feasibility when setting standards for safe levels of those pollutants.

*Legislative History*

H.R. 4775 was introduced by Representative Pete Olson (TX–22) on March 17, 2016, and referred to the Committee on Energy and Commerce. H.R. 4775 was referred to the Subcommittee on Energy and Power on March 18, 2016.

On April 14, 2016, the Subcommittee on Energy and Power held a hearing on H.R. 4775. On May 11 and 12, 2016, the Subcommittee on Energy and Power met in open markup session to

consider H.R. 4775 and forwarded the bill to the full Committee, without amendment, by a roll call vote of 15 yeas and 13 nays.

On May 17 and 18, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4775 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 30 yeas and 23 nays.

On May 27, 2016, the Committee on Energy and Commerce reported H.R. 4775 to the House (H. Rept. 114–598), and the bill was placed on the Union Calendar (Calendar No. 464).

On June 7, 2016, the Committee on Energy and Commerce filed a supplemental report to H.R. 4775 (H. Rept. 114–598, Part II).

On June 8, 2016, H.R. 4775 was considered in the House pursuant to the provisions of H. Res. 767, and the bill was passed, as amended, by a roll call vote of 234 yeas and 177 nays (Roll Call No. 282). On June 9, 2016, H.R. 4775 was received in the Senate, read twice, and referred to the Committee on Environment and Public Works.

No further action was taken on the bill.

#### ADVANCED NUCLEAR TECHNOLOGY DEVELOPMENT ACT OF 2016

H.R. 4979

To foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies.

#### *Summary*

H.R. 4979 would direct the Nuclear Regulatory Commission (NRC) to report to the Congress on existing Federal activities related to testing and demonstrating advanced reactors with significant design improvements over existing commercial reactors. The bill also would require the NRC to submit to the Congress, within one year of enactment, a plan for establishing a framework for licensing such reactors. Finally, the bill would specify that any funding provided to the NRC prior to fiscal year 2021 to develop a regulatory framework for advanced reactors would be excluded from the portion of its budget that is offset by fees.

#### *Legislative History*

H.R. 4979 was introduced by Representative Robert E. Latta (OH–05) on April 18, 2016, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker. H.R. 4979 was referred to the Subcommittee on Energy and Power on April 22, 2016.

On April 29, 2016, the Subcommittee held a hearing on H.R. 4979. On May 11 and 12, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 4979 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On May 17 and 18, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4979 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 12, 2016, the Committee on Energy and Commerce reported H.R. 4979 to the House (H. Rept. 114–737, Part I), and the bill was placed on the Union Calendar (Calendar No. 573).

On September 12, 2016, H.R. 4979 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On September 12, 2016, H.R. 4979 was received in the Senate, read twice, and referred to the Committee on Energy and Natural Resources.

No further action was taken on the bill.

#### AIR SURVEY ACT OF 2015

H.R. 3021

To amend the Natural Gas Act to allow the use of aerial survey data for certain applications, and for other purposes.

##### *Summary*

H.R. 3021 amends the Natural Gas Act to accept data collected by aerial survey in lieu of ground survey data for the purposes of completing any prefilling process established to facilitate the formal application process for obtaining a certificate of public convenience and necessity for a natural gas transportation facility, or an application associated with a Federal authorization concerning a certificate application.

##### *Legislative History*

H.R. 3021 was introduced by Representative Mike Pompeo (KS–04) on July 10, 2015, and referred to the Committee on Energy and Commerce. On July 17, 2015, H.R. 3021 was referred to the Subcommittee on Energy and Power.

On May 11 and 12, 2016, the Subcommittee on Energy and Power met in open markup session to consider H.R. 3021 and forwarded the bill to the full Committee, without amendment, by a voice vote.

No further action was taken on the bill.

#### POWER AND SECURITY SYSTEMS (PASS) ACT

H.R. 6375

To provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems.

##### *Summary*

H.R. 6375 directs the Department of Energy to decide by 2021 whether standards for class A external power supply (EPS) should be amended, and any such amendments would apply to products manufactured after July 1, 2023. No-Load Mode standards provided under current law shall not apply to EPS manufactured before the effective date of such amendments. Finally, the Department may treat EPS designed to be connected to a security or life

safety alarm or surveillance system as a separate product class or may extend available non-application provisions.

#### *Legislative History*

H.R. 6375 was introduced by Representative Mike Pompeo (KS-04) on November 17, 2016, and was referred to the Committee on Energy and Commerce.

On December 6, 2016, H.R. 6375 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On December 7, 2016, H.R. 6375 was received in the Senate. No further action was taken on the bill.

### NUCLEAR UTILIZATION OF KEYNOTE ENERGY POLICIES ACT

#### DISCUSSION DRAFT

#### *Summary*

The Discussion Draft would address licensing, budgeting, and the regulatory process at the Nuclear Regulatory Commission to help the existing nuclear fleet, foster investments in new plants, and ensure safety and protect public health.

#### *Legislative History*

On April 29, 2016, the Subcommittee on Energy and Power held a hearing on a Discussion Draft entitled “Nuclear Utilization of Keynote Energy Policies Act.”

No further action was taken on the Discussion Draft.

### OVERSIGHT ACTIVITIES

#### THE FISCAL YEAR 2016 DEPARTMENT OF ENERGY BUDGET

On February 11, 2015, the Subcommittee on Energy and Power held a hearing entitled “The Fiscal Year 2016 Department of Energy Budget.” The purpose of the hearing was to examine and evaluate funding priorities, major budget changes, energy-related rulemakings, priority science and research, loans and grants, and management and security reforms at the Department of Energy. The Subcommittee received testimony from Ernest J. Moniz, Secretary, Department of Energy.

#### THE FISCAL YEAR 2016 EPA BUDGET

On February 25, 2015, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy held a joint hearing entitled “The Fiscal Year 2016 EPA Budget.” The purpose of the hearing was to examine the President’s proposed budget of \$8.59 billion for EPA in Fiscal Year 2016. The Subcommittee received testimony from Gina McCarthy, Administrator, Environmental Protection Agency.

21ST CENTURY ENERGY MARKETS: HOW THE CHANGING DYNAMICS  
OF WORLD ENERGY MARKETS IMPACT OUR ECONOMY AND ENERGY  
SECURITY

On March 3, 2015, the Subcommittee on Energy and Power held a hearing entitled “21st Century Energy Markets: How the Changing Dynamics of World Energy Markets Impact our Economy and Energy Security.” The purpose of the hearing was to discuss how changing global energy markets affect the U.S. economy, energy security, and foreign diplomacy. The Subcommittee received testimony from the U.S. Energy Information Administration, McGraw Hill Financial Global Institute, the Executive Director for Energy and Sustainability at University of California—Davis, Pioneer Natural Resources, American Fuel and Petrochemical Manufactures, Delta Airlines, AFL–CIO Industrial Union Council.

21ST CENTURY ELECTRICITY CHALLENGE: ENSURING A SECURE,  
RELIABLE, AND MODERN ELECTRICITY SYSTEM

On March 4, 2015, the Subcommittee on Energy and Power held a hearing entitled “The 21st Century Electricity Challenge: Ensuring a Secure, Reliable, and Modern Electricity System.” The purpose of the hearing was to examine barriers to the deployment of advanced grid technologies and changing consumer expectations associated with new grid technologies. The Subcommittee received testimony from Adam Sieminski, Administrator, Energy Information Administration; John Kingston, President, McGraw Hill Financial Global Institute; Amy Jaffe, Executive Director, Energy and Sustainability, University of California, Davis; Scott Sheffield, Chairman and CEO, Pioneer Natural Resources; Charles Drevna, President, American Fuel and Petrochemical Manufactures; Graeme Burnett, Senior Vice President for Fuel Optimization, Delta Airlines; and Brad Markell, Executive Director, AFL–CIO Industrial Union Council.

EPA’S PROPOSED 111(d) RULE FOR EXISTING POWER PLANTS: LEGAL  
AND COST ISSUES

On March 17, 2015, the Subcommittee on Energy and Power held a hearing entitled “EPA’s Proposed 111(d) Rule for Existing Power Plants: Legal and Cost Issues.” The purpose of the hearing was to examine matters related to the Environmental Protection Agency’s proposed 111(d) rule for existing power plants referred to by the agency as the Clean Power Plan. The Subcommittee received testimony from Laurence H. Tribe, Carl M. Loeb University Professor and Professor of Constitutional Law, Harvard Law School; Richard L. Revesz, Lawrence King Professor of Law, Dean Emeritus, Director, Institute for Policy Integrity, New York University School of Law; Allison D. Wood, Partner, Hunton and Williams LLP; Art Graham, Chairman, Florida Public Service Commission; Kelly Speakes-Backman, Commissioner, Maryland Public Service Commission, and Chair, Board of Directors, Regional Greenhouse Gas Initiative, Inc.; Craig Butler, Director, Ohio Environmental Protection Agency; and Donald van der Vaart, Secretary, North Carolina Department of Environment and Natural Resources.

EPA'S PROPOSED 111(d) RULE FOR EXISTING POWER PLANTS AND  
H.R. \_\_\_\_, RATEPAYER PROTECTION ACT

On April 14, 2015, the Subcommittee on Energy and Power held a hearing entitled "EPA's Proposed 111(d) Rule for Existing Power Plants, and H.R. \_\_\_\_, Ratepayer Protection Act." The purpose of the hearing was to consider matters related to the Environmental Protection Agency's proposed 111(d) rule for existing power plants. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; Eugene M. Trisko, Energy Economist and Attorney on behalf of the American Coalition for Clean Coal Electricity; Lisa D. Johnson, CEO and General Manager, Seminole Electric Cooperative, Inc., on behalf of National Rural Electric Cooperative Association; Kevin Sunday, Manager, Government Affairs, Pennsylvania Chamber of Business and Industry; Paul Cicio, President, Industrial Energy Consumers of America; Susan F. Tierney, Senior Advisor, Analysis Group; and Melissa A. Hoffer, Chief, Energy and Environment Bureau, Office of the Attorney General, Commonwealth of Massachusetts.

QUADRENNIAL ENERGY REVIEW AND RELATED DISCUSSION DRAFTS

On June 2, 2015, the Subcommittee on Energy and Power held a hearing entitled "Quadrennial Energy Review and Related Discussion Drafts." The purpose of the hearing was to examine the Department of Energy's Quadrennial Energy Review findings. The Subcommittee received testimony from Ernest J. Moniz, Secretary, U.S. Department of Energy; Rudolf Dolzer, Advisory Board Member, Association of International Petroleum Negotiators; Professor of International Law, University of Bonn; Jason Grumet, President, Bipartisan Policy Center; Scott Martin, Commissioner, Lancaster County, PA; Gerald Kepes, Vice President, Upstream Research and Consulting, IHS; Alison Cassady, Director of Domestic Energy Policy, Center for American Progress; and Emily Hammond, Professor of Law, George Washington University Law School.

EPA'S PROPOSED OZONE RULE

On June 12, 2015, the Subcommittee on Energy and Power held a hearing entitled "EPA's Proposed Ozone Rule." The purpose of the hearing was to examine costs, feasibility, and impacts associated with the Environmental Protection Agency's proposed ozone rule. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator, Air and Radiation, Environmental Protection Agency.

EPA'S PROPOSED OZONE RULE: POTENTIAL IMPACTS ON  
MANUFACTURING

On June 16, 2015, the Subcommittee on Energy and Power and the Subcommittee on Commerce, Manufacturing, and Trade held a joint hearing entitled "EPA's Proposed Ozone Rule: Potential Impacts on Manufacturing." The purpose of this hearing was to examine the potential impacts of the Environmental Protection Agency's proposed ozone rule on the U.S. manufacturing sector. The Sub-

committee received testimony from Ross E. Eisenberg, Vice President, Energy and Resources Policy, National Association of Manufacturers; Erin Monroe Wesley, Executive Vice President and Chief Operating Officer, Baton Rouge Area Chamber; Michael Freeman, Division President, The Americas, WD-40 Company; Stacey-Ann Taylor, Director, Product Stewardship, Henry Company; Louis Anthony Cox, Jr., President, Cox Associates; Gregory B. Diette, Professor of Medicine, Johns Hopkins University School of Medicine on behalf of the American Thoracic Society; and Robert L. Glicksman, J.B. and Maurice C. Shapiro Professor of Environmental Law, George Washington University School of Law.

#### OVERSIGHT OF PIPELINE SAFETY, REGULATORY CERTAINTY, AND JOB CREATION ACT OF 2011 AND RELATED ISSUES

On July 14, 2015, the Subcommittee on Energy and Power held a hearing entitled “Oversight of Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 and Related Issues.” The purpose of the hearing was to examine the Pipeline and Hazardous Materials Safety Administration’s (PHMSA) implementation of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 and pipeline safety issues raised by recent pipeline failures. The Subcommittee received testimony from Stacy Cummings, Interim Executive Director, Pipeline and Hazardous Materials Safety Administration; Stan Wise, Commissioner, Georgia Public Service Commission, on behalf of the National Association of Regulatory Utility Commissioners; Donald Santa, President and CEO, Interstate Natural Gas Association of America; Ron Bradley, Vice President of Gas Operations, PECO Energy, on behalf of the American Gas Association; Andrew Black, President and CEO, Association of Oil Pipe Lines; Carl Weimer, Executive Director, Pipeline Safety Trust; and Dianne Black, Assistant Director of Planning and Development, County of Santa Barbara, California.

#### OVERSIGHT OF THE NUCLEAR REGULATORY COMMISSION

On September 9, 2015, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy held a joint hearing entitled “Oversight of the Nuclear Regulatory Commission.” The purpose of the hearing was to examine the Commission’s budget development, resource planning, proposed rule-making, and ongoing activities relating to the storage, transportation, and disposal of high-level radioactive material and spent nuclear fuel. The Subcommittee received testimony from Stephen Burns, Commissioner, Nuclear Regulatory Commission; Kristine Svinicki, Commissioner, Nuclear Regulatory Commission; William Ostendorff, Commissioner, Nuclear Regulatory Commission; and Jeff Baran, Commissioner, Nuclear Regulatory Commission.

#### EPA’S CO<sub>2</sub> REGULATIONS FOR NEW AND EXISTING POWER PLANTS

On October 7, 2015, the Subcommittee on Energy and Power held a hearing entitled “EPA’s CO<sub>2</sub> Regulations for New and Existing Power Plants.” The purpose of the hearing was to examine matters related to the Environmental Protection Agency’s proposed rules for CO<sub>2</sub> emissions from new and existing fossil fuel-fired

power plants. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator, Air and Radiation, Environmental Protection Agency.

#### EPA'S CO2 REGULATIONS FOR NEW AND EXISTING POWER PLANTS: LEGAL PERSPECTIVES

On October 22, 2015, the Subcommittee on Energy and Power held a hearing entitled "EPA's CO2 Regulations for New and Existing Power Plants: Legal Perspectives." The purpose of the hearing was to discuss the legal issues raised by the Environmental Protection Agency's CO2 regulations for new and existing power plants. The Subcommittee received testimony from Elbert Lin, Solicitor General of West Virginia; Allison D. Wood, Partner, Hunton and Williams, LLP; Raymond L. Gifford, Partner, Wilkinson Barker Knauer LLP; Richard L. Revesz, Lawrence King Professor of Law, Dean Emeritus, Director, Institute for Policy Integrity, New York University School of Law; and Emily Hammond, Associate Dean for Public Engagement, Professor of Law, George Washington University School of Law.

#### OVERSIGHT OF THE FEDERAL ENERGY REGULATORY COMMISSION

On December 1, 2015, the Subcommittee on Energy and Power held a hearing entitled "Oversight of the Federal Energy Regulatory Commission." The purpose of the hearing was to examine potential impacts of the Environmental Protection Agency's Clean Power Plan on electricity markets, the Federal Energy Regulatory Commission's oversight of organized wholesale electricity markets, grid security challenges, integration of distributed generation resources, and natural gas pipeline permitting. The Subcommittee received testimony from Norman C. Bay, Chairman, Federal Energy Regulatory Commission; Cheryl A. LaFleur, Commissioner, Federal Energy Regulatory Commission; Tony Clark, Commissioner, Federal Energy Regulatory Commission; and Colette D. Honorable, Commissioner, Federal Energy Regulatory Commission.

#### FISCAL YEAR 2017 DOE BUDGET

On March 2, 2016, the Subcommittee on Energy and Power held a hearing entitled "Fiscal Year 2017 DOE Budget." The purpose of the hearing was to examine Department of Energy's funding priorities, major budget changes, energy-related rulemakings, loans and grants, and research activities. The Subcommittee received testimony from Ernest J. Moniz, Secretary, U.S. Department of Energy.

#### FISCAL YEAR 2017 EPA BUDGET

On March 22, 2016, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy held joint hearing entitled "Fiscal Year 2017 EPA Budget." The purpose of the hearing was to examine the President's proposed budget of \$8.267 billion for EPA in Fiscal Year 2017. The Subcommittee received testimony from Gina McCarthy, Administrator, Environmental Protection Agency.



## FISCAL YEAR 2017 NUCLEAR REGULATORY COMMISSION BUDGET

On April 20, 2016, the Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy held a joint hearing entitled “Fiscal Year 2017 Nuclear Regulatory Commission Budget.” The purpose of the hearing was to examine the Commission budget proposal for Fiscal Year 2017. The Subcommittee received testimony from Stephen Burns, Commissioner, Nuclear Regulatory Commission; Kristine Svinicki, Commissioner, Nuclear Regulatory Commission; William Ostendorff, Commissioner, Nuclear Regulatory Commission; and Jeff Baran, Commissioner, Nuclear Regulatory Commission.

## HOME APPLIANCE ENERGY EFFICIENCY STANDARDS UNDER THE DEPARTMENT OF ENERGY—STAKEHOLDER PERSPECTIVES

On June 10, 2016, the Subcommittee on Energy and Power held a hearing entitled “Home Appliance Energy Efficiency Standards Under the Department of Energy—Stakeholder Perspectives.” The purpose of the hearing was to discuss the Department of Energy’s implementation of the energy conservation standards program for appliances in the Energy Policy and Conservation Act, potential updates and improvements to the appliance standard-setting process, and the current status of the Energy Star Program. The Subcommittee received testimony from Joseph M. McGuire, President and CEO, Association of Home Appliance Manufacturers; Kevin J. Cosgriff, President and CEO, National Electrical Manufacturers Association; Stephen Yurek, President and CEO, Air Conditioning Heating and Refrigeration Institute; Sofie E. Miller, Senior Policy Analyst, The George Washington University Regulatory Studies Center; Elizabeth Noll, Legislative Director, Energy and Transportation, Natural Resources Defense Council; and Thomas Eckman, Director, Power Division, Northwest Power and Conservation Council.

## THE RENEWABLE FUEL STANDARD—IMPLEMENTATION ISSUES

On June 22, 2016, the Subcommittee on Energy and Power held a hearing entitled “The Renewable Fuel Standard—Implementation Issues.” The purpose of the hearing was to examine the current status of and emerging issues with the Renewable Fuel Standard (RFS) implementation. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator, Environmental Protection Agency; Howard Gruenspecht, Deputy Administrator, Energy Information Administration; Chet Thompson, President, American Fuel and Petrochemical Manufacturers; Bob Dinneen, President and CEO, Renewable Fuels Association; Todd Teske, Chairman, President and CEO, Briggs and Stratton Corporation; Brooke Coleman, Executive Director, Advanced Biofuels Business Council; Collin O’Mara, President and CEO, National Wildlife Federation; Anne Steckel, Vice President of Federal Affairs, National Biodiesel Board; and Tim Columbus, General Counsel, National Association of Convenience Stores and Society of Independent Gasoline Marketers Association of America.

#### A REVIEW OF EPA'S REGULATORY ACTIVITY DURING THE OBAMA ADMINISTRATION: ENERGY AND INDUSTRIAL SECTORS

On July 6, 2016, the Subcommittee on Energy and Power held a hearing entitled "A Review of EPA's Regulatory Activity During the Obama Administration: Energy and Industrial Sectors." The purpose of the hearing was to review the impact of the Environmental Protection Agency's major rules issued since 2009 on the energy and industrial sectors. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Travis Kavulla, President, National Association of Regulatory Utility Commissioners, Vice-Chairman, Montana Public Service Commission; David J. Porter, Chairman, Railroad Commission of Texas; Lynn D. Helms, Director, North Dakota Industrial Commission, Department of Mineral Resources; Charles D. McConnell, Executive Director, Energy and Environment Initiative, Rice University, former Assistant Secretary for Fossil Energy, Department of Energy; and Robert Weissman, President, Public Citizen.

#### THE DEPARTMENT OF ENERGY'S ROLE IN ADVANCING THE NATIONAL, ECONOMIC, AND ENERGY SECURITY OF THE UNITED STATES

On September 15, 2016, the Subcommittee on Energy and Power held a hearing entitled "The Department of Energy's Role in Advancing the National, Economic, and Energy Security of the United States." The purpose of the hearing was to review the evolution of electricity markets policy. The Subcommittee received testimony from Clifford M. Naeve, former Commissioner, Federal Energy Regulatory Commission, Partner, Skadden, Arps, Slate, Meagher, and Flom LLP; Linda Stuntz, former Deputy Secretary, Department of Energy, Partner, Stuntz, Davis, and Staffier, P.C.; Susan Tomasky, former General Counsel, Federal Energy Regulatory Commission, former President, AEP Transmission of American Electric Power Corporation; and Doug Smith, former General Counsel, Federal Energy Regulatory Commission, Partner, Van Ness Feldman, LLP.

#### MIDTERM REVIEW AND UPDATE ON THE CORPORATE AVERAGE FUEL ECONOMY PROGRAM AND GREENHOUSE GAS EMISSIONS STANDARDS FOR MOTOR VEHICLES

On September 22, 2016, the Subcommittee on Energy and Power held a hearing entitled "Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards For Motor Vehicles." The purpose of the hearing was to examine the status of economic and marketplace estimates and projections made in 2012 and the impact that those assumptions will have on auto manufacturers' ability to meet increasing fuel economy standards. Furthermore, the hearing explored the CAFE program's impact on economic growth, innovation, product development and job creation within the auto industry. The Subcommittee received testimony from Janet McCabe, Acting Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; Paul Hemmersbaugh, Chief Counsel, National Highway Traffic Safety Administration; John Bozzella, President and CEO, Global Automakers; Mitch Bainwol, President and CEO,

Alliance of Automobile Manufacturers; Peter Welch, President, National Automobile Dealers Association; John D. Graham, Ph.D., Dean, School of Public and Environmental Affairs, Indiana University Bloomington; John German, Senior Fellow/U.S. Co-Lead, The International Council on Clean Transportation; and Mark Cooper, Director of Research, Consumer Federation of America.

#### HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-10 .....	The Fiscal Year 2016 Department of Energy Budget. (Subcommittee on Energy and Power).	February 11, 2015
114-11 .....	The Fiscal Year 2016 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	February 25, 2015
114-16 .....	21st Century Energy Markets: How the Changing Dynamics of World Energy Markets Impact our Economy and Energy Security. (Subcommittee on Energy and Power).	March 3, 2015
114-18 .....	The 21st Century Electricity Challenge: Ensuring a Secure, Reliable, and Modern Electricity System. (Subcommittee on Energy and Power).	March 4, 2015
114-20 .....	EPA's Proposed 111(d) Rule for Existing Power Plants: Legal and Cost Issues. (Subcommittee on Energy and Power).	March 17, 2015
114-23 .....	H.R. 906, to Modify the Efficiency Standards for Grid-Enabled Water Heaters. (Subcommittee on Energy and Power).	March 19, 2015
114-29 .....	EPA's Proposed 111(d) Rule for Existing Power Plants, and H.R. _____, Ratepayer Protection Act. (Subcommittee on Energy and Power).	April 14, 2015
114-33 .....	Title II: 21st Century Workforce. (Subcommittee on Energy and Power) .....	April 23, 2015
114-36 .....	Strategic Petroleum Reserve Discussion Draft and Title IV Energy Efficiency. (Subcommittee on Energy and Power).	April 30, 2015
114-40 .....	Discussion Drafts Addressing Hydropower Regulatory Modernization and FERC Process Coordination under the Natural Gas Act. (Subcommittee on Energy and Power).	May 13, 2015
114-44 .....	Discussion Draft Addressing Energy Reliability and Security. (Subcommittee on Energy and Power).	May 19, 2015
114-47 .....	Quadrennial Energy Review and Related Discussion Drafts. (Subcommittee on Energy and Power).	June 2, 2015
114-50 .....	Discussion Draft on Accountability and Department of Energy Perspectives on Title IV: Energy Efficiency. (Subcommittee on Energy and Power).	June 3, 2015 June 4, 2015
114-53 .....	EPA's Proposed Ozone Rule. (Subcommittee on Energy and Power) .....	June 12, 2015
114-56 .....	EPA's Proposed Ozone Rule: Potential Impacts on Manufacturing. (Subcommittee on Energy and Power and Subcommittee on Commerce, Manufacturing, and Trade).	June 16, 2015
114-64 .....	H.R. 702, Legislation to Prohibit Restrictions on the Export of Crude Oil. (Subcommittee on Energy and Power).	July 9, 2015
114-67 .....	Oversight of Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 and Related Issues. (Subcommittee on Energy and Power).	July 14, 2015
114-71 .....	Oversight of the Nuclear Regulatory Commission. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	September 9, 2015
114-83 .....	EPA's CO2 Regulations for New and Existing Power Plants. (Subcommittee on Energy and Power).	October 7, 2015
114-90 .....	EPA's CO2 Regulations for New and Existing Power Plants: Legal Perspectives. (Subcommittee on Energy and Power).	October 22, 2015
114-104 .....	Oversight of the Federal Energy Regulatory Commission. (Subcommittee on Energy and Power).	December 1, 2015
114-109 .....	H.R. _____, the EPS Improvement Act of 2016 (Subcommittee on Energy and Power).	January 12, 2016
114-111 .....	Legislative Hearing on Eight Energy Infrastructure Bills. (Subcommittee on Energy and Power).	February 2, 2016
114-113 .....	H.R. 3797, the Satisfying Energy Needs and Saving the Environment (SENSE) Act and H.R. _____, the Blocking Regulatory Interference from Closing Kilns (BRICK) Act. (Subcommittee on Energy and Power).	February 3, 2016
114-121 .....	Legislative Hearing to Examine Pipeline Safety Reauthorization. (Subcommittee on Energy and Power).	March 1, 2016
114-123 .....	The Fiscal Year 2017 DOE Budget. (Subcommittee on Energy and Power) .....	March 2, 2016
114-130 .....	Fiscal Year 2017 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	March 22, 2016

## HEARINGS HELD—Continued

Serial No.	Hearing Title	Hearing Date(s)
114–134 .....	H.R. 4775, Ozone Standards Implementation Act of 2016. (Subcommittee on Energy and Power).	April 14, 2016
114–138 .....	Fiscal Year 2017 Nuclear Regulatory Commission Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	April 20, 2016
114–141 .....	H.R. 4979, the Advanced Nuclear Technology Development Act of 2016 and H.R. _____, the “Nuclear Utilization of Keynote Energy Policies Act. (Subcommittee on Energy and Power).	April 29, 2016
114–152 .....	Home Appliance Energy Efficiency Standards Under the Department of Energy—Stakeholder Perspectives. (Subcommittee on Energy and Power).	June 10, 2016
114–155 .....	The Renewable Fuel Standard—Implementation Issues. (Subcommittee on Energy and Power).	June 22, 2016
114–156 .....	A Review of EPA’s Regulatory Activity During the Obama Administration: Energy and Industrial Sectors. (Subcommittee on Energy and Power).	July 6, 2016
114–164 .....	Federal Power Act: Historical Perspectives. (Subcommittee on Energy and Power).	September 7, 2016
114–170 .....	The Department of Energy’s Role in Advancing the National, Economic, and Energy Security of the United States. (Subcommittee on Energy and Power).	September 15, 2016
114–171 .....	Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards for Motor Vehicles. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Energy and Power).	September 22, 2016

## SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY

(Ratio 13–9)

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GREGG HARPER, Mississippi,

*Vice Chairman*

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*(Ex Officio)*

*Jurisdiction:* All matters relating to soil and water contamination; The regulation of solid, hazardous, and nuclear wastes; The regulation of industrial plant security; The regulation of drinking water; and, The regulation of toxic substances and noise.

## LEGISLATIVE ACTIVITIES

### DRINKING WATER PROTECTION ACT

PUBLIC LAW 114–45 (H.R. 212)

To amend the Safe Drinking Water Act to provide for the assessment and management of the risk of cyanotoxins in drinking water, and for other purposes.

#### *Summary*

H.R. 212 amends the Safe Drinking Water Act to direct the Environmental Protection Agency (EPA) to develop and submit to Congress a strategic plan for assessing and managing risks associated with algal toxins in drinking water provided by public water systems.

The bill also requires the Government Accountability Office to inventory and report to Congress on Federal spending, between Fiscal Years 2010 and 2014, on both Federal analyses and public health efforts concerning cyanobacteria and algae.

#### *Legislative History*

H.R. 212 was introduced by Representative Robert E. Latta (OH–05) on January 8, 2015, and referred to the Committee on Energy and Commerce. H.R. 212 was referred to the Subcommittee on Environment and the Economy on January 9, 2015.

On February 5, 2015, the Subcommittee on Environment and the Economy held a hearing on H.R. 212. On February 5, 2015, the Subcommittee also met in open markup session to consider H.R.

212 and forwarded the bill, as amended, to the full Committee by a voice vote.

On February 11 and 12, 2015, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 212 reported to the House, as amended, by a voice vote.

On February 24, 2015, the Committee on Energy and Commerce reported H.R. 212 to the House (H. Rept. 114–26), and the bill was placed on the Union Calendar (Calendar No. 18).

On February 24, 2015, H.R. 212 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 375 yeas and 37 nays (Roll Call No. 84).

On February 25, 2015, H.R. 212 was received in the Senate and read twice.

On August 5, 2015, H.R. 212 was considered in the Senate and passed, without amendment, by a voice vote.

On August 6, 2015, H.R. 212 was presented to the President, and the President signed the bill on August 7, 2015 (Public Law 114–45).

#### GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE ACT

PUBLIC LAW 114–98 (S. 611, H.R. 2853)

A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

#### *Summary*

S. 611 amends section 1442(e) of the Safe Drinking Water Act to reauthorize a program administered by the Environmental Protection Agency to provide technical assistance to small public water systems for complying with national primary drinking water regulations.

#### *Legislative History*

S. 611 was introduced by Senator Roger F. Wicker (MS) on February 27, 2015, read twice, and referred to the Committee on Environment and Public Works.

On April 29, 2015, the Committee on Environment and Public Works ordered S. 611, without amendment, to be favorably reported to the Senate.

On May 18, 2015, Senator James M. Inhofe (OK) reported S. 611 to the Senate with a written report (Report 114–47), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 83). On June 9, 2015, S. 611 was considered in the Senate and passed, without amendment, by unanimous consent.

On June 10, 2015, S. 611 was received in the House and referred to the Committee on Energy and Commerce. S. 611 was referred to the Subcommittee on Environment and the Economy on June 12, 2015.

On October 22, 2015, the Subcommittee on Environment and the Economy held a hearing on S. 611.

On October 28, 2015, the Subcommittee on Environment and the Economy met in open markup session to consider S. 611 and ordered the bill favorably forwarded the bill to the full Committee, without amendment, by a voice vote.

On November 17 and 18, 2015, the full Committee on Energy and Commerce met in open markup session to consider S. 611 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On November 19, 2015, the Committee on Energy and Commerce reported S. 611 to the House (H. Rept. 114–346) and was placed on the Union Calendar (Calendar No. 264).

On November 30, 2015, S. 611 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On December 2, 2015, S. 611 was presented to the President, and the President signed the bill on December 11, 2015 (Public Law 114–98).

## TSCA MODERNIZATION ACT OF 2015

PUBLIC LAW 114–182 (H.R. 2576)

To modernize the Toxic Substances Control Act, and for other purposes.

### *Summary*

H.R. 2576 authorizes the Environmental Protection Agency (EPA) to order new testing for those chemicals found to present an unreasonable risk and (2) to order testing of certain chemicals under certain circumstances regardless of whether an unreasonable risk is presented by the chemical.

The bill also requires EPA to determine whether a new chemical or new use of an existing chemical does or may pose an unreasonable risk and may require the mitigation of any such risk before the chemical or new use go to market.

For existing chemicals, the bill bifurcates the process of evaluating and managing the risk to human health and the environment based on the chemical’s intended conditions of use. The risk evaluation phase focuses on hazard and exposure considerations and may not consider economic factors. Existing chemicals determined to pose an unreasonable risk must be subject to risk management regulation. When regulating, EPA must consider the risk posed by the intended condition of use, the social and economic costs of EPA action on this use, the cost-effectiveness of a particular regulation, and the availability of alternatives. Under this measure, EPA no longer must impose only “least burdensome” restrictions on commercially active chemicals.

H.R. 2576 requires EPA to update its inventory of all chemicals in domestic commerce since 1976 and amends the requirements on EPA and chemical manufacturers and processors regarding the protection of confidential business information submitted to EPA under the Act.

The bill imposes specific scientific standards to inform substantive decisions in sections 4, 5, and 6 of Toxic Substances Con-

trol Act and requires EPA to rely on the weight of the scientific evidence in carrying out those sections.

Finally, the bill amends the scope and type of Federal preemption of state and local chemical regulation laws, makes clarifying amendments to the Mercury Export Ban Act, and institutes a cancer cluster registry.

#### *Legislative History*

On April 14, 2015, the Subcommittee on Environment and the Economy held a hearing entitled “H.R. \_\_\_\_, the TSCA Modernization Act.”

On May 14, 2015, the Subcommittee on Environment and the Economy met in open markup session to consider the Discussion Draft and forwarded the Discussion Draft to the full Committee, as amended, by a roll call vote of 21 yeas and 0 nays.

H.R. 2576 was introduced by Representative John Shimkus (IL–15) on May 26, 2015, and referred to the Committee on Energy and Commerce.

On June 2 and 3, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2576, and ordered the bill favorably reported to the House, as amended, by a roll call vote of 47 yeas, 0 nays, and 1 present.

On June 23, 2015, the Committee on Energy and Commerce reported H.R. 2576 to the House (H. Rept. 114–176) and bill was placed on the Union Calendar (Calendar No. 131).

On June 23, 2015, H.R. 2576 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 398 yeas and 1 nay (Roll Call No. 378).

On June 24, 2015, H.R. 2576 was received in the Senate.

On July 8, 2015, H.R. 2576 was read twice, and was placed on Senate Calendar under General Orders (Calendar No. 143).

On December 17, 2015, H.R. 2576 was considered in the Senate and passed, as amended, by a voice vote.

On May 24, 2015, H.R. 2576 was considered in the House pursuant to the provisions of H. Res. 742, and the bill was passed, as amended, by a roll call vote of 403 yeas and 12 nays (Roll Call No. 238).

On June 7, 2016, H.R. 2576, was agreed to in the Senate and passed by a voice vote.

On June 14, 2016, H.R. 2576 was presented to the President, and the President signed the bill on June 22, 2016 (Public Law 114–182).

#### WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION ACT

PUBLIC LAW 114–322 (S. 612, TITLE II)

#### *Summary*

Title II of S. 612 would improve our nation’s drinking water infrastructure and helps communities meet the requirements of the Safe Drinking Water Act, while also authorizing the state regulation of coal ash.



*Legislative History*

S. 612 was introduced by Senator John Cornyn (TX) on February 27, 2015, read twice, and referred to the Committee on Environment and Public Works.

On April 19, 2015, the Committee on Environment and Public Works ordered S. 612 to be favorably reported, without amendment, to the Senate.

On May 4, 2015, Senator Inhofe (OK) reported S. 612, without amendment, to the Senate without a written report, and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 65).

On May 21, 2015, S. 612 was considered in the Senate and passed, without amendment, by unanimous consent.

On May 22, 2015, S. 612 was received in the House, and referred to the Committee on Transportation and Infrastructure.

On December 8, 2016, S. 612 was considered in the House pursuant to the provisions of H. Res. 949, and the bill was passed, as amended, by a roll call vote of 360 yeas and 61 nays (Roll Call No. 622).

On December 8, 2016, S. 612 was received in the Senate, and on December 9, 10, and 12, 2016, S. 612 was considered in the Senate and a motion to concur in the House amendment was passed, by a roll call vote of 78 yeas and 81 nays (Roll Call No. 163).

On December 14, 2016, S. 612 was presented to the President, and the President signed the bill on December 16, 2016 (Public Law 114–322).

IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF  
2015

H.R. 1734

To amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment.

*Summary*

H.R. 1734 would establish state permit programs for coal ash and would incorporate the technical standards and requirements that the Environmental Protection Agency (EPA) developed in the final rule regarding of human health and the environment. A state that chooses to adopt a coal ash program would be given sole enforcement authority, and EPA would be required to implement a program if a state does not implement a program that fails to meet these criteria.

*Legislative History*

On March 18 and 24, 2015, the Subcommittee on Environment and the Economy held a hearing on a Discussion Draft entitled “Improving Coal Combustion Residuals Regulation Act of 2015.”

On March 24 and 25, 2015, the Subcommittee on Environment and the Economy met in open markup session to consider the Dis-

cussion Draft and forwarded the bill, without amendment, to the full Committee by a roll call vote of 16 yeas and 5 nays.

On April 13, 2015, Representative David McKinley (WV-01) introduced H.R. 1734, which was similar to the Discussion Draft considered by the Subcommittee.

On April 14 and 15, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 1734, and the bill was ordered favorably reported, without amendment, to the House by a roll call vote of 32 yeas and 19 nays.

On June 9, 2015, the Committee on Energy and Commerce reported H.R. 1734 to the House (H. Rept. 114-143), and the bill was placed on the Union Calendar (Calendar No. 103).

On July 22, 2015, H.R. 1734 was considered in the House pursuant to the provisions of H. Res. 742, and the bill was passed, as amended by a roll call vote of 258 yeas and 166 nays (Roll Call No. 458).

On July 23, 2015, H.R. 1734 was received in the Senate.

On July 14, 2016, H.R. 1734 was read twice and referred to the Committee on Environment and Public Works.

No further action was taken on the bill.

## OVERSIGHT ACTIVITIES

### EPA'S 2014 FINAL RULE: DISPOSAL OF COAL COMBUSTION RESIDUALS FROM ELECTRIC UTILITIES

On January 22, 2015, the Subcommittee on Environment and the Economy held a hearing entitled "EPA's 2014 Final Rule: Disposal of Coal Combustion Residuals from Electric Utilities." The purpose of the hearing was to review the Environmental Protection Agency's (EPA) final rule concerning the disposal of coal combustion residuals. The Subcommittee received testimony from Mathy Stanislaus, Assistant Administrator for Office of Solid Waste and Emergency Response, Environmental Protection Agency; Thomas Easterly, Commissioner, Indiana Department of Environmental Management, on behalf of the Environmental Council of States and the Indiana Department of Environmental Management; Michael Forbeck, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Bureau of Waste Management, on behalf of the Association of State and Territorial Solid Waste Management Officials; Lisa Johnson, Chief Executive Officer and General Manager, Seminole Electric Cooperative, Inc., on behalf of National Rural Electric Cooperative Association and Seminole Electric Cooperative, Inc.; Thomas Adams, Executive Director, American Coal Ash Association; James Roewer, Executive Director, Utilities Solid Waste Activities Group, on behalf of USWAG, Edison Electric Institute, and the American Public Power Association; Eric Schaeffer, Director, Environmental Integrity Project; and Frank Holleman, Senior Attorney, Southern Environmental Law Center.

### THE FISCAL YEAR OF 2016 EPA BUDGET

On February 25, 2015, the Subcommittee on Environment and the Economy and the Subcommittee on Energy and Power held a joint hearing entitled "The Fiscal Year 2016 EPA Budget." The

purpose of the hearing was to examine the President's proposed budget of \$8.59 billion for EPA in Fiscal Year 2016. The Subcommittee received testimony from Gina McCarthy, Administrator, Environmental Protection Agency.

#### THE NEEDS OF DRINKING WATER SYSTEMS IN RURAL AND SMALLER COMMUNITIES

On February 27, 2015, the Subcommittee on Environment and the Economy held a hearing entitled "The Needs of Drinking Water Systems in Rural and Smaller Communities." The purpose of the hearing was to examine the challenges faced by smaller and rural communities, including managing, replacing, or upgrading aging and obsolete drinking water systems. The Subcommittee received testimony from J. Alfredo Gomez, Director, Natural Resources and Environment, Government Accountability Office; Joseph Keegan, Castleton On Hudson, New York, on behalf of New York Rural Water Association; K.T. Newman, on behalf of the National Rural Water Association; Bobby Selman, on behalf of the Mississippi Rural Water Association; and Robert Stewart, Executive Director, Rural Community Assistance Partners.

#### UPDATE ON THE CURRENT STATE OF NUCLEAR WASTE MANAGEMENT POLICY

On May 15, 2015, the Subcommittee on Environment and the Economy held a hearing entitled "Update on the Current State of Nuclear Waste Management Policy." The purpose of the hearing was to examine the current status of the Federal Government's efforts relating to the Nuclear Waste Policy Act. The Subcommittee received testimony from Andrew Fitz, Senior Counsel, Office of the Attorney General, State of Washington; Josephine Piccone, Director, Yucca Mountain Directorate, Nuclear Regulatory Commission; Greg R. White, Commissioner, Michigan Public Service Commission, on behalf of the National Association of Regulatory Utility Commissioners, Chairman, Subcommittee on Nuclear Issues—Waste Disposal; Stephen Kuczynski, Chairman, President and Chief Executive Officer, Southern Nuclear Operating Company; Geoffrey H. Fettus, Senior Attorney, Natural Resources Defense Council; and Einar Ronningen, Manager, Rancho Seco Assets, Decommissioning Plant Coalition.

#### OVERSIGHT ON THE NUCLEAR REGULATORY COMMISSION

On September 9, 2015, the Subcommittee on Environment and the Economy and the Subcommittee on Energy and Power held a joint hearing entitled "Oversight of the Nuclear Regulatory Commission." The purpose of the hearing was to examine the Commission's budget development, resource planning, proposed rule-making, and ongoing activities relating to the storage, transportation, and disposal of high-level radioactive material and spent nuclear fuel. The Subcommittee received testimony from Stephen Burns, Commissioner, Nuclear Regulatory Commission, Kristine Svinicki, Commissioner, Nuclear Regulatory Commission, William Ostendorff, Commissioner, Nuclear Regulatory Commission, and Jeff Baran, Commissioner, Nuclear Regulatory Commission.

#### OVERSIGHT OF FEDERAL FACILITY CLEANUP UNDER CERCLA

On September 11 and 16, 2015, the Subcommittee on Environment and the Economy held a hearing entitled “Oversight of Federal Facility Cleanup under CERCLA.” The purpose of the hearing was to examine the Environmental Protection Agency’s (EPA) efforts to identify and clean up contaminated sites. On September 11, 2015, the Subcommittee received testimony from Mathy Stanislaus, Assistant Administrator for the Office of Solid Waste and Emergency Response, Environmental Protection Agency; Mark Whitney, Principal Deputy Assistant Secretary for Environmental Management, Department of Energy; John Conger, performing the Duties of the Assistant Secretary of Defense for Energy, Installations, and Environment, Department of Defense; and Alfredo Gomez, Director, Natural Resources and Environment, Government Accountability Office. On September 16, 2015, the Subcommittee received testimony from Elizabeth Dieck, Director of Environmental Affairs, South Carolina Department of Health and Environmental Control, on behalf of Environmental Council of the States; and Bonnie Buthker, Chief of Southwest District Office, Ohio Environmental Protection Agency, on behalf of the Association of State and Territorial Solid Waste Management Officials.

#### TRANSPORTING NUCLEAR MATERIALS: DESIGN, LOGISTICS, AND SHIPMENT

On October 1, 2015, the Subcommittee on Environment and the Economy held a hearing entitled “Transporting Nuclear Materials: Design, Logistics, and Shipment.” The purpose of the hearing was to examine current efforts to transport nuclear material and program recommendations for DOE. The Subcommittee received testimony from Christopher Kouts, Managing Partner, Kouts Consulting; Edward R. Hamberger, President and Chief Executive Officer, Association of American Railroads; Kelly Horn, Co-Chairman, Midwestern Radioactive Materials Transportation Committee; Robert Quinn, Vice President, Cask and Container Technology, EnergySolutions; Chairman, Spent Fuel Transportation Task Force, U.S. Nuclear Infrastructure Council; Franklin Rusco, Director, Natural Resources and Environment, Government Accountability Office; and Kevin Kamps, Radioactive Waste Watchdog, Beyond Nuclear.

#### E-MANIFEST: AN UPDATE ON IMPLEMENTATION

On October 9, 2015, the Subcommittee on Environment and the Economy held a hearing entitled “E-manifest: An Update on Implementation.” The purpose of the hearing was to examine Environmental Protection Agency’s implementation of section 3024 of the Solid Waste Disposal Act, which requires the creation and deployment of an electronic manifest system to assure that hazardous waste designated for treatment, storage, or disposal arrives at the treatment, storage, or disposal facility for which a permit has been issued. The Subcommittee received testimony from Barnes Johnson, Director, Office of Resource Conservation and Recovery, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

#### UPDATE ON LOW LEVEL RADIOACTIVE WASTE DISPOSAL ISSUES

On October 28, 2015, the Subcommittee on Environment and the Economy held a hearing entitled “Update on Low-Level Radioactive Waste Disposal Issues.” The purpose of the hearing was to examine issues associated with implementing the Low-Level Radioactive Waste Policy Act. The Subcommittee received testimony from Mark Whitney, Principal Deputy Assistant Secretary for Environmental Management, Department of Energy; Michael Weber, Deputy Executive Director of Operations for Materials, Waste, Research, State, and Compliance Programs, Nuclear Regulatory Commission; Jennifer Opila, Director, Organization of Agreement States; Leigh Ing, Executive Director, Texas Low Level Radioactive Waste Disposal Compact Commission; and Chuck Smith, Council Member, Aiken County, South Carolina, Chairman, Energy Communities Alliance.

#### THE NUCLEAR WASTE FUND: BUDGETARY, FUNDING, AND SCORING ISSUES

On December 3, 2015, the Subcommittee on Environment and the Economy held a hearing entitled “The Nuclear Waste Fund: Budgetary, Funding, and Scoring Issues.” The purpose of the hearing was to examine issues associated with the establishment and implementation of the Nuclear Waste Fund, and the budgetary treatment of the nuclear waste fee and the Nuclear Waste Fund. The Subcommittee received testimony from David Bearden, Specialist in Environmental Policy, Congressional Research Service; Kim P. Cawley, Chief of Natural and Physical Resources Cost Estimates Unit, Congressional Budget Office; and Travis Kavulla, Commissioner, Montana Public Service Commission, President, National Association of Regulatory Utility Commissioners.

#### FISCAL YEAR 2017 EPA BUDGET

On March 22, 2016, the Subcommittee on Environment and the Economy and the Subcommittee on Energy and Power held a joint hearing entitled “Fiscal Year 2017 EPA Budget.” The purpose of the hearing was to examine the President’s proposed budget of \$8.267 billion for EPA in Fiscal Year 2017. The Subcommittee received testimony from Gina McCarthy, Administrator, Environmental Protection Agency.

#### FLINT WATER CRISIS: IMPACTS AND LESSONS LEARNED

On April 13, 2016, the Subcommittee on Environment and the Economy and the Subcommittee on Health held a joint hearing entitled “Flint Water Crisis: Impacts and Lessons Learned.” The purpose of the hearing was to review matters related to the elevated amounts of lead in the drinking water of Flint, Michigan. The Subcommittee received testimony from Joel Beauvais, Deputy Assistant Administrator for the Office of Water, Environmental Protection Agency; Nicole Lurie, Assistant Secretary for Preparedness and Response, Department for Health and Human Services; Keith Creagh, Director, Michigan Department of Environmental Quality; Nick Lyon, Director, Michigan Department of Health and Human Services; Mona Hanna-Attisha, Program Director Pediatric Resi-

dency, Hurley Children's Hospital at Hurley Medical Center, Assistant Professor of Pediatrics, Michigan State University College of Human Medicine; Joan Alker, Executive Director at the Center for Children and Families, Georgetown University; Steve Estes-Smargiassi, Director of Planning and Sustainability, Massachusetts Water Resources Authority; June Swallow, President and Administrator, Rhode Island Drinking Water Program, Rhode Island Department of Health; and Mae Wu, Senior Attorney, Health and Environment Program, Natural Resources Defense Council.

#### FISCAL YEAR 2017 NUCLEAR REGULATORY COMMISSION BUDGET

On April 20, 2016, the Subcommittee on Environment and the Economy and the Subcommittee on Energy and Power held a joint hearing entitled "Fiscal Year 2017 Nuclear Regulatory Commission Budget." The purpose of the hearing was to examine the Commission budget proposal for Fiscal Year 2017. The Subcommittee received testimony from Stephen Burns, Commissioner, Nuclear Regulatory Commission, Kristine Svinicki, Commissioner, Nuclear Regulatory Commission, William Ostendorff, Commissioner, Nuclear Regulatory Commission, and Jeff Baran, Commissioner, Nuclear Regulatory Commission.

#### EPA'S BROWNFIELDS PROGRAM: EMPOWERING CLEANUP AND ENCOURAGING ECONOMIC REDEVELOPMENT

On April 21, 2016, the Subcommittee on Environment and the Economy held a hearing entitled "The EPA Brownfields Program: Empowering Cleanups and Encouraging Economic Redevelopment." The purpose of the hearing was to examine the Environmental Protection Agency's Brownfields Program. The Subcommittee received testimony from Mathy Stanislaus, Assistant Administrator for the Office of Solid Waste and Emergency Response, Environmental Protection Agency; Mead Anderson, Brownfields Program Manager, Virginia Department of Environmental Quality, on behalf of the Association of State and Territorial Solid Waste Management Officials; J. Christian Bollwage, Mayor, City of Elizabeth, New Jersey; Clark Henry, Owner, CIII Associates, LLC; Amy Romig, Partner, Plews Shadley Racher and Braun, LLP; and Veronica Eady, Vice President and Director, Conservation Law Foundation.

#### FEDERAL, STATE, AND LOCAL AGREEMENTS AND ECONOMIC BENEFITS FOR SPENT NUCLEAR FUEL DISPOSAL

On July 7, 2016, the Subcommittee on Environment and the Economy held a hearing entitled "Federal, State, and Local Agreements and Economic Benefits for Spent Nuclear Fuel Disposal." The purpose of the hearing was to examine issues associated with the Nuclear Waste Policy Act. The Subcommittee received testimony from Representative Mark E. Amodei (NV-02), Representative Dina Titus (NV-01), Representative Cresent Hardy (NV-04), Representative Robert J. Dold (IL-10); Dan Schinhofen, County Commissioner, Nye County, Nevada; Joseph Hardy, State Senator, State of Nevada; and Gene Humphrey, President, International Test Solutions, Inc.

## OVERSIGHT OF CERCLA IMPLEMENTATION

On July 13, 2016, the Subcommittee on Environment and the Economy held a hearing entitled “Oversight of CERCLA Implementation.” The purpose of the hearing was to examine the Environmental Protection Agency’s implementation of Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The Subcommittee received testimony from Ann Wagner (MO-02); Lacy Clay (MO-01); Mathy Stanislaus, Assistant Administrator for the Office of Land and Emergency Management, Environmental Protection Agency; Amy Brittain, Environmental Programs Manager, Site Remediation Section, Land Protection Division at the Oklahoma Department of Environmental Quality, on behalf of the Association of State and Territorial Solid Waste Management Officials; Steve Nadeau, Partner, Honigman; Marianne Horinko, President, The Horinko Group; and Robert Spiegel, Executive Director, Edison Wetlands Association.

## HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-3 .....	EPA’s 2014 Final Rule: Disposal of Coal Combustion Residuals from Electric Utilities. (Subcommittee on Environment and the Economy).	January 22, 2015
114-7 .....	H.R. 212, the Drinking Water Protection Act. (Subcommittee on Environment and the Economy).	February 5, 2015
114-11 .....	The Fiscal Year 2016 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	February 25, 2015
114-15 .....	The Needs of Drinking Water Systems in Rural and Smaller Communities. (Subcommittee on Environment and the Economy).	February 27, 2015
114-22 .....	H.R. _____, Improving Coal Combustion Residuals Regulation Act of 2015. (Subcommittee on Environment and the Economy).	March 18, 2015 March 24, 2015
114-30 .....	H.R. _____, the TSCA Modernization Act of 2015. (Subcommittee on Environment and the Economy).	April 14, 2015
114-42 .....	Update on the Current State of Nuclear Waste Management Policy. (Subcommittee on Environment and the Economy).	May 15, 2015
114-71 .....	Oversight of the Nuclear Regulatory Commission. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	September 9, 2015
114-73 .....	Oversight of Federal Facility Cleanup under CERCLA. (Subcommittee on Environment and the Economy).	September 11, 2015 September 16, 2015
114-82 .....	Transporting Nuclear Materials: Design, Logistics, and Shipment. (Subcommittee on Environment and the Economy).	October 1, 2015
114-89 .....	Technical Assistance for Rural Water Systems: S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act. (Subcommittee on Environment and the Economy).	October 22, 2015
114-94 .....	E-manifest: An Update on Implementation. (Subcommittee on Environment and the Economy).	October 27, 2015
114-96 .....	Update on Low-Level Radioactive Waste Disposal Issues. (Subcommittee on Environment and the Economy).	October 28, 2015
114-106 .....	The Nuclear Waste Fund: Budgetary, Funding, and Scoring Issues. (Subcommittee on Environment and the Economy).	December 3, 2015
114-130 .....	Fiscal Year 2017 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	March 22, 2016
114-131 .....	Flint Water Crisis: Impacts and Lessons Learned. (Subcommittee on Environment and the Economy and Subcommittee on Health).	April 13, 2016
114-138 .....	Fiscal Year 2017 Nuclear Regulatory Commission Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	April 20, 2016
114-140 .....	EPA’s Brownfields Program: Empowering Cleanup and Encouraging Economic Redevelopment. (Subcommittee on Environment and the Economy).	April 21, 2016
114-157 .....	Federal, State, and Local Agreements and Economic Benefits for Spent Nuclear Fuel Disposal. (Subcommittee on Environment and the Economy).	July 7, 2016
114-162 .....	Oversight of CERCLA Implementation. (Subcommittee on Environment and the Economy).	July 13, 2016





## SUBCOMMITTEE ON HEALTH

(Ratio 18–13)

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JOSEPH P. KENNEDY, Massachusetts

TONY CARDENAS, California

FRANK PALLONE, Jr., New Jersey

*(Ex Officio)*

*Jurisdiction:* Public health and quarantine; hospital construction; mental health and research; biomedical programs and health protection in general, including public and private health insurance; food and drugs; and, drug abuse.

## LEGISLATIVE ACTIVITIES

### 21ST CENTURY CURES ACT

PUBLIC LAW 114–255 (H.R. 34, H.R. 6)

To accelerate the discovery, development, and delivery of 21st century cures, and for other purposes.

#### *Summary*

H.R. 34 would include funding for an innovation fund to help fund key biomedical research projects at the National Institutes of Health (NIH). It also would include key reforms at the Food and Drug Administration (FDA) to help streamline the development of new therapies. Additionally, the legislation included various delivery reforms in the Medicare space.

H.R. 34 would change the way disease is treated by addressing three key areas; discovery, development and delivery. The bill would help fund key research in the “discovery” phase by providing \$4.8 billion in NIH funding. The development of new therapies would be advanced through streamlining regulation at the FDA and modernizing clinical trials, among other important activities. The bill would help speed the delivery of these new innovations by

improving interoperability of health records and improving education for health care providers.

In addition, the bill includes language from H.R. 2646, the Helping Families in Mental Health Crisis Act, which was a comprehensive effort to advance meaningful mental health reforms. This legislation represents the most significant reforms to the mental health system in more than a decade. The bill also includes various Medicare Part A reforms that would increase choice, access, and quality in health care for all Americans.

#### *Legislative History*

H.R. 6 was introduced by Representative Fred Upton (MI-06) on May 19, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

On May 19, 2015 and May 21, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 6 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 51 yeas and 0 nays.

On July 7, 2015, the Committee on Energy and Commerce reported H.R. 6 to the House (H. Rept. 114-190, Part I), and the bill was placed on the Union Calendar (Calendar No. 142).

On July 9 and 10, 2015, H.R. 6 was considered in the House pursuant to the provisions of H. Res. 350, and the bill was passed, as amended, by a roll call vote of 344 yeas and 77 nays (Roll Call No. 433).

On July 13, 2015, H.R. 6 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

H.R. 34, Tsunami Warning, Education, and Research Act of 2015, was introduced by Representative Suzanne Bonamici (OR-01) on January 6, 2015, and referred to the Committee on Science, Space, and Technology.

On January 7, 2015, H.R. 34 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On January 8, 2015, H.R. 34 was received in the Senate, read twice, and referred to the Committee on Commerce, Science, and Transportation.

On February 26, 2015, the Committee on Commerce, Science, and Transportation ordered H.R. 34 to be favorably reported, as amended, to the Senate.

On September 22, 2015, Senator John Thune (SD) reported H.R. 34, as amended, to the Senate with a written report (Report 114-146), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 237).

On October 6, 2015, H.R. 34 was considered in the Senate and passed, as amended, by unanimous consent.

On November 30, 2016, motion to concur in the Senate amendment to H.R. 34, with an amendment, was considered in the House pursuant to the provisions of H. Res. 934, and the bill was passed by a roll call vote of 392 yeas and 26 nays (Roll Call No. 592). The text of the amendment to the Senate amendment to H.R. 34 re-

flected an agreement between the House and Senate to resolve their differences on the policy contained in H.R. 6.

On December 5, 6, and 7, 2016, the House amendment to the Senate amendment to H.R. 34 was considered in the Senate and passed by unanimous consent.

On December 3, 4, 2016, H.R. 34 was presented to the President, and the President signed the bill on December 13, 2016 (Public Law 114–255).

## MEDICARE ACCESS AND CHIP REAUTHORIZATION ACT OF 2015

PUBLIC LAW 114–10 (H.R. 2)

To amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate and strengthen Medicare access by improving physician payments and making other improvements, to reauthorize the Children’s Health Insurance Program, and for other purposes.

### *Summary*

H.R. 2 would make numerous changes to Medicare, Medicaid, and other health care and related programs. The bill would replace the SGR formula with new systems for establishing the annual updates to payment rates for physicians’ services in Medicare. The bill also would temporarily extend the Children’s Health Insurance Program (CHIP) and a number of other expiring provisions related to Medicare, Medicaid, and certain grant programs. In addition, it would make permanent a subsidy of Part B premiums for certain low-income Medicare beneficiaries and the availability of up to one year of additional Medicaid benefits for certain low-income families who would otherwise lose such coverage. H.R. 2 would partially offset the budgetary cost of those provisions—largely by reducing updates to Medicare’s payment rates for services furnished by hospitals and providers of post-acute care and by increasing premiums paid by Medicare enrollees who have relatively high income.

### *Legislative History*

H.R. 2 was introduced by Representative Michael C. Burgess (TX–26) on March 25, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, Committee on the Judiciary, Committee on Agriculture, Committee on Natural Resources, and Committee on the Budget, for a period to be subsequently determined by the Speaker. On September 9, 2014, H.R. 2 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On March 26, 2015, H.R. 2 was considered in the House pursuant to the provisions of H. Res. 173, and the bill was passed by a roll call vote of 392 yeas and 37 nays (Roll Call No. 144).

On September 26, 2015, H.R. 2 was received in the Senate, and read twice.

On April 14, 2015, H.R. 2 was considered in the Senate and passed, as amended, by roll call vote of 92 yeas and 8 nays (Roll Call No. 144).

On April 16, 2015, S. 1359 was presented to and signed by the President (Public Law 114–10).

MEDICARE INDEPENDENCE AT HOME MEDICAL PRACTICE  
DEMONSTRATION IMPROVEMENT ACT OF 2015

PUBLIC LAW 114–39 (S. 971)

To amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

*Summary*

S. 971 amends title XVIII (Medicare) of the Social Security Act to increase from a three-year to a five-year period the length of an agreement with an independence at home medical practice under the Medicare Independence at Home Medical Practice Demonstration Program.

*Legislative History*

S. 971 was introduced by Senator Ron Wyden (OR) on April 16, 2015, and referred to the Committee on Finance.

On April 22, 2015, S. 971 was considered in the Senate and passed, as amended, by a voice vote.

On April 22, 2015, S. 971 was received in the House, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. S. 971 was referred to the Subcommittee on Health on April 24, 2015.

On June 23, 2015, the Committee on Ways and Means reported S. 971 to the House (H. Rept. 114–172, Part 1), and the bill was placed on the Union Calendar (Calendar No. 127).

On July 15, 2015, S. 971 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On July 22, 2015, S. 971 was presented to the President, and the President signed the bill on July 30, 2015 (Public Law 114–39).

STEVE GLEASON ACT OF 2015

PUBLIC LAW 114–40 (S. 984)

To amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

*Summary*

S. 984 amends title XVIII (Medicare) of the Social Security Act to cover as durable medical equipment any eye tracking and gaze interaction accessories for speech generating devices furnished to individuals with a demonstrated medical need for them.

*Legislative History*

S. 984 was introduced by Senator David Vitter (LA) on April 16, 2015, read the first time, and placed on the Senate Legislative Calendar under Read the First Time.

On April 20, 2015, S. 984 was read the second time and placed on Senate Legislative Calendar under General Orders (Calendar No. 59).

On April 22, 2015, S. 984 was considered in the Senate and passed, without amendment, by a voice vote.

On April 22, 2015, S. 984 was received in the House, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. S. 984 was referred to the Subcommittee on Health on April 27, 2015.

On June 24, 2015, the Committee on Ways and Means reported S. 984 to the House (H. Rept. 114–178, Part I), and on July 15, 2015, S. 984 was placed on the Union Calendar (Calendar No. 154).

On July 15, 2015, S. 984 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On July 22, 2015, S. 984 was presented to the President, and the President signed the bill on July 30, 2015 (Public Law 114–40).

## NOTICE ACT

PUBLIC LAW 114–42 (H.R. 876)

To amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

*Summary*

H.R. 876 amends title XVIII (Medicare) of the Social Security Act to require a hospital or critical access hospital with an agreement with the Secretary of Health and Human Services to give each individual who receives observation services as an outpatient for more than 24 hours an adequate oral and written notification within 36 hours after beginning to receive that includes an explanation of the individual's status as an outpatient and not as an inpatient and the reasons why; an explanation of the implications of that status on services furnished (including those furnished as an inpatient), in particular the implications for cost-sharing requirements and subsequent coverage eligibility for services furnished by a skilled nursing facility; and appropriate additional information. The notification must be written and formatted using plain language and made available in appropriate languages and signed by the individual or a person acting on the individual's behalf (representative) to acknowledge receipt of the notification, or if the individual or representative refuses to sign, the written notification is signed by the hospital staff who presented it.

*Legislative History*

H.R. 876 was introduced by Representative Lloyd Doggett (TX–35) on February 11, 2015, and referred to the Committee on Ways

and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 876 was referred to the Subcommittee on Health on February 13, 2015.

On March 13, 2015, the Committee on Ways and Means reported H.R. 876 to the House (H. Rept. 114–39, Part I), and the bill was placed on the Union Calendar (Calendar No. 25).

On March 16, 2015, H.R. 876 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 395 yeas and 0 nays (Roll No. 115).

On March 17, 2015, H.R. 876 was received in the Senate, read twice, and referred to the Committee Finance.

On July 27, 2015, H.R. 876 was considered in the Senate and passed, without amendment, by unanimous consent.

On July 29, 2015, H.R. 876 was presented to the President, and the President signed the bill on August 6, 2015 (Public Law 114–42).

#### PROTECTING AFFORDABLE COVERAGE FOR EMPLOYEES ACT

PUBLIC LAW 114–60 (H.R. 1624)

To amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer.

#### *Summary*

H.R. 1624 amends the Patient Protection and Affordable Care Act (PPACA) and Public Health Service Act to include employers with 51 to 100 employees as large employers for purposes of health insurance markets and gives states the option to treat these employers as small employers.

#### *Legislative History*

H.R. 1624 was introduced by Representative Brett Guthrie (KY–02) on March 25, 2015, and referred to the Committee on Energy and Commerce. H.R. 1624 was referred to the Subcommittee on Health on March 27, 2015.

On September 9, 2015, the Subcommittee on Health held a hearing on H.R. 1624.

On September 28, 2015, H.R. 1624 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On September 29, 2015, H.R. 1624 was received in the Senate and read twice.

On October 1, 2015, H.R. 1624 was considered in the Senate and passed, without amendment, by a voice vote.

On October 5, 2015, H.R. 1624 was presented to the President, and the President signed the bill on October 7, 2015 (Public Law 114–60).

## ENSURING ACCESS TO CLINICAL TRIALS ACT OF 2015

PUBLIC LAW 114–63 (S. 139)

To permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

*Summary*

S. 139 amends the Improving Access to Clinical Trials Act of 2009 to repeal the sunset of the exclusion from resources under titles XVI (Supplemental Security Income) and XIX (Medicaid) of the Social Security Act, for eligibility purposes, of compensation in the amount of the first \$2,000 per year received by individuals who participate in clinical trials for rare diseases or conditions.

*Legislative History*

S. 139 was introduced by Senator Ron Wyden (OR) on January 8, 2015, and referred to the Committee on Finance.

On July 16, 2015, S. 1557 was considered in the Senate and passed, without amendment, by unanimous consent.

On July 20, 2015, S. 1557 was received in the House, and referred to the Committee on Energy and Commerce, in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. S. 139 was referred to the Subcommittee on Health on July 24, 2015.

On September 28, 2015, S. 139 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On September 30, 2015, S. 1557 was presented to the President, and the President signed the bill on October 7, 2015 (Public Law 114–63).

A BILL TO AMEND TITLE XI OF THE SOCIAL SECURITY ACT TO CLARIFY WAIVER AUTHORITY REGARDING PROGRAMS OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE PROGRAMS)

PUBLIC LAW 114–85 (S. 1362)

To amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

*Summary*

S. 1362 amends Part A (General Provisions) of title XI of the Social Security Act to authorize the Department of Health and Human Services (HHS) to waive applicable general and Medicaid requirements of the Program of All-Inclusive Care for the Elderly (PACE) in order to conduct demonstration projects through the Center for Medicare and Medicaid Innovation (CMS Innovation Center) that involve PACE.

*Legislative History*

S. 1362 was introduced by Senator Thomas R. Carper (DE) on May 18, 2015, read twice, and referred to the Committee on Finance.

On July 30, 2015, Senator Orrin Hatch (UT) reported H.R. 1362, as amended, to the Senate with a written report (Report 114–108), and the bill was placed on Senate Legislative Calendar under General Orders (Calendar No. 187).

On August 5, 2015, S. 1362 was considered in the Senate and passed, as amended, by unanimous consent.

On September 8, 2015, S. 1362 was received in the House, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. S. 1362 was referred to the Subcommittee on Health on September 11, 2015.

On October 21, 2015, S. 1362 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On October 26, 2015, S. 1362 was presented to the President, and the President signed the bill on November 5, 2015 (Public Law 114–85).

IMPROVING REGULATORY TRANSPARENCY FOR NEW MEDICAL  
THERAPIES ACT

PUBLIC LAW 114–89 (H.R. 639)

To amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

*Summary*

H.R. 639 would modify the administrative procedures followed by the Department of Justice in regulating new drugs that are already approved by the Food and Drug Administration and in authorizing drugs to be used in clinical trials. The legislation would aim to streamline the current review and approval process.

*Legislative History*

On January 27, 2015, the Subcommittee on Health held a hearing on H.R. 4229, Improving Regulatory Transparency for New Medical Therapies Act, which was introduced during the 113th Congress.

H.R. 639 was introduced by Representative Joseph R. Pitts (PA–16) on February 2, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 639 was referred to the Subcommittee on Health on February 6, 2015. H.R. 639 was similar to H.R. 4229.

On February 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 639 and forwarded the bill to the full Committee, as amended, by a voice vote.

On February 11 and 12, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 639 and



ordered the bill favorably reported to the House, as amended, by a voice vote.

On March 16, 2015, the Committee on Energy and Commerce reported H.R. 639 to the House (H. Rept. 114–41, Part I), and the bill was placed on the Union Calendar (Calendar No. 26).

On March 16, 2015, H.R. 639 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On March 17, 2015, H.R. 639 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

On October 26, 2015, H.R. 639 was considered in the Senate and passed, as amended, by unanimous consent.

On November 16, 2015, Rep. H. Morgan Griffith (VA–09) asked unanimous consent to take from the Speaker's table H.R. 639, with the Senate amendment thereto, and concur in the Senate amendment. The bill was passed by unanimous consent.

On November 19, 2015, H.R. 639 was presented to the President, and signed by the President on November 25, 2015 (Public Law 114–89).

#### BREAST CANCER RESEARCH STAMP REAUTHORIZATION ACT OF 2015

PUBLIC LAW 114–99 (S. 1170)

To amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

#### *Summary*

The Stamp Out Breast Cancer Act (Public Law 105–41) authorized a special postage stamp for first-class mail. The price of this stamp is 60 cents, 11 cents above the current rate of 49 cents. The authority to issue the stamp expires on December 31, 2015. After accounting for the Postal Service's administrative costs, amounts above the regular postal rate collected from sales of the special stamp are transferred to the National Institutes of Health and the Department of Defense to spend on breast cancer research. S. 1170 would extend this program until December 31, 2019.

#### *Legislative History*

S. 1170 was introduced by Senator Dianne Feinstein (CA) on April 30, 2015, read twice and referred to the Committee on Homeland Security and Governmental Affairs.

On July 29, 2015, the Committee on Homeland Security and Governmental Affairs ordered S. 1170, without amendment, to be favorably reported to the Senate.

On September 17, 2015, Senator Ron Johnson (WI) reported S. 1170 to the Senate with a written report (Report 114–144), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 233).

On September 22, 2015, S. 1170 was considered in the Senate and passed, without amendment, by unanimous consent.

On September 24, 2015, S. 1170 was received in the House, and referred to the Committee on Oversight and Government Reform,

and in addition to the Committee on Energy and Commerce, and the Committee on Armed Services, for a period to be subsequently determined by the Speaker. S. 1170 was referred to the Subcommittee on Health on September 25, 2015.

On November 30, 2015 and December 1, 2015, S. 1170 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a vote of 422 yeas and 1 nay (Roll Call No. 648).

On December 3, 2015, S. 1170 was presented to the President, and the President signed the bill on December 11, 2015 (Public Law 114–99).

#### STEM CELL THERAPEUTIC AND RESEARCH REAUTHORIZATION ACT OF 2015

PUBLIC LAW 114–104 (H.R. 2820)

To reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

#### *Summary*

H.R. 2820 amends the Public Health Service Act and the Stem Cell Therapeutic and Research Act of 2005 to revise and extend through Fiscal Year 2020 the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory program. The bill also revises requirements for Department of Health and Human Services (HHS) contracts under the Stem Cell Therapeutic and Research Act of 2005 and requires HHS to determine whether to include peripheral blood stem cells and umbilical cord blood in the definition of human organ.

#### *Legislative History*

H.R. 2820 was introduced by Representative Christopher H. Smith (NJ–04) on June 18, 2015, and referred to the Committee on Energy and Commerce. H.R. 2820 was referred to the Subcommittee on Health on June 19, 2015.

On July 23, 2015, the Subcommittee on Health met in open markup session to consider H.R. 2820 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On June 25, 2015, the Subcommittee on Health held a hearing on H.R. 2820.

On July 29, 2015, the full Committee on Energy and Commerce met in open markup session to consider H.R. 2820 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On September 8, 2015, the Committee on Energy and Commerce reported H.R. 2820 to the House (H. Rept. 114–242), and the bill was placed on the Union Calendar (Calendar No. 183).

On September 8, 2015, H.R. 2820 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On September 9, 2015, H.R. 2820 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

On November 18, 2015, the Committee on Health, Education, Labor, and Pensions ordered H.R. 2820, as amended, favorably reported to the Senate.

On December 3, 2015, Senator Lamar Alexander (TN) reported H.R. 2820 to the Senate without a written report, and the bill was placed on Senate Legislative Calendar under General Orders (Calendar No. 311).

On December 9, 2015, H.R. 2820 was considered in the Senate and passed, as amended, by unanimous consent.

On December 16, 2015, the Senate amendment to H.R. 2820 was considered in the House under a motion to suspend the Rules, and the bill was agreed to by a roll call vote of 421 yeas and 0 nays (Roll Call No. 685).

On December 18, 2015, H.R. 2820 was presented to and signed by the President (Public Law 114–104).

#### SECURING FAIRNESS IN REGULATORY TIMING ACT OF 2015

PUBLIC LAW 114–106 (H.R. 3831)

To amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage.

#### *Summary*

H.R. 3831 amends title XVIII (Medicare) of the Social Security Act to extend from 45 days to 60 days the annual notice period for the announcement of payment rates under Medicare Advantage (MA). MA organizations will have at least 30 days to comment on proposed changes.

#### *Legislative History*

H.R. 3831 was introduced by Representative Kevin Brady (TX–08) on October 26, 2015, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce. H.R. 3831 was referred to the Subcommittee on Health on October 30, 2015.

On December 10, 2015, H.R. 3831 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On December 14, 2015, H.R. 3831 was received in the Senate and read twice. On December 16, 2015, H.R. 3831 was considered in the Senate and passed, without amendment, by unanimous consent.

On December 18, 2015, H.R. 3831 was presented to and signed by the President (Public Law 114–106).

A BILL TO PROVIDE FOR THE EXTENSION OF THE ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2015

PUBLIC LAW 114–112 (S. 1461)

To provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

*Summary*

S. 1461 directs the Department of Health and Human Services to continue to apply through calendar years 2014 and 2015 the enforcement instruction described in the notice of the Centers for Medicare and Medicaid Services entitled “Enforcement Instruction on Supervision Requirements for Outpatient Therapeutic Services in Critical Access and Small Rural Hospitals for CY 2013,” dated November 1, 2012 (providing for an exception to the restatement and clarification under the final rulemaking changes to the Medicare hospital outpatient prospective payment system and calendar year 2009 payment rates (published in the Federal Register on November 18, 2008, 73 Fed. Reg. 68702 through 68704) with respect to requirements for direct supervision by physicians for therapeutic hospital outpatient services).

*Legislative History*

S. 1461 was introduced by Senator John Thune (SD) on May 22, 2015, read twice, and referred to the Committee on Finance.

On June 24, 2015, the Committee on Finance ordered S. 1461 to be favorably reported, as amended, to the Senate.

On July 30, 2015, Senator Orrin Hatch (UT) reported S. 1461, as amended, to the Senate with a written report (Report 114–109), and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 188).

On September 10, 2015, S. 1461 was considered in the Senate and passed, as amended, by unanimous consent.

On September 11, 2015, S. 1461 was received in the House and referred to the Committee on Energy and Commerce, in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. S. 1461 was referred to the Subcommittee on Health on September 18, 2015.

On December 8, 2015, S. 1461 passed the House, without amendment, by unanimous consent. On December 9, 2015, S. 1461 was presented to the President, and the President signed the bill on December 18, 2015 (Public Law 114–112).

MICROBEAD-FREE WATERS ACT OF 2015

PUBLIC LAW 114–114 (H.R. 1321)

To amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally added plastic microbeads.

### *Summary*

H.R. 1321 amends the Federal Food, Drug, and Cosmetic Act to ban rinse-off cosmetics that contain intentionally-added plastic microbeads beginning on January 1, 2018, and to ban manufacturing of these cosmetics beginning on July 1, 2017. These bans are delayed by one year for cosmetics that are over-the-counter drugs.

### *Legislative History*

H.R. 1321 was introduced by Representative Frank Pallone, Jr. (NJ-06) on March 4, 2015, and referred to Committee on Energy and Commerce. H.R. 1321 was referred to the Subcommittee on Health on March 6, 2015.

On May 1, 2015, the Subcommittee on Health held a hearing on H.R. 1321.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 1321 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On December 7, 2015, the Committee on Energy and Commerce reported H.R. 1321 to the House (H. Rept. 114-371), and the bill was placed on the Union Calendar (Calendar No. 283).

On December 7, 2015, H.R. 1321 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On December 8, 2015, H.R. 1321 was received in the Senate, and read twice.

On December 18, 2015, H.R. 1321 was considered in the Senate, and was passed, without amendment, by unanimous consent.

On December 22, 2015, H.R. 1321 was presented to the President, and the President signed the bill on December 28, 2015 (Public Law 114-114).

## ADDING ZIKA VIRUS TO THE FDA PRIORITY REVIEW VOUCHER PROGRAM ACT

PUBLIC LAW 114-146 (S. 2512)

To expand the tropical disease product priority review voucher program to encourage treatments for Zika virus.

### *Summary*

S. 2512 amends the Federal Food, Drug, and Cosmetic Act to add Zika Virus Disease to the list of tropical diseases under the priority review voucher program, which awards a voucher to the sponsor of a new drug or biological product that is approved to prevent or treat a tropical disease.

### *Legislative History*

S. 2512 was introduced by Senator Lamar Alexander (TN) on February 8, 2016, and referred to the Committee on Health, Education, Labor, and Pensions.

On March 9, 2016, the Committee on Health, Education, Labor, and Pensions ordered S. 2512 to be favorably reported, as amended, to the Senate.

On March 15, 2016, Senator Lamar Alexander (TN) reported S. 2512, as amended, without a written report, and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 389).

On March 17, 2016, S. 2512 was considered in the Senate and passed, as amended, by unanimous consent.

On March 21, 2016, S. 2512 was received in the House and referred to the Committee on Energy and Commerce. S. 2512 was referred to the Subcommittee on Health on March 25, 2016.

On April 12, 2016, S. 2512 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On April 14, 2016, S. 2512 was presented to the President, and the President signed the bill on April 19, 2016 (Public Law 114–146).

#### ADVANCING HOPE ACT OF 2016

PUBLIC LAW 114–229 (S.1878)

To extend the pediatric priority review voucher program.

#### *Summary*

S. 1878 amends the Federal Food, Drug, and Cosmetic Act to extend the priority review voucher program for rare pediatric disease products. The sponsor of a human drug application shall notify the Secretary of the Department of Health and Human Services not later than 90 days prior to submission of the application that is the subject of a priority review voucher of an intent to submit the application, and the sponsor of such an application that provides notification of the intent to use the voucher for human drug application may transfer the voucher after such notification is provided, if such sponsor has not yet submitted the human drug application described in the notification. The Secretary may not award such priority review vouchers after December 31, 2016. The bill also directs the Government Accountability Office to study and report to Congress on the effectiveness of awarding priority review vouchers in providing incentives for the development of drugs that treat or prevent rare pediatric diseases that would not otherwise have been developed.

#### *Legislative History*

S. 1878 was introduced by Senator Robert P. Casey, Jr. (PA) on July 28, 2015, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

On March 9, 2016, the Committee on Health, Education, Labor, and Pensions ordered S. 1878 to be favorably reported, as amended, to the Senate.

On April 5, 2016, Senator Lamar Alexander (TN) reported S. 1878, as amended, to the Senate, without a written report, and the bill was placed on the Senate Legislative Calendar under General Orders (Calendar No. 415).

On September 22, 2016, S. 1878 was considered in the Senate and passed, as amended, by unanimous consent.

On September 22, 2016, S. 1878 was received in the House and referred to the Committee on Energy and Commerce.

On September 27, 2016, Representative Greg Walden (OR-02) asked unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of S. 1878, and asked for its immediate consideration in the House. The Committee was discharged and the bill was passed by unanimous consent.

On September 29, 2016, S. 1878 was presented to the President, and the President signed the bill on September 30, 2016 (Public Law 114-229).

NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE  
FULL DISCLOSURE ACT OF 2015

H.R. 7

To prohibit taxpayer funded abortions.

*Summary*

H.R. 7 would prohibit federal funds, including funds in the budget of the District of Columbia, from being expended for abortion or health coverage that includes coverage of abortion. Abortions are eligible for federal funding only in cases of rape or incest, or where a physical condition endangers a woman's life unless an abortion is performed. Health care provided in a federal health care facility or by a federal employee may not include abortions that are ineligible for federal funding.

The bill also would disallow premium assistance tax credits or health insurance tax credits for qualified health plans that cover abortions ineligible for federal funding and would require the Office of Personnel Management to ensure that multi-state qualified health plans offered on health insurance exchanges do not cover abortions ineligible for federal funding.

Finally, the bill would require health plan disclosure of the costs attributable to the coverage of abortions.

*Legislative History*

H.R. 7 was introduced by Representative Christopher H. Smith (NJ-04) on January 21, 2015, and referred to the Committee on the Judiciary, and in addition to Committee on Energy and Commerce and the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

On January 22, 2015, H.R. 7 was considered in the House pursuant to the provisions of H. Res. 42, and the bill was passed, without amendment, by a roll call vote of 242 yeas and 179 nays (Roll Call No. 45).

On January 26, 2015, H.R. 7 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

PREVENT INTERRUPTIONS IN PHYSICAL THERAPY ACT OF 2015

H.R. 209

To permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation

provided to individuals who participate in clinical trials for rare diseases or conditions.

*Summary*

H.R. 209 would strike sunset provision in the Improving Access to Clinical Trials Act of 2009, which allows patients with rare diseases to receive up to \$2,000 in compensation for participating in clinical trials without that compensation counting towards income eligibility limits.

*Legislative History*

H.R. 209 was introduced by Representative Lloyd Doggett (TX-35) on January 8, 2015, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 209 was referred to the Subcommittee on Health on January 9, 2015.

On September 18, 2015, the Subcommittee on Health held a hearing on H.R. 209.

No further action was taken on the bill.

TRAFFICKING AWARENESS TRAINING FOR HEALTH CARE ACT OF 2015

H.R. 398

To provide for the development and dissemination of evidence-based best practices for health care professionals to recognize victims of a severe form of trafficking and respond to such individuals appropriately, and for other purposes.

*Summary*

H.R. 398 requires the Agency for Healthcare Research and Quality to award one medical or nursing school a grant to develop best practices for health care professionals to recognize and respond appropriately to victims of severe forms of human trafficking. This bill also requires the grantee to: (1) develop methods or materials to train health care professionals on best practices, (2) make a subgrant to one entity in each of the 10 administrative regions of the Department of Health and Human Services (HHS) to create a pilot program to test the best practices and training, and (3) analyze the results of the pilot programs and determine which best practices are evidence-based. H.R. 398 additionally directs HHS to disseminate evidence-based best practices on their website and to health care profession schools.

*Legislative History*

H.R. 398 was introduced by Representative Renee L. Ellmers (NC-02) on January 16, 2015, and referred to Committee on Energy and Commerce. H.R. 398 was referred to the Subcommittee on Health on January 23, 2015.

On January 27, 2015, H.R. 398 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.



On January 28, 2015, H.R. 398 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### ENSURING PATIENT ACCESS AND EFFECTIVE DRUG ENFORCEMENT ACT OF 2015

H.R. 471

To improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes.

#### *Summary*

H.R. 471 would modify certain administrative procedures followed by the Department of Justice in regulating legitimate uses of controlled substances. In addition, within one year of enactment, the bill would require the Department of Health and Human Services to assess the effect of law enforcement activities on access to medications, examine potential benefits to patients from collaborations between governments and stakeholders, and report to the Congress on these matters.

#### *Legislative History*

H.R. 471 was introduced by Representative Tom Marino (PA-10) on January 22, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 471 was referred to the Subcommittee on Health on January 23, 2015.

On February 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 471 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On February 11 and 12, 2015, the full Committee met in open markup session to consider H.R. 471 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On April 20, 2015, the Committee on Energy and Commerce reported H.R. 471 to the House (H. Rept. 114-85), and the bill was placed on the Union Calendar (No. 63).

On April 21, 2015, H.R. 471 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On April 22, 2015, H.R. 471 was received in the Senate, read twice, and referred to the Committee on the Judiciary.

No further action was taken on the bill.

#### ACE KIDS ACT OF 2015

H.R. 546

To amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

*Summary*

H.R. 546 would allow states to provide medical assistance for items and services furnished to eligible children with medically complex conditions enrolled in a Medicaid Children's Care Coordination (MCCC) program.

*Legislative History*

H.R. 546 was introduced by Representative Joe Barton (TX-06) on January 27, 2015, and referred to the Committee on Energy and Commerce. H.R. 546 was referred to the Subcommittee on Health on January 30, 2015.

On July 7, 2016, the Subcommittee on Health held a hearing on a Discussion Draft entitled "Advancing Care for Exceptional Kids Act." The Discussion Draft was similar to H.R. 546.

No further action was taken on H.R. 546.

## PREVENT INTERRUPTIONS IN PHYSICAL THERAPY ACT OF 2015

H.R. 556

To amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare, and for other purposes.

*Summary*

H.R. 556 would amend the Social Security Act to require physical therapists furnishing outpatient physical therapy services to use specified locum tenens arrangements for payment purposes in the same manner as such arrangements are used to apply to physicians furnishing substitute physicians services for other physicians.

*Legislative History*

H.R. 556 was introduced by Representative Gus M. Bilirakis (FL-12) on January 27, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

H.R. 556 was referred to the Subcommittee on Health on January 30, 2015,

On October 1, 2015, the Subcommittee on Health held a hearing on H.R. 556.

No further action was taken on the bill.

## TO REPEAL THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND HEALTH CARE-RELATED PROVISIONS IN THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010, AND FOR OTHER PURPOSES

H.R. 596

To repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

### *Summary*

H.R. 596 repeals the Patient Protection and Affordable Care Act and the health care provisions of the Health Care and Education Reconciliation Act of 2010. The repeal is effective 180 days after enactment of this Act. Provisions of law amended by the repealed provisions are restore

### *Legislative History*

H.R. 596 was introduced by Representative Bradley Byrne (AL-01) on January 28, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, Committee on Ways and Means, Committee on the Judiciary, Committee on Natural Resources, Committee on Rules, Committee on House Administration, Committee on Appropriations, and Committee on the Budget, for a period to be subsequently determined by the Speaker. H.R. 596 was referred to the Subcommittee on Health on January 30, 2015.

On February 3, 2015, H.R. 596 was considered in the House pursuant to the provisions of H. Res. 70, and the bill was passed, without amendment, by a roll call vote of 239 yeas and 186 nays (Roll Call No. 58).

On February 4, 2015, H.R. 596 was received in the Senate, read the first time, and placed on the Senate Legislative Calendar under Read the First Time.

On February 5, 2015, H.R. 596 was read the second time and placed on Senate Legislative Calendar under General Orders (No. 14).

No further action was taken on the bill.

## ACCESS TO LIFE-SAVING TRAUMA CARE FOR ALL AMERICANS ACT

H.R. 647

To amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

### *Summary*

H.R. 647 amends the Public Health Service Act to reauthorize grants for certain trauma centers and grants to states for trauma centers through Fiscal Year 2020. The categorization of certain trauma centers is revised. The Assistant Secretary for Preparedness and Response is given the authority to administer these grants.

### *Legislative History*

On January 27, 2015, the Subcommittee on Health held a hearing on a Discussion Draft entitled “Access to Life-Saving Trauma Care for All Americans Act.”

H.R. 647 was introduced by Representative Michael C. Burgess (TX-26) introduced on February 2, 2015, and referred to Committee on Energy and Commerce. H.R. 648 was referred to the Subcommittee on Health on February 6, 2015. H.R. 647 was similar to the Discussion Draft reviewed by the Subcommittee.

On March 16, 2015, the Committee on Energy and Commerce reported H.R. 648 to the House (H. Rept. 114–42), and the bill was placed on the Union Calendar (Calendar No. 27).

On March 16, 2015, H.R. 647 was considered in the House under a motion to suspend the Rules, and the bill was passed, by a roll call vote of 389 yeas and 10 nays (Roll Call No. 113).

On March 17, 2015, H.R. 647 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### TRAUMA SYSTEMS AND REGIONALIZATION OF EMERGENCY CARE REAUTHORIZATION ACT

H.R. 648

To amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

#### *Summary*

H.R. 648 would amend the Public Health Service Act to authorize funding for public and private entities that provide trauma and emergency care services and for the administration of the Federal Interagency Committee on Emergency Medical Services (FICEMS). The bill also would require states that receive grant aid to comply with national standards and requirements for designating burn centers. Finally, the bill would require the Secretary of Health and Human Services to submit a report to the Congress on federal and state activities associated with trauma and emergency care services.

#### *Legislative History*

On January 27, 2015, the Subcommittee on Health held a hearing on a Discussion Draft entitled “Trauma Systems and Regionalization of Emergency Care Reauthorization Act.” On February 4, 2015, the Subcommittee on Health met in open markup session to consider the Discussion Draft and forwarded the bill to the full Committee, without amendment, by a voice vote.

H.R. 648 was introduced by Representative Michael C. Burgess (TX–26) introduced on February 2, 2015, and referred to Committee on Energy and Commerce. H.R. 648 was referred to the Subcommittee on Health on February 6, 2015. H.R. 648 was similar to the Discussion Draft considered by the Subcommittee.

On February 11, and 12, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 648 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On March 16, 2015, the Committee on Energy and Commerce reported H.R. 648 to the House (H. Rept. 114–43), and the bill was placed on the Union Calendar (Calendar No. 28).

On March 16, 2015, H.R. 648 was considered in the House under a motion to suspend the Rules, and the bill was passed, by a roll call vote of 382 yeas and 15 nays (Roll Call No. 114).

On March 17, 2015, H.R. 648 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### SPECIAL NEEDS TRUST FAIRNESS AND MEDICAID IMPROVEMENT ACT

H.R. 670

To amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts established by those beneficiaries, and for other purposes.

##### *Summary*

H.R. 670 would amend title XIX of the Social Security Act to make various changes to the Medicaid program. The bill would permit qualified individuals to establish their own special needs trusts; extend access to tobacco cessation services to mothers of newborns; eliminate federal matching funds for prescription drugs used for cosmetic purposes; and provide funding for the program's improvement fund.

##### *Legislative History*

H.R. 670 was introduced by Representative Glenn Thompson (PA-05) on February 3, 2015, and referred to the Committee on Energy and Commerce. H.R. 670 was referred to the Subcommittee on Health on February 6, 2015.

On September 18, 2015, the Subcommittee on Health held a hearing on H.R. 670.

On July 12, 13 and 14, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 670 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 9, 2016, the Committee on Energy and Commerce reported H.R. 670 to the House (H. Rept. 114-734), and the bill was placed on the Union Calendar (Calendar No. 570).

On September 20, 2016, H.R. 670 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 383 yeas and 22 nays (Roll No. 521).

On September 21, 2016, H.R. 670 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

#### SPORTS MEDICINE LICENSURE CLARITY ACT OF 2016

H.R. 921

To provide protections for certain sports medicine professionals who provide certain medical services in a secondary state.

##### *Summary*

H.R. 921 would allow licensed athletic trainers and other sports medicine professionals to provide medical services when traveling with athletic teams without obtaining licenses to practice in other states. The bill also would require insurers to cover the liability of

those professionals when they provide medical services for their athletes outside of their home state.

#### *Legislative History*

H.R. 921 was introduced by Representative Brett Guthrie (KY-02) on February 12, 2015, and referred to the Committee on Energy and Commerce, and the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 921 was referred to the Subcommittee on Health on February 13, 2015.

On December 9, 2015, the Subcommittee on Health held a hearing on H.R. 921.

On June 7 and 8, 2016, the Subcommittee on Health met in open markup session to consider H.R. 921 and forwarded the bill to the full Committee, as amended, by a voice vote.

On July 12, 13 and 14, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 921 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 12, 2016, the Committee on Energy and Commerce reported H.R. 921 to the House (H. Rept. 114-736, Part I), and the bill was placed on the Union Calendar (Calendar No. 572).

On September 12, 2016, H.R. 921 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On September 13, 2016, H.R. 921 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

### PROTECTING SENIORS' ACCESS TO MEDICARE ACT OF 2015

H.R. 1190

To repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

#### *Summary*

H.R. 1190 repeals sections of the Patient Protection and Affordable Care Act (and restores provisions of law amended by those sections) related to the establishment of an Independent Payment Advisory Board to develop proposals to reduce the per capita rate of growth in spending under title XVIII (Medicare) of the Social Security Act.

H.R. 1190 also rescinds specified appropriations to the Prevention and Public Health Fund for Fiscal Year 2017 to Fiscal Year 2026 and each fiscal year thereafter.

#### *Legislative History*

H.R. 1190 was introduced by Representative David P. Roe (TN-01) on March 2, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce and the Committee on Rules, for a period to be subsequently determined by the Speaker. H.R. 1190 was referred to the Subcommittee on Health on March 6, 2015.

On June 12, 2015, the Committee on Ways and Means reported H.R. 1190 to the House (H. Rept. 114–150, Part I), and the bill was placed on the Union Calendar (Calendar No. 108).

On April 15, 2016, H.R. 2666 was considered in the House pursuant to the provisions of H. Res. 672, and the bill was passed, as amended, by a roll call vote of 241 yeas and 173 nays (Roll Call No. 152).

On June 18 and 23, 2015, H.R. 1190 was considered in the House pursuant to the provisions H. Res. 319, and the bill was passed, as amendment, by a roll call vote of 244 yeas and 154 nays (Roll Call No. 376).

On June 24, 2015, H.R. 1190 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

#### NATIONAL DIABETES CLINICAL CARE COMMISSION ACT

H.R. 1192

To amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

#### *Summary*

H.R. 1192 would establish a National Clinical Care Commission within the Department of Health and Human Services. The Commission would evaluate and recommend solutions regarding better coordination and leveraging of programs within the Department of Health and Human Services and other Federal agencies that relate to supporting appropriate clinical care for individuals with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or resistance, or complications by any such disease.

#### *Legislative History*

H.R. 1192 was introduced by Representative Pete Olsen (TX–22) on March 2, 2015, and referred to the Committee on Energy and Commerce. H.R. 1192 was referred to the Subcommittee on Health on March 6, 2015.

On September 8, 2016, the Subcommittee on Health held a hearing on H.R. 1192.

On September 12 and 13, 2016, the Subcommittee on Health met in open markup session to consider H.R. 1192 and forwarded the bill to the full Committee, as amended, by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 1192 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On November 14, 2016, the Committee on Energy and Commerce reported H.R. 1192 to the House (H. Rept. 114–801), and the bill was placed on the Union Calendar (Calendar No. 625).

On November 20, 2016, H.R. 1192 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On November 15, 2016, H.R. 1192 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### IMPROVING ACCESS TO MATERNITY CARE ACT

H.R. 1209

To amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

##### *Summary*

H.R. 1209 would direct the Secretary of the Department of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to identify maternity health professional target areas. These are to be geographic areas within existing primary care health professional shortage areas that have a shortage of maternity health care professionals.

##### *Legislative History*

H.R. 1209 was introduced by Representative Michael C. Burgess (TX-26) on March 3, 2015, and referred to the Committee on Energy and Commerce. H.R. 1209 was referred to the Subcommittee on Health on March 6, 2015.

On December 9, 2015, the Subcommittee on Health held a hearing on H.R. 1209.

On September 12 and 13, 2016, the Subcommittee on Health met in open markup session to consider H.R. 1209 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 1209 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On November 14, 2016, the Committee on Energy and Commerce reported H.R. 1209 to the House (H. Rept. 114-801), and the bill was placed on the Union Calendar (Calendar No. 626).

On November 14, 2016, H.R. 1209 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On November 15, 2016, H.R. 1209 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### FIRST RESPONDER ANTHRAX PREPAREDNESS ACT

H.R. 1300

To direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

##### *Summary*

H.R. 1300 requires the Department of Homeland Security (DHS), in coordination with the Department of Health and Human Serv-



ices (HHS), for the purpose of domestic preparedness for and collective response to terrorism, to establish a program to provide anthrax vaccines from the strategic national stockpile that will be nearing the end of their labeled dates of use at the time such vaccines are to be administered to emergency response providers who are at high risk of exposure to anthrax and who voluntarily consent to such administration. In establishing the program, DHS, in coordination with HHS, is required to carry out a pilot program to provide anthrax vaccines to emergency response providers as so authorized. The duration of the pilot program shall be 24 months from the date the initial vaccines are administered to participants.

#### *Legislative History*

H.R. 1300 was introduced by Representative Peter T. King (NY-02) on March 4, 2015, and referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 1300 was referred to the Subcommittee on Health on March 6, 2015.

On March 19, 2015, the Committee on Homeland Security referred H.R. 1300 to the Subcommittee on Emergency Preparedness, Response, and Communications.

On July 22, 2015, the Committee on Homeland Security reported H.R. 1300 to the House (H. Rept. 114-222, Part I), and the bill was placed on the Union Calendar (Calendar No. 168).

On July 27, 2015, H.R. 1300 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 424 yeas, 0 nays (Roll Call No. 485).

On July 30, 2015, H.R. 1300 was received in the Senate, read twice, and referred to the Committee on Homeland Security and Governmental Affairs.

No further action was taken on the bill.

#### EARLY HEARING DETECTION AND INTERVENTION ACT OF 2015

##### H.R. 1344

To amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

#### *Summary*

H.R. 1344 would amend the Public Health Service Act to authorize research and public health activities related to early detection, diagnosis, and treatment of hearing loss in newborns, infants, and young children.

#### *Legislative History*

H.R. 1344 was introduced by Representative Brett Guthrie (KY-02) on March 10, 2015, and referred to the Committee on Energy and Commerce. H.R. 1344 was referred to the Subcommittee on Health on March 13, 2015.

On June 25, 2015, the Subcommittee on Health held a hearing on H.R. 1344.

On July 23, 2015, the Subcommittee on Health met in open markup session to consider H.R. 1344 and forwarded the bill to the full Committee, as amended, by a voice vote.

On July 29, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 1344 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 8, 2015, the Committee on Energy and Commerce reported H.R. 1344 to the House (H. Rept. 114–241), and the bill was placed on the Union Calendar (Calendar No. 182).

On September 8, 2015, H.R. 1344 was also considered in the House under suspension of the Rules, and the bill was passed, as amended, by a voice vote.

On September 9, 2015, H.R. 1344 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor and Pensions.

No further action was taken on the bill.

#### MEDICAID HOME IMPROVEMENT ACT

H.R. 1361

To amend title XIX of the Social Security Act to eliminate the State option to reduce the home equity exemption amount for purposes of eligibility for long-term care assistance under Medicaid, and for other purposes.

##### *Summary*

H.R. 1361 would amend the Social Security Act with respect to the denial of an individual's eligibility for nursing facility services or other long-term care services if the individual's equity interest in his or her home exceeds \$500,000. And to eliminate the state option to increase such threshold amount to \$750,000

##### *Legislative History*

H.R. 1361 was introduced by Representative Brett Guthrie (KY–02) on March 13, 2015, and referred to the Committee on Energy and Commerce. H.R. 1361 was referred to the Subcommittee on Health on March 20, 2015.

On November 3, 2015, the Subcommittee on Health held a hearing on H.R. 1361.

No further action was taken on the bill.

#### BACPAC ACT OF 2015

H.R. 1458

To amend title XVIII of the Social Security Act to provide bundled payments for post-acute care services under parts A and B of Medicare, and for other purposes.

##### *Summary*

H.R. 1458 would amend the Social Security Act to require a single bundled payment for post-acute care services under Medicare. This bill also would direct the Secretary of Health and Human Services to study the feasibility of integrating (bundling) all payments under the Medicare program for post-acute care services

with payments for acute care inpatient hospital services, and places a moratorium on inpatient prospective payment system payment rate in certain cases.

*Legislative History*

H.R. 1458 was introduced by Representative David B. McKinley (WV-01) on March 19, 2015, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 1458 was referred to the Subcommittee on Health on March 20, 2015.

On April 16, 2015, the Subcommittee on Health held a hearing on H.R. 1458.

No further action was taken on the bill.

PROTECTING OUR INFANTS ACT OF 2015

H.R. 1462

To combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

*Summary*

H.R. 1462 would authorize the Department of Health and Human Services to plan and coordinate activities related to prenatal opioid abuse and neonatal abstinence syndrome (NAS). In addition, the bill would require the Centers for Disease Control and Prevention to expand data collection and surveillance activities and would require the Agency for Healthcare Research and Quality to study and recommend treatments for prenatal opioid abuse and NAS.

*Legislative History*

H.R. 1462 was introduced by Representative Katherine M. Clark (MA-05) on March 19, 2015, and referred to the Committee on Energy and Commerce. H.R. 1462 was referred to the Subcommittee on Health on March 20, 2015.

On June 25, 2015, the Subcommittee on Health held a hearing on H.R. 1462.

On July 23, 2015, the Subcommittee on Health met in open markup session to consider H.R. 1462 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On July 29, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 1462 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On September 8, 2015, the Committee on Energy and Commerce reported H.R. 1462 to the House (H. Rept. 114-244), and the bill was placed on the Union Calendar (Calendar No. 185).

On September 8, 2015, H.R. 1462 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On September 9, 2015, H.R. 1462 was received in the Senate.

No further action was taken on the bill.

MEDICAID AND CHIP TERRITORY TRANSPARENCY AND INFORMATION  
ACT

H.R. 1570

To provide for greater transparency and information with respect to Federal expenditures under the Medicaid and CHIP programs in the territories of the United States, and for other purposes.

*Summary*

H.R. 1570 would direct the Secretary of Health and Human Services to publish and update periodically on the Centers for Medicare and Medicaid Services' website information on the Medicaid program and the Children's Health Insurance Program that are carried out in the U.S. territories.

*Legislative History*

H.R. 1570 was introduced by Representative Gus M. Bilirakis (FL-12) on March 24, 2015, and referred to the Committee on Energy and Commerce. H.R. 1570 was referred to the Subcommittee on Health on March 27, 2015.

On September 11, 2015, the Subcommittee on Health held a hearing on H.R. 1570.

No further action was taken on the bill.

SAFE AND ACCURATE FOOD LABELING ACT OF 2015

H.R. 1599

To amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes.

*Summary*

H.R. 1599 would establish a program, to be administered by the U.S. Department of Agriculture (USDA), to certify genetically engineered food. The bill also would prohibit an unregulated plant that is genetically engineered from being introduced into interstate commerce for use in food unless it was certified to be safe by the Food and Drug Administration. USDA would be required to publish information about certain genetically engineered plants intended for use in food on a public website. Finally, the bill would establish labeling requirements for genetically engineered and natural foods.

*Legislative History*

H.R. 1599 was introduced by Representative Mike Pompeo (KS-04) on March 25, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker. H.R. 1599 was referred to the Subcommittee on Health on March 27, 2015.

On July 16, 2015, the Committee on Agriculture reported H.R. 1599 to the House (H. Rept. 114-208, Part I). On July 21, 2016, the Committee on Agriculture filed a supplemental report to H.R. 1599 (H. Rept. 114-208, Part II).

On July 23, 2015, H.R. 1599 was considered in the House pursuant to the provisions of H. Res. 369, and the bill was passed, as amended, by a vote of 275 yeas and 150 nays (Roll Call No. 462).

On July 24, 2015, H.R. 1599 was received in the Senate, read twice, and referred to the Committee on Agriculture, Nutrition, and Forestry.

No further action was taken on the bill.

#### SOBER TRUTH ON PREVENTING UNDERAGE DRINKING REAUTHORIZATION ACT

H.R. 1717

To provide for programs and activities with respect to the prevention of underage drinking.

##### *Summary*

H.R. 1717 would amend the Public Health Service Act to reauthorize the program to reduce underage drinking for Fiscal Year 2016 to 2020, revise reporting requirements for state programs on underage drinking, and specify additional requirements for the development of the national media campaign to prevent underage drinking.

##### *Legislative History*

H.R. 1717 was introduced by Representative Lucille Roybal-Allard (CA-40) on March 26, 2015, and referred to the Committee on Energy and Commerce. H.R. 1717 was referred to the Subcommittee on Health on March 27, 2015.

On September 8, 2016, the Subcommittee on Health held a hearing on H.R. 1717.

No further action was taken on the bill.

#### NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING REAUTHORIZATION ACT OF 2015

H.R. 1725

To amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act, and for other purposes.

##### *Summary*

H.R. 1725 would reauthorize funding for grants to states and territories to establish, improve, or maintain an electronic database system for monitoring the dispensing of controlled substances. The bill also would require the Secretary of the Department of Health and Human Services to monitor the states' efforts to achieve interoperability of the database systems for the purpose of sharing information with bordering states and with other systems such as those for electronic health records.

##### *Legislative History*

H.R. 1725 was introduced by Representative Ed Whitfield (KY-01) on March 26, 2015, and referred to the Committee on Energy

and Commerce. H.R. 1725 was referred to the Subcommittee on Health on March 27, 2015.

On May 1, 2015, the Subcommittee on Health held a hearing on H.R. 1725.

On July 23, 2015, the Subcommittee on Health met in open markup session to consider H.R. 1725 and forwarded the bill to the full committee, without amendment, by a voice vote.

On July 29, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 1725 and ordered the bill favorably reported, as amended, by a voice vote.

On September 8, 2015, the Committee on Energy and Commerce reported H.R. 1725 to the House (H. Rept. 114-245), and the bill was placed on the Union Calendar (Calendar No. 186).

On September 8, 2015, H.R. 1725 was considered in the House under suspension of the Rules, and the bill was passed, as amended, by a voice vote.

On September 9, 2015, H.R. 1725 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor and Pensions.

No further action was taken on the bill.

TO AMEND TITLE XIX OF THE SOCIAL SECURITY ACT TO COUNT PORTIONS OF INCOME FROM ANNUITIES OF A COMMUNITY SPOUSE AS INCOME AVAILABLE TO INSTITUTIONALIZED SPOUSES FOR PURPOSES OF ELIGIBILITY FOR MEDICAL ASSISTANCE, AND FOR OTHER PURPOSES

H.R. 1771

To amend title XIX of the Social Security Act to count portions of income from annuities of a community spouse as income available to institutionalized spouses for purposes of eligibility for medical assistance, and for other purposes.

#### *Summary*

H.R. 1771 would amend the Social Security Act with respect to the payment of income from a qualifying annuity in determining the Medicaid eligibility of an institutionalized spouse. One-half of the income from such an annuity made either solely or partly in the name of the community spouse would be considered available to the institutionalized spouse. If payment of income is made in the name of the community spouse and another person or persons, one-half of the proportion of the community spouses' interest in that income shall also be considered available to the institutionalized spouse.

#### *Legislative History*

H.R. 1771 was introduced by Representative Markwayne Mullin (OK-02) on April 14, 2015, and referred to the Committee on Energy and Commerce. H.R. 1771 was referred to the Subcommittee on Health on April 17, 2015.

On September 11, 2015, the Subcommittee on Health held a hearing on H.R. 1771.

No further action was taken on the bill.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION  
REAUTHORIZATION ACT

H.R. 1786

To reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

*Summary*

H.R. 1786 would amend the Public Health Service Act to extend the World Trade Center (WTC) Health Program Fund indefinitely and index appropriations to the medical care component of the consumer price index for urban consumers. This bill would also amend the Air Transportation Safety and System Stabilization Act to make individuals (or relatives of deceased individuals) who were injured or killed in the rescue and recovery efforts after the aircraft crashes of September 11, 2001, eligible for compensation under the September 11th Victim Compensation Fund of 2001. Finally, H.R. 1786 would allow individuals to file claims for compensation under the September 11th Victim Compensation Fund of 2001 any time after regulations are updated based on the James Zadroga 9/11 Health and Compensation Act of 2010.

*Legislative History*

H.R. 1786 was introduced by Representative Carolyn B. Maloney (NY-12) on April 14, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget and the Committee on the Judiciary, for a period to be subsequently determined by the Speaker.

H.R. 1786 was referred to the Subcommittee on Health on April 17, 2015.

On June 11, 2015, the Subcommittee on Health held a hearing on H.R. 1786.

No further action was taken on the bill.

SICKLE CELL DISEASE RESEARCH, SURVEILLANCE, PREVENTION, AND  
TREATMENT ACT OF 2015

H.R. 1807

To amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

*Summary*

H.R. 1807 would amend the Public Health Service Act to require the Department of Health and Human Services to make grants to states to collect data on the prevalence and distribution of sickle cell disease, conduct sickle cell disease public health initiatives to improve access to care and health outcomes, and identify and evaluate strategies for prevention and treatment of sickle cell disease complications.

*Legislative History*

H.R. 1807 was introduced by Representative Danny K. Davis (IL-07) on April 15, 2015, and referred to the Committee on Energy and Commerce. H.R. 1807 was referred to the Subcommittee on Health on April 17, 2015.

On September 8, 2016, the Subcommittee on Health held a hearing on H.R. 1807.

No further action was taken on the bill.

## VETERAN EMERGENCY MEDICAL TECHNICIAN SUPPORT ACT OF 2016

## H.R. 1818

To amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

*Summary*

H.R. 1818 would direct the Secretary of the Department of Health and Human Services to award demonstration grants to states to streamline procedures for licensing and certifying emergency medical technicians who received similar certifications while serving in the armed forces.

*Legislative History*

On January 27, 2015, the Subcommittee on Health held a hearing on H.R. 235, Veteran Emergency Medical Technician Support Act of 2013, which was introduced during the 113th Congress.

H.R. 1818 was introduced by Representative Adam Kinzinger (IL-16) on April 15, 2015, and referred to the Committee on Energy and Commerce. H.R. 1818 was referred to the Subcommittee on Health on April 17, 2015. H.R. 1818 was similar to H.R. 235.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 1818 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 1818 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 1818 to the House (H. Rept. 114-552), and the bill was placed on the Union Calendar (Calendar No. 426).

On May 12, 2016, H.R. 1818 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 415 yeas and 1 nay (Roll No. 188).

On May 16, 2016, H.R. 1818 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.



## MENTAL HEALTH FIRST AID ACT OF 2016

H.R. 1877

To amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

*Summary*

H.R. 1877 amends the Public Health Service Act to revise and extend through Fiscal Year 2021 training grants for mental health awareness. The bill makes additional categories of individuals eligible to be trained to identify and respond to individuals with a mental illness. Programs funded by these grants must provide education on: (1) recognizing the signs and symptoms of mental illness, and (2) either the availability of relevant resources or safe de-escalation of crisis situations involving individuals with a mental illness.

*Legislative History*

H.R. 1877 was introduced by Representative Lynn Jenkins (KS-02) on April 16, 2015, and referred to the Committee on Energy and Commerce. H.R. 1877 was referred to the Subcommittee on Health April 17, 2015.

On September 12 and 13, 2016, the Subcommittee on Health met in open markup session to consider H.R. 1877 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 1877 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 26, 2016, the Committee on Energy and Commerce reported H.R. 1877 to the House (H. Rept. 114-786), and the bill was placed on the Union Calendar (Calendar No. 614).

On September 26, 2016, H.R. 1877 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On September 27, 2016, H.R. 1877 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

## CANCER CARE PAYMENT REFORM ACT OF 2015

H.R. 1934

To amend title XVIII of the Social Security Act to establish a national Oncology Medical Home Demonstration Project under the Medicare program for the purpose of changing the Medicare payment for cancer care in order to enhance the quality of care and to improve cost efficiency, and for other purposes.

*Summary*

H.R. 1934 would amend the Social Security Act to direct the Secretary of the Department of Health and Human Services to establish an Oncology Medical Home Demonstration Project.

*Legislative History*

H.R. 1934 was introduced by Representative Cathy McMorris Rodgers (WA-05) on April 22, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. H.R. 1934 was referred to the Subcommittee on Health on April 24, 2015.

On October 1, 2015, the Subcommittee on Health held a hearing on H.R. 1934.

No further action was taken on the bill.

## COMMON SENSE NUTRITION DISCLOSURE ACT OF 2015

H.R. 2017

To amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

*Summary*

H.R. 2017 would amend the Federal Food, Drug, and Cosmetics Act to revise the information certain restaurants and retail food establishments must disclose about nutrition to the consumer.

*Legislative History*

H.R. 2017 was introduced by Representative Cathy McMorris Rodgers (WA-05) on April 23, 2015, and referred to the Committee on Energy and Commerce. H.R. 2017 was referred to the Subcommittee on Health on April 24, 2015.

On June 4, 2015, the Subcommittee on Health held a hearing on H.R. 2017.

On November 3 and 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 2017 and forwarded the bill to the full Committee, as amended, by a voice vote.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 2017 and ordered the bill favorably reported to the House, without amendment, by a roll call vote of 36 yeas, 12 nays, and 1 present.

On February 2, 2016, the Committee on Energy and Commerce reported H.R. 2017 to the House (H. Rept. 114-413), and the bill was placed on the Union Calendar (Calendar No. 315).

On February 12, 2016, H.R. 2017 was also considered in the House pursuant to the provisions of H. Res. 611, and the bill was passed, as amended, by a roll call vote of 266 yeas, 144 nays, and 1 present (Roll Call No. 81).

On February 22, 2016, H.R. 2017 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor and Pensions.

No further action was taken on the bill.

IMPROVING OVERSIGHT AND ACCOUNTABILITY IN MEDICAID NON-  
DSH SUPPLEMENTAL PAYMENTS ACT

H.R. 2151

To amend title XIX of the Social Security Act to improve the calculation, oversight, and accountability of non-DSH supplemental payments under the Medicaid program, and for other purposes.

*Summary*

H.R. 2151 would amend title the Social Security Act to direct the Secretary of the Department of Health and Human Services to issue guidance to states that identifies permissible methods for calculation of non-DSH (disproportionate share) supplemental payments to providers, establish annual reporting requirements for states making non-DSH supplemental payments, and establish requirements for states making non-DSH supplemental payments to conduct and submit to the Secretary an annual independent certified audit.

*Legislative History*

H.R. 2151 was introduced by Representative Chris Collins (NY-27) on April 30, 2015, and referred to the Committee on Energy and Commerce. H.R. 2151 was referred to the Subcommittee on Health on May 1, 2015.

On November 3, 2015, the Subcommittee on Health held a hearing on H.R. 2151.

No further action was taken on the bill.

TO AMEND TITLE XIX OF THE SOCIAL SECURITY ACT TO CLARIFY  
THE TREATMENT OF LOTTERY WINNINGS AND OTHER LUMP SUM  
INCOME FOR PURPOSES OF INCOME ELIGIBILITY UNDER THE MED-  
ICAID PROGRAM, AND FOR OTHER PURPOSES

H.R. 2339

To amend title XIX of the Social Security Act to clarify the treatment of lottery winnings and other lump sum income for purposes of income eligibility under the Medicaid program, and for other purposes.

*Summary*

H.R. 2339 amends the Social Security Act with respect to the treatment of certain lottery winnings and income received as a lump sum in determining income eligibility for the Medicaid program.

*Legislative History*

H.R. 2339 was introduced by Representative Joseph R. Pitts (PA-16) on May 14, 2015, and referred to the Committee on Energy and Commerce. H.R. 2339 was referred to the Subcommittee on Health on May 15, 2015.

On September 11, 2015, the Subcommittee on Health held a hearing on H.R. 2339.

No further action was taken on the bill.

TO AMEND TITLE XIX OF THE SOCIAL SECURITY ACT TO REQUIRE  
THE USE OF ELECTRONIC VISIT VERIFICATION FOR PERSONAL  
CARE SERVICES FURNISHED UNDER THE MEDICAID PROGRAM, AND  
FOR OTHER PURPOSES

H.R. 2446

To amend title XIX of the Social Security Act to require the use of electronic visit verification for personal care services furnished under the Medicaid program, and for other purposes.

*Summary*

H.R. 2446 amends title XIX (Medicaid) of the Social Security Act to require states to have in place a system for the electronic verification of visits conducted as part of personal care services or else have their federal medical assistance percentage reduced by specified amounts.

*Legislative History*

H.R. 2446 was introduced by Representative Brett Guthrie (KY-02) on May 19, 2015, and referred to the Committee on Energy and Commerce. H.R. 2446 was referred to the Subcommittee on Health on May 22, 2015.

On September 11, 2015, the Subcommittee on Health held a hearing on H.R. 2446.

On November 3 and 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 2446 and forwarded the bill to the full Committee, as amended, by a voice vote.

No further action was taken on the bill.

MEDICARE ADVANTAGE COVERAGE TRANSPARENCY ACT OF 2015

H.R. 2505

To amend title XVIII of the Social Security Act to require the annual reporting of data on enrollment in Medicare Advantage plans.

*Summary*

H.R. 2505 would require the Secretary of Health and Human Services to submit to the Congress data on enrollment in the Medicare Part A, Part B, Part C and Part D programs by zip code, congressional district, and state. The Secretary would be required to submit the data not later than May 1st of each calendar year beginning with 2016.

*Legislative History*

H.R. 2505 was introduced by Representative Mike Kelly (PA-03) on May 21, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 2505 was referred to the Subcommittee on Health on June 22, 2015.

On June 12, 2015, the Committee on Ways and Means reported H.R. 2505 to the House (H. Rept. 114-152, Part I), and the bill was placed on the Union Calendar (Calendar No. 110).

On June 17, 2015, H.R. 2505 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On June 18, 2015, H.R. 2505 was received in the Senate, read twice, and referred to the Committee on Finance.

No other action was taken on the bill.

#### INCREASING REGULATORY FAIRNESS ACT OF 2015

H.R. 2507

To amend title XVIII of the Social Security Act to establish an annual rulemaking schedule for payment rates under Medicare Advantage.

##### *Summary*

H.R. 2507 would change the schedule by which the Secretary of Health and Human Services announces proposed and final updates to program rules for the Medicare Advantage and Medicare Part D programs. Under current law, the Secretary is required to announce final program rules for the following calendar year not later than the first Monday in April. The Secretary also is required to issue an advance notice of proposed changes at least 45 days before making the final announcement.

##### *Legislative History*

H.R. 2507 was introduced by Representative Kevin Brady (TX-08) on May 21, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 2507 was referred to the Subcommittee on Health on May 22, 2015.

On June 16, 2015, the Committee on Ways and Means reported H.R. 2507 to the House (H. Rept. 114-159, Part I), and the bill was placed on the Union Calendar (Calendar No. 115).

On June 17, 2015, H.R. 2507 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On June 18, 2015, H.R. 2507 was received in the Senate, read twice, and referred to the Committee on Finance.

No other action was taken on the bill.

#### RECOVERY ENHANCEMENT FOR ADDICTION TREATMENT ACT

H.R. 2536

To provide access to medication-assisted therapy, and for other purposes.

##### *Summary*

H.R. 2536 would amend the Controlled Substances Act to increase the number of patients that a qualifying practitioner dispensing narcotic drugs for maintenance or detoxification treatment is initially allowed to treat, and would allow a qualifying physician, after one year, to request approval to treat an unlimited number of patients under specified conditions.

*Legislative History*

H.R. 2536 was introduced by Representative Brian Higgins (NY–26) on May 21, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker.

H.R. 2536 was referred to the Subcommittee on Health on May 22, 2015.

On October 8, 2015, the Subcommittee on Health held a hearing on H.R. 2536.

No further action was taken on the bill.

STRENGTHENING MEDICARE ADVANTAGE THROUGH INNOVATION AND  
TRANSPARENCY FOR SENIORS OF 2015

H.R. 2570

To amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, establish a demonstration program requiring the utilization of Value-Based Insurance Design to demonstrate that reducing the copayments or coinsurance charged to Medicare beneficiaries for selected high-value prescription medications and clinical services can increase their utilization and ultimately improve clinical outcomes and lower health care expenditures, and for other purposes.

*Summary*

H.R. 2570 amends Medicare with respect to criteria for qualifying as a meaningful user of electronic health records (meaningful EHR user). For any payment year after 2015, any patient encounter of an eligible professional occurring at an eligible ambulatory surgical center shall not be treated as one in determining whether an eligible professional qualifies as a meaningful EHR user.

The bill also directs Department of Health and Human Services to establish a three-year demonstration program to test the use of value-based insurance design methodologies under the eligible Medicare Advantage (MA) plans.

*Legislative History*

H.R. 2570 was introduced by Representative Diane Black (TN–06) on May 22, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 2570 was referred to the Subcommittee on Health on June 29, 2015.

On June 17, 2015, H.R. 2570 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On June 18, 2015, H.R. 2570 was received in the Senate, read twice, and referred to the Committee on Finance.

No other action was taken on the bill.

## SECURING CARE FOR SENIORS ACT OF 2015

H.R. 2579

To amend title XVIII of the Social Security Act to improve the risk adjustment under the Medicare Advantage program, and for other purposes.

*Summary*

H.R. 2579 would require the Secretary of the Department of Health and Human Services to revise the risk adjustment system used in the Medicare Advantage program to account for the number of chronic conditions with which a beneficiary has been diagnosed. The legislation would also require the Secretary to evaluate the effects of other changes to the risk adjustment system including using two years of diagnosis data and removing certain information related to chronic kidney disease, and report on the results of the evaluation.

*Legislative History*

H.R. 2579 was introduced by Representative Diane Black (TN-06) on May 29, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 2579 was referred to the Subcommittee on Health on June 5, 2015.

On June 16, 2015, the Committee on Ways and Means reported H.R. 2579 to the House (H. Rept. 114-160, Part 1), and the bill was placed on the Union Calendar (Calendar No. 116).

No further action was taken on the bill.

PRESERVATION OF ACCESS FOR SENIORS IN MEDICARE ADVANTAGE  
ACT OF 2015

H.R. 2581

To amend title XVIII of the Social Security Act to establish a 3-year demonstration program to test the use of value-based insurance design methodologies under eligible Medicare Advantage plans, to preserve Medicare beneficiary choice under Medicare Advantage, to revise the treatment under the Medicare program of infusion drugs furnished through durable medical equipment, and for other purposes.

*Summary*

H.R. 2581 would establish a demonstration program in the Medicare Advantage program, modify the open enrollment period for that program, and change payment rates for prescription drugs that are administered through items of durable medical equipment.

*Legislative History*

H.R. 2581 was introduced by Representative Kevin Brady (TX-08) on May 29, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 2579 was referred to the Subcommittee on Health on June 5, 2015.

On June 16, 2015, the Committee on Ways and Means reported H.R. 2579 to the House (H. Rept. 114–161, Part 1), and the bill was placed on the Union Calendar (Calendar No. 117).

No further action was taken on the bill.

#### SENIORS' HEALTH CARE PLAN PROTECTION ACT OF 2015

H.R. 2582

To amend title XVIII of the Social Security Act to delay the authority to terminate Medicare Advantage contracts for MA plans failing to achieve minimum quality ratings, to make improvements to the Medicare Adjustment risk adjustment system, and for other purposes.

##### *Summary*

H.R. 2582 prohibits the Department of Health and Human Services (HHS) from terminating a contract with respect to the offering of an MA plan by an MA organization solely because the plan has failed to achieve a minimum quality rating under the five-star rating system through the end of plan year 2018. In addition, the bill amends Medicare Part C (Medicare Advantage) to direct HHS to revise for 2017, and periodically afterwards, the system for risk adjustments to payments to Medicare+Choice organizations so that an individual's risk score takes into account the number of chronic conditions with which the individual has been diagnosed.

##### *Legislative History*

H.R. 2582 was introduced by Representative Vern Buchanan (FL–16) on May 29, 2015, and referred to the Committee on Ways and Means, in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker. H.R. 2582 was referred to the Subcommittee on Health on June 5, 2015.

On June 17, 2015, H.R. 2582 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On June 18, 2015, H.R. 2582 was received in the Senate, read twice, and referred to the Committee on Finance.

No other action was taken on the bill.

#### HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT OF 2016

H.R. 2646

To make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes.

##### *Summary*

H.R. 2646 updates and provides the Substance Abuse and Mental Health Services Administration with a more evidence-based focus when considering the hundreds of millions of dollars that go out of their door in grants every year. The bill also codifies a provision from recent Medicaid managed care regulations on payments for short term stays for adults in institutions for mental diseases



(IMD) and extends the availability of the full range of early and periodic screening, diagnostic, and treatment (EPSDT) services to Medicaid children receiving services in an IMD. In addition, the bill requires the use of electronic visit verification systems for Medicaid-provided personal care services and home health services and directs the Secretary of the Department of Health and Human Services to undertake a rule making to clarify guidance regarding when disclosure to families and loved ones are allowed under HIPAA. The bill also authorizes select grant programs. Finally, the proposal provides improvements for mental health payment parity through better compliance guidance and disclosure support. Inter-agency officials must meet with public stakeholders—including patient advocates and third-party groups—to build a strategy for improving mental health parity and addiction equity requirements.

#### *Legislative History*

H.R. 2646 was introduced by Representative Tim Murphy (PA-18) on June 4, 2015, and referred to the Committee on Energy and Commerce, in addition to the Committee on Ways and Means, and the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker. H.R. 2646 was referred to the Subcommittee on Health on June 5, 2015.

On June 16, 2015, the Subcommittee on Health held a hearing on H.R. 2646.

On November 3 and 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 2646 and forwarded the bill to the full Committee, as amended, by roll call vote of 18 yeas and 12 nays.

On June 14 and 15, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2646 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 53 yeas and 0 nays.

On July 6, 2016, the Committee on Energy and Commerce reported H.R. 2646 to the House, as amended (H. Rept. 114-667, Part 1), and the bill was placed on the Union Calendar (Calendar No. 517).

On July 6, 2016, H.R. 2646 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 422 yeas and 2 nays (Roll No. 355).

On July 7, 2016, H.R. 2646 was received in the Senate, and on July 14, 2016, it was read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### INCLUDING FAMILIES IN MENTAL HEALTH RECOVERY ACT OF 2015

H.R. 2690

To direct the Secretary of Health and Human Services to promulgate regulations clarifying the circumstances under which, consistent with the standards governing the privacy and security of individually identifiable health information promulgated by the Secretary under sections 262(a) and 264 of the Health Insurance Portability and Accountability Act of 1996, health care providers and

covered entities may disclose the protected health information of patients with a mental illness, and for other purposes.

*Summary*

H.R. 2690 amends the HITECH Act to direct the Department of Health and Human Services (HHS) to promulgate regulations clarifying the circumstances under which health care providers and covered entities may disclose the protected health information of patients with a mental illness. The bill also directs HHS to develop and disseminate model programs for training health care providers, lawyers and others in the legal profession, and patients and their families on matters related to the protection of health information of patients with mental illness.

*Legislative History*

H.R. 2690 was introduced by Representative Dorris O. Matsui (CA-06) on June 9, 2015, and referred to the Committee on Energy and Commerce.

On June 12, 2015, H.R. 2690 was referred to the Subcommittee on Health.

On June 16, 2015, the Subcommittee on Health held a hearing on H.R. 2690.

No further action was taken on the bill.

TITLE VIII NURSING WORKFORCE REAUTHORIZATION ACT OF 2015

H.R. 2713

To amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

*Summary*

H.R. 2713 would support advanced education nursing grants and reauthorize loan repayment and scholarship programs, a nurse faculty loan program, and a comprehensive geriatric education program within title VIII of the Public Health Service Act.

*Legislative History*

H.R. 2713 was introduced by Representative Lois Capps (CA-24) on June 10, 2015, and referred to the Committee on Energy and Commerce. H.R. 2713 was referred to the Subcommittee on Health on June 12, 2015.

On December 9, 2015, the Subcommittee on Health held a hearing on H.R. 2713.

On September 12 and 13, 2016, the Subcommittee on Health met in open markup session to consider H.R. 2713 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 2713 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On November 14, 2016, the Committee on Energy and Commerce reported H.R. 2713 to the House (H. Rept. 114-803), and the bill was placed on the Union Calendar (Calendar No. 627).

On November 14, 2016, H.R. 2713 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On November 15, 2016, H.R. 2713 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### HEROIN AND PRESCRIPTION OPIOID ABUSE PREVENTION, EDUCATION, AND ENFORCEMENT ACT OF 2015

H.R. 2805

To address prescription opioid abuse and heroin use.

##### *Summary*

H.R. 2805 would require the Department of Health and Human Services to convene a Pain Management Best Practices Inter-Agency Task Force to develop and study best practices for pain management and prescription of pain medication. This bill also would amend the Public Health Service Act to revise and extend through Fiscal Year 2020 the controlled substance monitoring program, extend the Edward Byrne Memorial Justice Assistance Grant Program through Fiscal Year 2020, require the Department of Health and Human Services to advance education and awareness of the risk of abuse of prescription opioids, require the Office of National Drug Control Policy to establish a national drug awareness campaign that emphasizes the similarities between heroin and prescription opioids, and authorize the Attorney General to make grants to state, local, or tribal governments to create demonstration programs to allow first responders to prevent opioid overdose death by administering an opioid overdose reversal drug.

##### *Legislative History*

H.R. 2805 was introduced by Representative Susan W. Brooks (IN-05) on June 17, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker.

H.R. 2805 was referred to the Subcommittee on Health on June 19, 2015.

On October 8, 2015, the Subcommittee on Health held a hearing on H.R. 2805.

No further action was taken on the bill.

#### TO PROVIDE FOR THE EXTENSION OF THE ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2015

H.R. 2878

To provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

### *Summary*

H.R. 2878 would require the Department of Health and Human Services to continue to instruct Medicare contractors not to enforce requirements for direct physician supervision of outpatient therapeutic services in critical access and small rural hospitals through 2015.

### *Legislative History*

H.R. 2878 was introduced by Representative Lynn Jenkins (KS-02) on June 24, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

H.R. 2878 was referred to the Subcommittee on Health on June 26, 2015.

On November 3, 2015, the Subcommittee on Health held a hearing on H.R. 2878.

No further action was taken on the bill.

## MEDICAL CONTROLLED SUBSTANCES TRANSPORTATION ACT OF 2015

### H.R. 3014

To amend the Controlled Substances Act to authorize physicians, pursuant to an agreement with the Attorney General, to transport controlled substances from a practice setting to another practice setting or to a disaster area.

### *Summary*

H.R. 3014 amends the Controlled Substances Act to allow a physician to transport controlled substances to another practice setting or disaster area if the physician is registered to dispense, or conduct research with, controlled substances listed on schedules II, III, IV, or V, and the physician enters into a specific agreement with the Drug Enforcement Administration (DEA). The agreement must require a physician to provide advance notification to the DEA, limit the duration of transport to 72 hours, and maintain records of the controlled substances dispensed.

### *Legislative History*

H.R. 3014 was introduced by Representative Pete Sessions (TX-32) on July 9, 2015, and referred to the Committee on Energy and Commerce, in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 3014 was referred to the Subcommittee on Health on July 10, 2015.

On October 8 and 20, 2015, the Subcommittee on Health held a hearing on H.R. 3014.

On November 3 and November 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 3014 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 3014 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

No further action was taken on the bill.

TO AMEND TITLE XI OF THE SOCIAL SECURITY ACT TO CLARIFY  
WAIVER AUTHORITY REGARDING PROGRAMS OF ALL-INCLUSIVE  
CARE FOR THE ELDERLY (PACE PROGRAMS)

H.R. 3243

To amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

*Summary*

H.R. 3243 would amend the Social Security Act to authorize the Department of Health and Human Services to waive applicable general and Medicaid requirements of the Program of All-Inclusive Care for the Elderly (PACE) in order to conduct demonstration projects through the Center for Medicare and Medicaid Innovation that involve PACE.

*Legislative History*

H.R. 3243 was introduced by Representative Christopher H. Smith (NJ-04) on July 28, 2015, and referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker.

H.R. 3243 was referred to the Subcommittee on Health on July 31, 2015.

On September 18, 2015, the Subcommittee on Health held a hearing on H.R. 3243.

No further action was taken on the bill.

DXM ABUSE PREVENTION ACT OF 2015

H.R. 3250

To amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes.

*Summary*

H.R. 3250 would prohibit the sale of certain over-the-counter drug products containing dextromethorphan (DXM) to individuals under the age of 18 and would restrict the distribution of unfinished DXM.

*Legislative History*

H.R. 3250 was introduced by Representative Bill Johnson (OH-06) on July 28, 2015, and referred to the Committee on Energy and Commerce. H.R. 3250 was referred to the Subcommittee on Health on July 31, 2015.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 3250 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 3250 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On July 8, 2016, the Committee on Energy and Commerce reported H.R. 3250 to the House (H. Rept. 114–672), and the bill was placed on the Union Calendar (Calendar No. 520).

No further action was taken on the bill.

#### STRENGTHENING PUBLIC HEALTH EMERGENCY RESPONSE ACT OF 2016

H.R. 3299

To amend the Public Health Service Act to ensure preparedness for chemical, radiological, biological, and nuclear threats, and for other purposes.

##### *Summary*

H.R. 3299 would establish an incentive program that awards vouchers for priority review to companies that obtain approval from the Food and Drug Administration for certain drugs that can be used to counter the effects of biological, chemical, radiological, or nuclear agents. The bill also would make several changes to the processes used to procure medical countermeasures in the Department of Health and Human Services. Finally, the Government Accountability Office would be required to report on programs to improve state, local, and hospital preparedness.

##### *Legislative History*

H.R. 3299 was introduced by Representative Susan W. Brooks (IN–05) on July 29, 2015, and referred to the Committee on Energy and Commerce. H.R. 3299 was referred to the Subcommittee on Health on July 31, 2015.

On May 19, 2016, the Subcommittee on Health held a hearing on H.R. 3299.

On June 7 and 8, 2016, the Subcommittee on Health met in open markup session to consider H.R. 3299 and forwarded the bill to the full Committee, as amended, by a voice vote.

On July 12, 13, and 14, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 3299 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 36 yeas and 15 nays.

On September 9, 2016, the Committee on Energy and Commerce reported H.R. 3299 to the House (H. Rept. 114–735), and the bill was placed on the Union Calendar (Calendar No. 571).

No further action was taken on the bill.

#### CHILDHOOD CANCER STAR ACT

H.R. 3381

To maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

##### *Summary*

H.R. 3381 amends the Public Health Service Act to permit the National Institutes of Health to provide support to collect the medical specimens and information of children, adolescents, and young

adults with cancer to improve the understanding of these cancers and of the effects of treatment. Additionally, the national childhood cancer registry is reauthorized through Fiscal Year 2020 and revised to require the Centers for Disease Control and Prevention to award grants to states to improve tracking of childhood cancers. This bill also amends the Federal Food, Drug, and Cosmetic Act to require manufacturers and distributors of investigational drugs to publish policies for compassionate use of the drugs.

*Legislative History*

H.R. 3381 was introduced by Representative Michael T. McCaul (TX-10) on July 29, 2015, and referred to the Committee on Energy and Commerce. H.R. 3318 was referred to the Subcommittee on Health on July 31, 2015.

On December 6, 2016, H.R. 3381 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On December 7, 2016, H.R. 3381 was received in the Senate, and read twice.

No further action was taken on the bill

ACCURATE EDUCATION FOR PRENATAL SCREENINGS ACT

H.R. 3441

To amend the Public Health Service Act to establish education programs for patients and health care providers regarding cell-free DNA prenatal screening, and for other purposes.

*Summary*

H.R. 3441 would direct the Centers for Disease Control and Prevention to develop, implement, and maintain programs to educate patients and health care providers regarding cell-free DNA prenatal screening.

*Legislative History*

H.R. 3441 was introduced by Representative Jaime Herrera Beutler (WA-03) on August 4, 2015, and referred to the Committee on Energy and Commerce. H.R. 3441 was referred to the Subcommittee on Health on September 11, 2015.

On December 9, 2015, the Subcommittee on Health held a hearing on H.R. 3441.

No further action was taken on the bill.

MEDICAID AND CHIP TERRITORY FRAUD PREVENTION ACT

H.R. 3444

To amend title XI of the Social Security Act to reduce Medicaid and CHIP fraud in the territories of the United States, and for other purposes.

*Summary*

H.R. 3444 would amend the Social Security Act to exclude certain payments from ceilings on the amounts of Medicaid payments

made to Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa.

*Legislative History*

H.R. 3444 was introduced by Representative Joseph R. Pitts (PA-16) on September 8, 2015, and referred to the Committee on Energy and Commerce. H.R. 3444 was referred to the Subcommittee on Health on September 11, 2015.

On September 11, 2015, the Subcommittee on Health held a hearing on H.R. 3444.

No further action was taken on the bill.

ALIGNING CHILDREN'S DENTAL COVERAGE ACT

H.R. 3463

To amend title XXVII of the Public Health Service Act to clarify the treatment of pediatric dental coverage in the individual and group markets outside of Exchanges established under the Patient Protection and Affordable Care Act, and for other purposes.

*Summary*

H.R. 3463 would amend the Public Health Service Act to ease restrictions on health insurance plans without pediatric dental benefits to allow such insurance to be offered in any state where a dental plan in the individual or small group market provides pediatric dental benefits, even in states where the dental plan is not offered on the health insurance exchange.

*Legislative History*

H.R. 3463 was introduced by Representative Morgan H. Griffith (VA-09) on September 9, 2015, and referred to the Committee on Energy and Commerce. H.R. 3463 was referred to the Subcommittee on Health on September 11, 2015.

On June 10, 2016, the Subcommittee on Health held a hearing on H.R. 3463.

No further action was taken on the bill.

PROTECTING INFANTS BORN ALIVE ACT

H.R. 3494

To amend title XIX of the Social Security Act to provide greater clarity for States with respect to excluding providers whose actions a State suspects causes termination of fetuses born alive, and for other purposes.

*Summary*

H.R. 3494 would amend the Social Security Act to provide that, under a state plan for medical assistance, a state may not be required to provide medical assistance for services by any individual or entity whose services or actions are suspected by the state of causing the termination of a human fetus classified as an infant born alive. In addition, a provider of such an abortion may neither receive payment under the Medicaid program nor participate in any federal or state health care program.



*Legislative History*

H.R. 3494 was introduced by Representative Marsha Blackburn (TN-07) on September 11, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. H.R. 3494 was referred to the Subcommittee on Health on September 18, 2015.

On September 17, 2015, the Subcommittee on Health held a hearing on H.R. 3494.

No further action was taken on the bill.

## WOMEN'S PUBLIC HEALTH AND SAFETY ACT

H.R. 3495

To amend title XIX of the Social Security Act to allow for greater state flexibility with respect to excluding providers who are involved in abortions.

*Summary*

H.R. 3495 would provide that under a state plan for medical assistance under the Medicaid program, a state, at its option, may establish criteria with respect to the participation under the state plan (or under a waiver of the plan) of an institution, agency, entity, or person who performs, or participates in the performance of, abortions. H.R. 3495 would not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

*Legislative History*

H.R. 3495 was introduced by Representative Sean P. Duffy (WI-07) on September 11, 2015, and referred to the Committee on Energy and Commerce. H.R. 3495 was referred to the Subcommittee on Health on September 18, 2015.

On September 28, 2015, H.R. 3495 was considered in the House pursuant to the provisions of H. Res. 444, and the bill was passed, as amended, by a roll call vote of 236 yeas and 193 nays (Roll Call No. 524).

On September 30, 2015, H.R. 3495 was received in the Senate, and on July 14, 2016, H.R. 3495 was read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

## DANGEROUS SYNTHETIC DRUG CONTROL ACT OF 2016

H.R. 3537

To amend the Controlled Substances Act to add certain synthetic substances to schedule I, and for other purposes.

*Summary*

H.R. 3537 amends the Controlled Substances Act to add certain synthetic opioids, hallucinogens, and cannabinoids to schedule I.

*Legislative History*

H.R. 3537 was introduced by Representative Charles W. Dent (PA-15) on September 17, 2015, and referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker. H.R. 3537 was referred to the Subcommittee on Health on September 18, 2015.

On November 3 and 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 3537 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 3537 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 26, 2016, the Committee on Energy and Commerce reported H.R. 3537 to the House (H. Rept. 114-787, Part I), and the bill was placed on the Union Calendar (Calendar No. 615).

On September 26, 2016, H.R. 3537 was considered in the House under H. Res. 369, and the bill was passed, without amendment, by a vote of 258 yeas and 101 nays (Roll Call No. 557).

On September 27, 2016, H.R. 3537 was received in the Senate, read twice and referred to the Committee on the Judiciary.

No further action was taken on the bill.

## CO-PRESCRIBING TO REDUCE OVERDOSES ACT OF 2016

H.R. 3680

To provide for the Secretary of Health and Human Services to carry out a grant program for co-prescribing opioid overdose reversal drugs.

*Summary*

H.R. 3680 permits the Department of Health and Human Services (HHS) to establish a grant program to support prescribing opioid overdose reversal drugs, such as naloxone, for patients at an elevated risk of overdose, including patients prescribed an opioid. (Opioids are drugs with effects similar to opium, such as heroin and certain pain medications.)

This bill will grant recipients may use the funds to purchase opioid overdose reversal drugs, establish a program for prescribing such drugs, train health care providers and pharmacists, track patients and outcomes, offset patient cost sharing, conduct community outreach, and connect patients to treatment.

HHS may provide information to prescribers in federally qualified health centers and Indian Health Service facilities on best practices for prescribing opioid overdose reversal drugs for patients at an elevated risk of overdose.

H.R. 3680 amends the Public Health Service Act to reduce, as an offset, the authorization of appropriations for Centers for Disease Control and Prevention facilities for Fiscal Year 2018.

*Legislative History*

H.R. 3680 was introduced by Representative John P. Sarbanes (MD-03) on October 1, 2015, and referred to the Committee on Energy and Commerce. H.R. 3680 was referred to the Subcommittee on Health on October 2, 2015.

On October 8, 2015, the Subcommittee on Health held a hearing on H.R. 3680.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 3680 and forwarded the bill to the Full Committee, as amended, by a voice vote.

On April 25, 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 3680 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 3680 to the House, as amended (H. Rept. 114-553), and the bill was placed on the Union Calendar (Calendar No. 427).

On May 11, 2016, H.R. 3680 was also considered in the House under a suspension of the rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 3680 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

IMPROVING TREATMENT FOR PREGNANT AND POSTPARTUM WOMEN  
ACT OF 2016

H.R. 3691

To amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to state substance abuse agencies to promote innovative service delivery models for such women.

*Summary*

H.R. 3691 amends the Public Health Service Act to extend support for residential substance abuse treatment programs for pregnant and postpartum women through Fiscal Year 2021. The Center for Substance Abuse Treatment must carry out a pilot program to make grants to state substance abuse agencies to support services for pregnant and postpartum women who have a primary diagnosis of a substance use disorder, including opioid use disorders (opioids are drugs with effects similar to opium, such as heroin and certain pain medications). The Center for Behavioral Health Statistics and Quality must fund an evaluation of the pilot program. As an offset, the bill reduces the authorization of appropriations for Centers for Disease Control and Prevention facilities for Fiscal Year 2017.

*Legislative History*

H.R. 3691 was introduced by Representative Ben Ray Lujan (NM-03) on October 6, 2015, and referred to the Committee on Energy and Commerce. H.R. 3691 was referred to the Subcommittee on Health on October 9, 2015.

On October 8 and 20, 2015, the Subcommittee on Health held a hearing on H.R. 3691.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 3691 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 3691 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 3691 to the House, as amended (H. Rept. 114–554), and the bill was placed on the Union Calendar (Calendar No. 428).

On May 11, 2016, H.R. 3691 was also considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 3691 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### ENSURING ACCESS TO QUALITY MEDICAID PROVIDERS ACT

H.R. 3716

To amend title XIX of the Social Security Act to require states to provide to the Secretary of Health and Human Services certain information with respect to provider terminations, and for other purposes.

#### *Summary*

H.R. 3716 would assist states in identifying health care providers who are ineligible to participate in their state Medicaid or Children’s Health Insurance Program programs because the provider was terminated from participating in another state’s programs or in the Medicare program.

#### *Legislative History*

On September 11, 2015, the Subcommittee on Health held a hearing on a Discussion Draft entitled “Ensuring Terminated Providers are Removed from Medicaid and CHIP Act.”

H.R. 3716 was introduced by Representative Larry Bucshon (IN–08) on October 8, 2015, and referred to the Committee on Energy and Commerce. H.R. 3716 was referred to the Subcommittee on Health on October 9, 2015. H.R. 3716 was similar to the Discussion Draft reviewed by the Subcommittee.

On November 3 and 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 3716 and forwarded the bill to the full Committee, as amended, by a voice vote.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 3716 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On February 23, 2016, the Committee on Energy and Commerce reported H.R. 3716 to the House (H. Rept. 114–427), and the bill was placed on the Union Calendar (Calendar No. 326).

On March 6, 2016, H.R. 3716 was considered in the House pursuant to the provisions of H. Res. 632, and the bill was passed, as amended, by a roll call vote of 406 yeas, and 0 nays (Roll Call No. 105).

On March 3, 2016, H.R. 3716 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

## MEDICAID DOC ACT

H.R. 3821

To amend title XIX to require the publication of a provider directory in the case of states providing for medical assistance on a fee-for-service basis or through a primary care case-management system, and for other purposes.

### *Summary*

H.R. 3821 would require state Medicaid agencies to publish on public websites a directory of certain medical care providers who provided care to Medicaid enrollees in the prior 12 months.

The directory would be limited to providers who had been reimbursed on a fee-for-service basis or had received a primary care case management fee. In addition to the names of the providers, the directories would include the following information: the medical specialty of the provider, the address of the provider, and the contact information of the provider. For providers who had received a primary care case management fee, the directory would also need to include whether the provider is accepting new Medicaid patients and the provider's cultural and linguistic capabilities, including languages spoken. States maintaining such directories would have to update them at least annually.

### *Legislative History*

On September 18, 2015, the Subcommittee on Health held a hearing on a Discussion Draft entitled "Medicaid Directory of Caregivers Act" or "Medicaid DOC Act."

H.R. 3821 was introduced by Representative Chris Collins (NY-27) on October 23, 2015, and referred to the Committee on Energy and Commerce. H.R. 3821 was referred to the Subcommittee on Health on October 30, 2015. H.R. 3821 was similar to the Discussion Draft reviewed by the Subcommittee.

On November 3 and 4, 2015, the Subcommittee on Health met in open markup session to consider H.R. 3821 and forwarded the bill to the full Committee, as amended, by a voice vote.

On November 17 and 18, 2015, the Committee on Energy and Commerce met in open markup session to consider H.R. 3821 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On February 23, 2016, the Committee on Energy and Commerce reported H.R. 3821 to the House (H. Rept. 114-426), and the bill was placed on the Union Calendar (Calendar No. 325).

No further action was taken on the bill.

## CONGENITAL HEART FUTURES REAUTHORIZATION ACT OF 2015

H.R. 3952

To amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

*Summary*

H.R. 3952 would amend the Public Health Service Act to replace the authorization for a National Congenital Heart Disease Surveillance System with a requirement for the Centers for Disease Control and Prevention (CDC) to enhance and expand research and surveillance infrastructure, and plan and implement a public outreach and education campaign. In addition, the bill would authorize grants for a National Congenital Heart Disease Cohort Study and a Congenital Heart Disease Awareness Campaign. Finally, the National Heart, Lung, and Blood Institute would be required to report on its ongoing research efforts regarding congenital heart disease, future plans for such research, and areas of greatest need for such research.

*Legislative History*

H.R. 3952 was introduced by Representative Gus M. Bilirakis (FL–12) on November 5, 2015, and referred to the Committee on Energy and Commerce. H.R. 3952 was referred to the Subcommittee on Health on November 6, 2015.

On September 8, 2016, the Subcommittee on Health held a hearing on H.R. 3952.

No further action was taken on the bill.

## CARDIAC ARREST SURVIVAL ACT OF 2015

H.R. 4152

To amend the Public Health Service Act to clarify liability protections regarding emergency use of automated external defibrillators.

*Summary*

H.R. 4152 would amend the Public Health Service Act to expand immunity from civil liability related to automated external defibrillator devices.

*Legislative History*

H.R. 4152 was introduced by Representative Pete Olson (TX–22) on December 2, 2015, and referred to the Committee on Energy and Commerce. H.R. 4152 was referred to the Subcommittee on Health on December 4, 2015.

On December 9, 2015, the Subcommittee on Health held a hearing on H.R. 4152.

No further action was taken on the bill.

## EDUCATING TO PREVENT EATING DISORDERS ACT OF 2015

H.R. 4153

To amend the Public Health Service Act to establish a pilot program to test the impact of early intervention on the prevention, management, and course of eating disorders.

*Summary*

H.R. 4153 would authorize the Secretary of the Department of the Health and Human Services, through the Director of the Agency for Healthcare Research and Quality, to establish a pilot program, for a period of three consecutive school years, to test the impact of providing students in eligible schools with interventions to prevent, identify, intervene, and manage eating disorders. Under such pilot program, the Secretary shall award grants to eligible schools, and not later than 6 months after the last day of the pilot program, each eligible school participating in the pilot program shall submit to the Secretary of Health and Human Services a report evaluating the process and the outcomes of the pilot program, with respect to such school, during the period of the program.

*Legislative History*

H.R. 4153 was introduced by Representative Renee L. Ellmers (NC-02) on December 2, 2015, and referred to the Committee on Energy and Commerce. H.R. 4153 was referred to the Subcommittee on Health on December 4, 2015.

On December 9, 2015, the Subcommittee on Health held a hearing on H.R. 4153.

No further action was taken on the bill.

## TRANSPARENCY AND ACCOUNTABILITY OF FAILED EXCHANGES ACT

H.R. 4262

To amend title I of the Patient Protection and Affordable Care Act to require that a State awarded a Federal grant to establish an Exchange and that terminates the State operation of such an Exchange provide for an audit of the use of grant funds and return funds to the Federal Government, and for other purposes.

*Summary*

H.R. 4262 would require the Department of Health and Human Services, for certain states awarded a grant to establish a health insurance exchange, to report on how awarded amounts were used and rescind unobligated amounts. This applies to any state that terminates operation of its exchange or transfers operation to another entity. Such a state must provide to the General Services Administration any property acquired through the grant and refer matters involving fraud, waste, and abuse of funds issued pursuant to PPACA to the Department of Justice. Funds rescinded must be retained for federal budget deficit reduction.

*Legislative History*

H.R. 4262 was introduced by Representative Rick W. Allen (GA-12) on December 18, 2015, and referred to the Committee on En-

ergy and Commerce. H.R. 4262 was referred to the Subcommittee on Health on December 18, 2015.

On June 10, 2016, the Subcommittee on Health held a hearing on H.R. 4262.

No further action was taken on the bill.

#### PATIENT OPPORTUNITY PROTECTION ACT OF 2015

H.R. 4299

To amend the Public Health Service Act to prevent the Secretary of Health and Human Services from limiting access to excepted benefits, and for other purposes.

##### *Summary*

H.R. 4299 would amend the Public Health Service Act to prohibit the Department of Health and Human Services (HHS) from imposing additional conditions on excepted benefits, which are health benefits that are not subject to requirements applicable to group health plans or individual health insurance. In the individual health insurance market, HHS may not condition the treatment of fixed indemnity insurance as an excepted benefit on the beneficiary satisfying the requirement for minimum essential coverage.

##### *Legislative History*

H.R. 4299 was introduced by Representative Rod Blum (IA-01) on December 18, 2015, and referred to the Committee on Energy and Commerce. H.R. 4299 was referred to the Subcommittee on Health on December 18, 2015.

On January 27, 2015, the Subcommittee on Health held a hearing on H.R. 4299.

No further action was taken on the bill.

#### PROTECTING PATIENT ACCESS TO EMERGENCY MEDICATIONS ACT OF 2016

H.R. 4365

To amend the Controlled Substances Act with regard to the provision of emergency medical services.

##### *Summary*

H.R. 4365 would amend section 303 of the Controlled Substances Act to provide emergency medical services (EMS) agencies an option of a single registration with the Drug Enforcement Administration in each State where the EMS agency administers controlled substances. Further, the bill would clarify that EMS professionals are permitted to administer controlled substances pursuant to standing or verbal orders if certain conditions are met.

##### *Legislative History*

H.R. 4365 was introduced by Representative Richard Hudson (NC-08) on January 12, 2016, and referred to the Committee on Energy and Commerce, and the Committee on the Judiciary, for a period to be subsequently determined by the Speaker. H.R. 4365 was referred to the Subcommittee on Health on January 15, 2016.



On July 12, 2016, the Subcommittee on Health held a hearing on H.R. 4365.

On September 12 and 13, 2016, the Subcommittee on Health met in open markup session to consider H.R. 4365 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On September 20 and 21, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4365 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On November 14, 2016, the Committee on Energy and Commerce reported H.R. 4365 to the House (H. Rept. 114–804, Part 1), and the bill was placed on the Union Calendar (Calendar No. 627).

On November 14, 2016, H.R. 4365 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On November 15, 2016, H.R. 4365 was received in the Senate.

No further action was taken on the bill.

#### LALI'S LAW

H.R. 4586

To amend the Public Health Service Act to authorize grants to states for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes.

#### *Summary*

H.R. 4586 would allow the Centers for Disease Control and Prevention (CDC) to provide grants to states to enable and encourage pharmacies to dispense medications that reverse opioid overdoses pursuant to a standing order. A standing order is a prescription that permits another person to acquire, dispense, or administer medication without the prescription specifying who will be treated with the medication. The grants would be limited to \$500,000 per state. The bill also would allow states to use the grant funds to implement best practices and to develop training materials on the purpose, administration, and availability of those medications. H.R. 4586 would authorize the appropriation of a total of \$5 million of fiscal years 2017 through 2019 to carry out these activities.

#### *Legislative History*

H.R. 4586 was introduced by Representative Robert J. Dold (IL–10) on February 23, 2016, and referred to the Committee on Energy and Commerce. H.R. 4586 was referred to the Subcommittee on Health on February 26, 2016.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 4586 and forwarded the bill to the full Committee, as amended, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4586 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4586 to the House (H. Rept. 114–555), and the bill was placed on the Union Calendar (Calendar No. 429).

On May 12, 2016, H.R. 4586 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 415 yeas and 4 nays (Roll No. 189).

On May 16, 2016, H.R. 4586 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### REDUCING UNUSED MEDICATIONS ACT OF 2016

H.R. 4599

To amend the Controlled Substances Act to permit certain partial fillings of prescriptions.

##### *Summary*

H.R. 4599 would permit pharmacists to fill only part of a prescription for drugs that are listed in Schedule II of the Controlled Substances Act upon the request of the prescribing physician or the patient.

##### *Legislative History*

H.R. 4599 was introduced by Representative Katherine M. Clark (MA–05) on February 24, 2016, and referred to the Committee on Energy and Commerce. H.R. 4599 was referred to the Subcommittee on Health on February 26, 2016.

On April 20, 2016 the Subcommittee on Health met in open markup session to consider H.R. 4599 and forwarded the bill to the full Committee, as amended, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4599 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4599 to the House (H. Rept. 114–556), and the bill was placed on the Union Calendar (Calendar No. 430).

On May 11, 2016, H.R. 4599 was considered in the House under suspension of the Rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 4599 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor and Pensions.

No further action was taken on the bill.

TO PROVIDE FOR THE ESTABLISHMENT OF AN INTER-AGENCY TASK FORCE TO REVIEW, MODIFY, AND UPDATE BEST PRACTICES FOR PAIN MANAGEMENT AND PRESCRIBING PAIN MEDICATION, AND FOR OTHER PURPOSES

H.R. 4641

To provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes.

*Summary*

H.R. 4641 would require the Secretary of the Department of Health and Human Services (HHS) to establish a task force to review and modify best practices for the treatment of pain. The task force would issue a report to Congress on its findings, which would include a strategy for disseminating information to relevant medical professionals about best practices in pain management.

*Legislative History*

H.R. 4641 was introduced by Representative Susan W. Brooks (IN-05) on February 26, 2016, and referred to the Committee on Energy and Commerce. H.R. 4641 was referred to the Subcommittee on Health on March 4, 2016.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 4641 and forwarded the bill to the full Committee, as amended, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4641 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 3, 2016, the Committee on Energy and Commerce reported H.R. 4641 to the House (H. Rept. 114-536), and the bill was placed on the Union Calendar (Calendar No. 412).

On May 11, 2016, H.R. 4641 was considered in the House pursuant to the provisions of rule H. Res. 720, and the bill was passed, as amended, by a roll call vote of 412 yeas and 4 nays (Roll Call No. 184).

On May 12, 2016, H.R. 4641 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

QUALITY CARE FOR MOMS AND BABIES ACT

H.R. 4695

To amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

*Summary*

H.R. 4695 would direct the Department of Health and Human Services (HHS) to identify and publish a recommended core set of maternal and infant quality measures for women and chil-

dren, publish an initial core set of any such measures applicable to mothers and infants eligible under Medicaid or the Children's Health Insurance Program (CHIP), establish a Maternal and Infant Quality Measurement Program, and establish an online clearinghouse of resources for entities working to improve maternity and infant care quality. The bill also would authorize HHS to award maternity and infant care related grants.

#### *Legislative History*

On November 3, 2015, the Subcommittee on Health held a hearing on a Discussion Draft entitled "Quality Care for Moms and Babies Act."

H.R. 4695 was introduced by Representative Eliot L. Engel (NY-16) on March 3, 2016, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

H.R. 4695 was referred to the Subcommittee on Health on March 4, 2016.

No further action was taken on the bill.

### COMMON SENSE SAVINGS ACT OF 2016

H.R. 4725

To reduce the Federal deficit through reforms in spending under Medicaid, CHIP, and the Prevention and Public Health Fund.

#### *Summary*

H.R. 4725 would make changes to Medicaid and the Children's Health Insurance Program that would reduce the federal medical assistance percentages for certain enrolled individuals. The bill would also limit states' ability to tax health care providers and require states to include lottery winnings or lump sum income in determining eligibility for Medicaid. Lastly, the bill would repeal the Prevention and Public Health Fund, which provides grants to carry out prevention, wellness, and public health activities.

#### *Legislative History*

H.R. 4725 was introduced by Representative Joseph R. Pitts (PA-16) on March 10, 2016, and referred to the Committee on Energy and Commerce. H.R. 4725 was referred to the Subcommittee on Health on March 11, 2016.

On March 14 and 15, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4725 and ordered the bill favorably reported to the House, as amended, by a roll call vote of 29 yeas to 19 nays.

No further action was taken on the bill.

### JOHN THOMAS DECKER ACT OF 2016

H.R. 4969

To amend the Public Health Service Act to direct the Centers for Disease Control and Prevention to provide for informational materials to educate and prevent addiction in teenagers and adolescents

who are injured playing youth sports and subsequently prescribed an opioid.

*Summary*

H.R. 4969 would direct the Secretary of the Department of Health and Human Services (HHS) to develop and disseminate educational materials to teens and adolescents who play youth sports and may be prescribed opioids following a sports injury. These materials would include information regarding the dangers of opioid use and misuse, the different treatment options for sport injuries, and how to obtain treatment for opioid addiction. In addition, the bill would require the Centers for Disease Control and Prevention to produce a report on the availability of this information.

*Legislative History*

H.R. 4969 was introduced by Representative Patrick Meehan (PA-07) on April 15, 2016, and referred to the Committee on Energy and Commerce. H.R. 4969 was referred to the Subcommittee on Health on April 15, 2016.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 4969 and forwarded the bill to the full Committee, as amended, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4969 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4969 to the House (H. Rept. 114-558), and the bill was placed on the Union Calendar (Calendar No. 432).

On May 11, 2016, H.R. 4969 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 4969 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

## OPIOID REVIEW MODERNIZATION ACT OF 2016

### H.R. 4976

To require the Commissioner of Food and Drugs to seek recommendations from an advisory committee of the Food and Drug Administration before approval of certain new drugs that are opioids without abuse-deterrent properties, and for other purposes.

*Summary*

H.R. 4976 would require the Food and Drug Administration (FDA) to seek recommendations from an expert advisory committee before approving any new drug that contains an opioid that does not have abuse-deterrent properties. The bill would also require that the Pediatric Advisory Committee recommend labeling information for opioid use by children. In addition, the bill would require FDA to develop recommendations for educating prescribers of

opioids and to publish final guidance on evaluating efforts to deter abuse of generic opioid drugs.

#### *Legislative History*

H.R. 4976 was introduced by Representative Sean Patrick Maloney (NY-18) on April 18, 2016, and referred to the Committee on Energy and Commerce. H.R. 4976 was referred to the Subcommittee on Health on April 18, 2016.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 4976 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4976 and ordered the bill favorably reported to the House, without amendment, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4976 to the House, as amended (H. Rept. 114-557), and the bill was placed on the Union Calendar (Calendar No. 431).

On May 11, 2016, H.R. 4976 was considered in the House under a motion to suspend the Rules, and the bill was passed, without amendment, by a voice vote.

On May 12, 2016, H.R. 4976 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

### NAS HEALTHY BABIES ACT

H.R. 4978

To require the Government Accountability Office to submit to Congress a report on neonatal abstinence syndrome (NAS) in the United States and its treatment under Medicaid, and for other purposes.

#### *Summary*

H.R. 4978 would exclude formulations of prescription drugs that include abuse deterrents from Medicaid's requirement that new drug formulations pay additional rebates. The bill also would prevent the disclosure of algorithms used to detect fraud, provide additional funding to the Medicaid Improvement Fund, and require the Government Accountability Office to submit a report to the Congress on neonatal abstinence syndrome in the United States.

#### *Legislative History*

H.R. 4978 was introduced by Representative Evan H. Jenkins (WV-03) on April 18, 2016, and referred to the Committee on Energy and Commerce. H.R. 4978 was referred to the Subcommittee on Health on April 18, 2016.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider H.R. 4978 and forwarded the bill to the full Committee, without amendment, by a voice vote.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4978 and

ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4978 to the House (H. Rept. 114–559), and the bill was placed on the Union Calendar (Calendar No. 433).

On May 11, 2016, H.R. 4978 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 4978 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

#### OPIOID USE DISORDER TREATMENT EXPANSION AND MODERNIZATION ACT

H.R. 4981

To amend the Controlled Substances Act to improve access to opioid use disorder treatment.

##### *Summary*

H.R. 4981 would permit nurse practitioners and physician assistants who meet certain criteria to apply for waivers administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Those waivers would allow them to prescribe buprenorphine products to patients with opioid dependency. In addition, the bill would permit pharmacists to fill only part of a prescription for certain drugs upon the request of the prescribing physician or the patient.

##### *Legislative History*

H.R. 4981 was introduced by Representative Larry Bucshon (IN–08) on April 18, 2016, and referred to the Committee on Energy and Commerce, in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker.

On April 20, 2016, the Subcommittee on Health met in open markup session to consider a Discussion Draft entitled “Opioid Use Disorder Treatment Expansion and Modernization Act” and forwarded the bill to the full Committee, as amended, by a voice vote.

H.R. 4981 was referred to the Subcommittee on Health on April 22, 2016. H.R. 4981 was similar to the Discussion Draft considered by the Subcommittee.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4981 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4981 to the House (H. Rept. 114–561, Part I), and the bill was placed on the Union Calendar (Calendar No. 435).

On May 11, 2016, H.R. 4981 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 4981 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### EXAMINING OPIOID TREATMENT INFRASTRUCTURE ACT OF 2016

H.R. 4982

To direct the Comptroller General of the United States to evaluate and report on the in-patient and outpatient treatment capacity, availability, and needs of the United States.

##### *Summary*

H.R. 4982 would direct the Government Accountability Office (GAO) to conduct an evaluation of the infrastructure for treating opioid and other substance abuse in the United States. The bill would require GAO to submit a report to the Congress on the evaluation no later than 24 months after the date of enactment.

##### *Legislative History*

H.R. 4982 was introduced by Representative Bill Foster (IL–11) on April 18, 2016, and referred to the Committee on Energy and Commerce. On April 20, 2016, the Subcommittee on Health met in open markup session to consider a Discussion Draft entitled “Examining Opioid Treatment Infrastructure Act of 2016” and forwarded the bill to the full Committee, without amendment, by a voice vote.

H.R. 4982 was referred to the Subcommittee on Health on April 22, 2016.

H.R. 4982 was referred to the Subcommittee on Health on April 22, 2016. H.R. 4981 was similar to the Discussion Draft considered by the Subcommittee.

On April 26, 27, and 28, 2016, the Committee on Energy and Commerce met in open markup session to consider H.R. 4982 and ordered the bill favorably reported to the House, as amended, by a voice vote.

On May 10, 2016, the Committee on Energy and Commerce reported H.R. 4982 to the House (H. Rept. 114–560), and the bill was placed on the Union Calendar (Calendar No. 434).

On May 11, 2016, H.R. 4982 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On May 12, 2016, H.R. 4982 was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.

No further action was taken on the bill.

#### HHS DATA PROTECTION ACT

H.R. 5068

To amend the Public Health Service Act to establish the Office of the Chief Information Security Officer within the Department of Health and Human Services.

##### *Summary*

H.R. 5068 amends the Public Health Service Act to create the position of Chief Information Security Officer of the Department of



Health and Human Services (HHS) in the Office of the Assistant Secretary for Administration and transfer to this position the functions, personnel, assets, and liabilities of the Chief Information Security Officer in the Office of the Chief Information Officer of HHS.

*Legislative History*

H.R. 5068 was introduced by Representative Billy Long (MO-07) on April 26, 2016, and referred to the Committee on Energy and Commerce. H.R. 5068 was referred to the Subcommittee on Health on April 29, 2016.

On May 25, 2016, the Subcommittee on Health held a hearing on H.R. 5068.

No further action was taken on the bill.

TO PROHIBIT FURTHER ACTION ON THE PROPOSED RULE REGARDING  
TESTING OF MEDICARE PART B PRESCRIPTION DRUG MODELS

H.R. 5122

To prohibit further action on the proposed rule regarding testing of Medicare part B prescription drug models.

*Summary*

H.R. 5122 prohibits the Department of Health and Human Services from taking any action to finalize, implement, or enforce the proposed rule entitled “Medicare Program; Part B Drug Payment Model” (81 Fed. Reg. 13230 (March 11, 2016)).

*Legislative History*

H.R. 5122 was introduced by Representative Larry Bucshon (IN-08) on April 29, 2016, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. H.R. 5122 was referred to the Subcommittee on Health on May 6, 2016.

On May 17, 2016, the Subcommittee on Health held a hearing on H.R. 5122.

No further action was taken on the bill.

PADME ACT

H.R. 5210

To improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

*Summary*

H.R. 5210 continues the 50–50 blend of old and new payment rates for Medicaid services for an additional 3 months and requires the Department of Health and Human Service to report to Congress on any access issues caused by the blended rate before the full rate change can go into effect.

In addition, the bill would ensure health care providers terminated from Medicare or one state’s Medicaid program for reasons of fraud, integrity, or quality are also terminated from other state Medicaid programs. The bill also requires state Medicaid programs

to provide beneficiaries served under fee-for-service or primary care case management programs an electronic directory of physicians participating in the program.

Finally, the bill ensures that payments made under a state eugenics compensation program cannot be considered as income in determining eligibility for any Federal public benefit, preventing any funds from such a compensation program to be counted as income for purposes of receiving any Federal benefits.

#### *Legislative History*

H.R. 5210 was introduced by Representative Tom Price (GA-06) on May 12, 2016, and referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker. H.R. 5210 was referred to the Subcommittee on Health on May 13, 2016.

On July 5, 2016, H.R. 5210 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a voice vote.

On July 6, 2016, H.R. 5210 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

### CAH ACT OF 2016

#### H.R. 5613

To provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

#### *Summary*

H.R. 5613 would require the Secretary of the Department of Health and Human Services to continue to apply an exception to the requirement that certain outpatient therapeutic services be provided under the direct supervision of a physician when they are furnished in critical access and small rural hospitals. This exception would apply through calendar year 2016.

#### *Legislative History*

H.R. 5613 was introduced by Representative Lynn Jenkins (KS-02) on July 1, 2016, and referred to the Committee on Energy and Commerce, and the Committee on Ways and Means, for a period to be subsequently determined by the Speaker.

On July 21, 2016, the Committee on Ways and Means reported H.R. 5613 to the House (H. Rept. 114-696, Part I).

On September 20 and 21, 2016, H.R. 5613 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 420 yeas and 0 nays (Roll Call No. 531).

On September 22, 2016, H.R. 5613 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

## ESRD CHOICE ACT OF 2016

H.R. 5659

To amend title XVIII of the Social Security Act with respect to expanding Medicare Advantage coverage for individuals with end-stage renal disease (ESRD).

*Summary*

H.R. 5659 amends title XVIII (Medicare) of the Social Security Act to allow individuals with end-stage renal disease (ESRD) to be eligible for Medicare Advantage (MA).

*Legislative History*

H.R. 5659 was introduced by Representative Jason Smith (MO–08) on July 7, 2016, and referred to the Committee on Ways and Means, and the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker.

On September 19, 2016, the Committee on Ways and Means reported H.R. 5659 to the House (H. Rept. 114–751, Part I) and the bill was placed on the Union Calendar (Calendar No. 583).

On September 20 and 21, 2016, H.R. 5659 was considered in the House under a motion to suspend the Rules, and the bill was passed, as amended, by a roll call vote of 423 yeas and 0 nays (Roll Call No. 529).

On September 22, 2016, H.R. 5659 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

SUSTAINING HEALTHCARE INTEGRITY AND FAIR TREATMENT ACT OF  
2016

H.R. 5713

To provide for the extension of certain long-term care hospital Medicare payment rules, clarify the application of rules on the calculation of hospital length of stay to certain moratorium-excepted long-term care hospitals, and for other purposes.

*Summary*

H.R. 5713 would modify Medicare's payments to Long-Term Care Hospitals and would prohibit Medicare from paying for items or services furnished by certain newly enrolled providers in select areas of the country.

*Legislative History*

H.R. 5713 was introduced by Representative Patrick J. Tiberi (OH–12) on July 11, 2016, and referred to the Committee on Ways and Means, and the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker.

On September 20, 2016, the Committee on Ways and Means reported H.R. 5713 to the House (H. Rept. 114–761, Part I) and the bill was placed on the Union Calendar (Calendar No. 594).

On September 20 and 21, 2016, H.R. 5713 was considered in the House under a motion to suspend the Rules, and the bill was

passed, as amended, by a roll call vote of 420 yeas and 3 nays (Roll Call No. 530).

On September 22, 2016, H.R. 5713 was received in the Senate, read twice, and referred to the Committee on Finance.

No further action was taken on the bill.

## OVERSIGHT ACTIVITIES

### A PERMANENT SOLUTION TO THE SGR: THE TIME IS NOW

On January 21, 2015, the Subcommittee on Health held a hearing entitled “A Permanent Solution to the SGR: The Time Is Now.” The purpose of the hearing was to discuss the need to advance a permanent legislative solution to the broken Medicare physician reimbursement formula known as the Sustainable Growth Rate (SGR). The Subcommittee received testimony from former United States Senator Joseph I. Lieberman; Alice Rivlin, Co-Chair, Bipartisan Policy Center, Delivery System Reform Initiative, Director, Engelberg Center for Health Reform, The Brookings Institution; Marilyn Moon, Institute Fellow, American Institutes for Research; Richard Umbdenstock, President and Chief Executive Officer, American Hospital Association; Alan Speir, Medical Director of Cardiac Surgical Services for Inova Health System, Chair, Workforce on Health Policy, Reform and Advocacy, The Society of Thoracic Surgeons; Eric Schneidewind, President-Elect, AARP; Geraldine O’Shea, First Vice President, American Osteopathic Association Board of Trustees, Medical Director, Foothills Women’s Medical Center in California; Barbara McAneny, Chair, American Medical Association Board of Trustees, Chief Executive Officer, New Mexico Oncology Hematology Consultants, Ltd.; and Ken P. Miller, Board President, American Association of Nurse Practitioners.

### EXAMINING ICD–10 IMPLEMENTATION

On February 11, 2015, the Subcommittee on Health held a hearing entitled “Examining ICD–10 Implementation.” The purpose of the hearing was to review U.S. preparedness to adopt ICD–10. The Subcommittee received testimony from Edwin M. Burke, Beyer Medical Group; Rich Averill, Director of Public Policy, 3M Health Information Systems; Sue Bowman, Senior Director, Coding Policy and Compliance, American Health Information Management Association; Kristi A. Matus, Chief Financial and Administrative Officer, Athena Health; William Jefferson Terry, Mobile Urology Group; Carmella Bocchino, Executive Vice President of Clinical Affairs and Strategic Planning, America’s Health Insurance Plans; and John Hughes, Professor of Medicine, Yale University.

### EXAMINING THE FY 2016 HHS BUDGET

On February 26, 2015, the Subcommittee on Health held a hearing entitled “Examining the FY 2016 HHS Budget.” The purpose of the hearing was to examine the President’s proposed budget for the Department of Health and Human Services in Fiscal Year 2016. The Subcommittee received testimony from Sylvia Burwell, Secretary, Department of Health and Human Services.

#### EXAMINING THE 340B DRUG PRICING PROGRAM

On March 24, 2015, the Subcommittee on Health held a hearing entitled “Examining the 340B Drug Pricing Program.” The purpose of the hearing was to review the 340B Drug Pricing Program and its impacts on patients, providers, manufacturers, and other stakeholders. The Subcommittee received testimony from Diana Espinosa MPP, Deputy Administrator, Health Resources and Services Administration, Department of Health and Human Services; accompanied by Krista M. Pedley, Director, Office of Pharmacy Affairs, Health Resources and Services Administration; Debbie Draper, Director, Health Care, Government Accountability Office; and Ann Maxwell, Assistant Inspector General for Evaluation and Inspections, Office of Inspector General, Department of Health and Human Services.

#### MEDICARE POST ACUTE CARE DELIVERY AND OPTIONS TO IMPROVE IT

On April 16, 2015, the Subcommittee on Health held a hearing entitled “Medicare Post Acute Care Delivery and Options to Improve It.” The purpose of the hearing was to review the state of Medicare’s post-acute care system and opportunities to improve the delivery and access to these services for seniors. The Subcommittee received testimony from Mark E. Miller, Executive Director, Medicare Payment Advisory Commission; Steven Landers, President and Chief Executive Officer, Visiting Nurse Association Health Group; Samuel Hammerman, Chief Medical Officer, LTACH Hospital Division, Select Medical Corporation; Melissa Morley, Program Manager, Health Care Financing and Payment, RTI International; and Leonard Russ, Principal Partner, Bayberry Health Care, Chairman, American Health Care Association.

#### A NATIONAL FRAMEWORK FOR THE REVIEW AND LABELING OF BIOTECHNOLOGY IN FOOD

On June 18, 2015, the Subcommittee on Health held a hearing entitled, “A National Framework for the Review and Labeling of Biotechnology in Food.” The purpose of the hearing was to learn about the role genetic engineering plays in our nation’s food supply and state-specific labeling regulations. The Subcommittee received testimony from Rick Blasgen, President and Chief Executive Officer, Council of Supply Chain Management Professionals; Todd W. Daloz, Assistant Attorney General, Office of the Vermont Attorney General; John Reifsteck, Chairman of the Board and President, GROWMARK, Inc.; Gregory Jaffe, Biotechnology Project Director, Center for Science in the Public Interest; and L. Val Giddings, Senior Fellow, Information Technology and Innovation Foundation.

#### EXAMINING THE ADMINISTRATION’S APPROVAL OF MEDICAID DEMONSTRATION PROJECTS

On June 24, 2015, the Subcommittee on Health held a hearing entitled “Examining the Administration’s Approval of Medicaid Demonstration Projects.” The purpose of the hearing was to fully examine the Medicaid demonstrations process. The Subcommittee

received testimony from Katherine Iritani, Director Government Accountability Office; Haley Barbour, former Governor of the State of Mississippi; Matt Salo, Executive Director, National Association of Medicaid Directors; and Joan Alker, Executive Director, Georgetown University Center for Children and Families.

#### MEDICAID AT 50: STRENGTHENING AND SUSTAINING THE PROGRAM

On July 8, 2015, the Subcommittee on Health held a hearing entitled “Medicaid at 50: Strengthening and Sustaining the Program.” The purpose of this hearing was to examine potential reforms to improve Medicaid. The Subcommittee received testimony from Vikki Wachino, Director, Center for Medicaid and CHIP Services, Centers for Medicare and Medicaid Services; Carolyn Yocom, Director, Health Care, Government Accountability Office; and Anne Schwartz, Executive Director, Medicaid and CHIP Payment and Access Commission.

#### STRENGTHENING MEDICAID PROGRAM INTEGRITY AND CLOSING LOOPHOLES

On September 11, 2015, the Subcommittee on Health held a hearing entitled “Strengthening Medicaid Program Integrity and Closing Loopholes.” The purpose of the hearing was to examine vulnerabilities in the Medicaid program and how to address them. The Subcommittee received testimony from John Hagg, Director of Medicaid Audits, Office of Inspector General, Department of Health and Human Services; Nico Gomez, Chief Executive Officer, Oklahoma Health Care Authority; and Patricia Riley, Commissioner, Medicaid and CHIP Payment and Access Commission.

#### EXAMINING THE MEDICARE PART D MEDICATION THERAPY MANAGEMENT PROGRAM

On October 21, 2015, the Subcommittee on Health held a hearing entitled “Examining the Medicare Part D Medication Therapy Management Program.” The purpose of the hearing was to review on the Medication Therapy Management program. The Subcommittee received testimony from Tim Gronniger, Director of Delivery System Reform, Centers for Medicare and Medicaid Services; Lawrence Kocot, Principal and National Leader, Center for Healthcare Regulatory Insight, KPMG LLP; Jesse McCullough, Director, Field Clinical Services, Rite Aid Corporation; and Richard Thomas Benson, Associate Director of Stroke, MedStar Washington Hospital Center.

#### REVIEWING THE ACCURACY OF MEDICAID AND EXCHANGE ELIGIBILITY DETERMINATIONS

On October 23, 2015, the Subcommittee on Health held a hearing entitled “Reviewing the Accuracy of Medicaid and Exchange Eligibility Determinations.” The purpose of the hearing was to examine Medicaid and exchange eligibility controls and coordination. The Subcommittee received testimony from Seto Bagdoyan, Director, Audit Services, Forensic and Investigative Service, Government Ac-

countability Office; and Carolyn Yocom, Director, Health Care, Government Accountability Office.

#### EXAMINING IMPLEMENTATION OF THE BIOLOGICS PRICE COMPETITION AND INNOVATION ACT

On February 4, 2016, the Subcommittee on Health held a hearing entitled “Examining Implementation of the Biologics Price Competition and Innovation Act.” The purpose of the hearing was to provide members an opportunity to hear about the ongoing implementation of the Biologics Price Competition Act. The Subcommittee received testimony from Janet Woodcock, Director, Center for Drug Evaluation and Research, Food and Drug Administration; and Sean Cavanaugh, Deputy Administrator and Director, Center for Medicare, Centers for Medicare and Medicaid Services.

#### EXAMINING MEDICAID AND CHIP’S FEDERAL MEDICAL ASSISTANCE PERCENTAGE

On February 10, 2016, the Subcommittee on Health held a hearing entitled “Examining Medicaid and CHIP’s Federal Medical Assistance Percentage.” The purpose of the hearing was to review that status of the FMAP system. The Subcommittee received testimony from Alison Mitchell, Health Care Financing Analyst, Congressional Research Service; Carolyn Yocom, Director, Health Care, Government Accountability Office; Anne Schwartz, Executive Director, Medicaid and CHIP Payment and Access Commission; and John Hagg, Director of Medicaid Audits, Office of Inspector General, Department of Health and Human Services.

#### THE FISCAL YEAR 2017 HHS BUDGET

On February 24, 2016, the Subcommittee on Health held a hearing entitled “The Fiscal Year 2017 HHS Budget.” The purpose of the hearing was to examine the President’s proposed budget for the Department of Health and Human Services in Fiscal Year 2017. The Subcommittee received testimony from Sylvia Burwell, Secretary, Department of Health and Human Services.

#### EXAMINING THE FINANCING AND DELIVERY OF LONG-TERM CARE IN THE U.S.

On March 1, 2016, the Subcommittee on Health held a hearing entitled “Examining the Financing and Delivery of Long-Term Care in the U.S.” The purpose of the hearing was to review the state of long-term care in the U.S. The Subcommittee received testimony from Alice Rivlin, Co-Chair, Long-Term Care Initiative, Bipartisan Policy Center; William J. Scanlon, Consultant, West Health Institute and National Health Policy Forum; and Anne Tumlinson, Chief Executive Officer, Anne Tumlinson Innovations.

#### MEDICARE ACCESS AND CHIP REAUTHORIZATION ACT OF 2015: EXAMINING IMPLEMENTATION OF MEDICARE PAYMENT REFORMS

On March 17, 2016, the Subcommittee on Health held a hearing entitled “Medicare Access and CHIP Reauthorization Act of 2015: Examining Implementation of Medicare Payment Reforms.” The

purpose of the hearing was to discuss the implementation of the Medicare payment reforms. The Subcommittee received testimony from Patrick Conway, Deputy Administrator for innovation and Quality, Centers for Medicare and Medicaid Services.

#### FLINT WATER CRISIS: IMPACTS AND LESSONS LEARNED

On April 13, 2016, the Subcommittee on Health held a hearing entitled “Flint Water Crisis: Impacts and Lessons Learned.” The purpose of the hearing was to discuss the elevated levels of lead in the water system of Flint, Michigan. The Subcommittee received testimony from Joel Beauvais, Deputy Assistant Administrator, Office of Water, Environmental Protection Agency; Nicole Lurie, Assistant Secretary for Preparedness and Response, Department of Health and Human Services; Keith Creagh, Director, Michigan Department of Environmental Quality; Nick Lyon, Director, Michigan Department of Health and Human Services; Mona Hanna-Attisha, Program Director, Pediatric Residency, Hurley Children’s Hospital, Assistant Professor of Pediatrics, Michigan State University College of Human Medicine; Joan Alker, Executive Director, Georgetown Center for Children and Families; Steve Estes-Smargiassi, Director of Planning and Sustainability, Massachusetts Water Resources Authority; June Swallow, Chief, Office of Drinking Water Quality, Rhode Island Department of Health; and Mae Wu, Senior Attorney, Health and Environment Program, Natural Resources Defense Council.

#### MEDICARE ACCESS AND CHIP REAUTHORIZATION ACT OF 2015: EXAMINING PHYSICIAN EFFORTS TO PREPARE FOR MEDICARE PAYMENT REFORMS

On April 19, 2016, the Subcommittee on Health held a hearing entitled “Medicare Access and CHIP Reauthorization Act of 2015: Examining Physician Efforts to Prepare for Medicare Payment Reforms.” The purpose of the hearing was to review the efforts of physician organizations to prepare for the implementation of the Medicare payment reforms under MACRA. The Subcommittee received testimony from Robert McLean, on behalf of American College of Physicians; Robert Wergin, Board Chair, American Academy of Family Physicians; Barbara L. McAneny, on behalf of American Medical Association; and Jeffery W. Bailet, Aurora Health Care Medical Group.

#### THE OBAMA ADMINISTRATION’S MEDICARE DRUG EXPERIMENT: THE PATIENT AND DOCTOR PERSPECTIVE

On May 17, 2016, the Subcommittee on Health held a hearing entitled “The Obama Administration’s Medicare Drug Experiment: The Patient and Doctor Perspective.” The purpose of the hearing was to examine Medicare Part B, and CMS’ proposed rule regarding Part B drug reimbursement. The Subcommittee received testimony from Joe Baker, President, Medicare Rights Center; Heather Block, Patient Advocate; Marcia Boyle, President and Founder, Immune Deficiency Foundation; Debra Patt, Vice President, Texas Oncology; and Michael Schweitz, National Advocacy Chair, Coalition of State Rheumatology Organizations.



#### EXAMINING CYBERSECURITY RESPONSIBILITIES AT HHS

On May 25, 2016, the Subcommittee on Health held a hearing entitled “Examining Cybersecurity Responsibilities at HHS.” The purpose of the hearing was to examine the organizational alignment of the Chief Information Officer and Chief Information Security Officer at the Department of Health and Human Services. The Subcommittee received testimony from the Joshua Corman, Director, Cyber Statecraft Initiative, Atlantic Council; Mac McMilan, Chief Executive Officer, CynergisTek, Inc.; Samantha Burch, Senior Director, Congressional Affairs, Healthcare Information and Management Systems Society North America; and Marc Probst, Vice President and Chief Information Officer, Intermountain Healthcare, on behalf of College of Healthcare Information Management Executives.

#### ADVANCING PATIENT SOLUTIONS FOR LOWER COSTS AND BETTER CARE

On June 10, 2016, the Subcommittee on Health held a hearing entitled “Advancing Patient Solutions for Lower Costs and Better Care.” The purpose of the hearing was to examine patient-focused reforms that embrace three goals: pre-existing condition protections, lower costs and more choices, and market stability without mandates. The Subcommittee received testimony from the Grace-Marie Turner, Founder, President, and Trustee, Galen Institute; Doug Holtz-Eakin, President, American Action Forum; and Sara Collins, Vice President of Health Coverage and Access, Commonwealth Fund.

#### STRENGTHENING OUR NATIONAL TRAUMA SYSTEM

On July 12, 2016, the Subcommittee on Health and the Subcommittee on Communications and Technology held a joint hearing entitled “Strengthening our National Trauma System.” The purpose of the hearing was to discuss the findings of the National Academies of Sciences, Engineering and Medicine report entitled “A National Trauma Care System: Integrating Military and Civilian Trauma Systems to Achieve Zero Preventable Deaths After Injury.” The Subcommittee received testimony from Jorie Klein, BSN, RN, Director, Rees-Jones Trauma Center at Parkland; David Marcozzi, Department of Emergency Medicine, University of Maryland; C. William Schwab, Professor of Surgery, Penn Presbyterian Medical Center; Craig Manifold, Committee Chair, American College of Emergency Physicians; and Brent Myers, President-Elect, National Association of EMS Physicians.

#### AN EXAMINATION OF FEDERAL MENTAL HEALTH PARITY LAWS AND REGULATIONS

On September 9, 2016, the Subcommittee on Health held a hearing entitled “An Examination of Federal Mental Health Parity Laws and Regulations.” The purpose of the hearing was to examine Federal laws and policies related to mental health and substance abuse disorder parity laws. The Subcommittee received testimony from Michael A. Trangle, Senior Medical Director, Behavioral Health Division, HealthPartners Medical Group; Pamela Green-

berg, President and Chief Executive Officer, Association for Behavioral Health and Wellness; and Matt Selig, Executive Director, Health Law Advocates, Inc.

#### WASTE AND DUPLICATION IN THE USDA CATFISH INSPECTION PROGRAM

On December 7, 2016, the Subcommittee on Health held a hearing entitled “Waste and Duplication in the USDA Catfish Inspection Program.” The purpose of the hearing was to examine the catfish inspection program at the U.S. Department of Agriculture. The Subcommittee received testimony from William Jones, Deputy Director, Office of Food Safety, Food and Drug Administration; Steve Morris, Acting Director, Natural Resources and Environment, Government Accountability Office; Kim Gorton, President and Chief Executive Officer, Slade Gorton & Co., Inc.; Bart Farrell, Director of Food and Beverage, Clyde’s Restaurant Group; Justin Conrad, Chief Executive Officer, Bay Hill Seafood, President, Libby Hill Seafood; and Steve Otwell, Seafood Safety and Technology Emeritus, UF Food and Science and Human Nutrition, Aquatic Food Products Lab, University of Florida.

#### HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-2 .....	A Permanent Solution to the SGR: The Time Is Now. (Subcommittee on Health) .....	January 21, 2015, January 22, 2015
114-5 .....	Examining Public Health Legislation to Help Patients and Local Communities. (Subcommittee on Health).	January 27, 2015
114-9 .....	Examining ICD-10 Implementation. (Subcommittee on Health) .....	February 11, 2015
114-13 .....	Examining the FY 2016 HHS Budget. (Subcommittee on Health) .....	February 26, 2015
114-25 .....	Examining the 340B Drug Pricing Program. (Subcommittee on Health) .....	March 24, 2015
114-31 .....	Medicare Post Acute Care Delivery and Options to Improve It. (Subcommittee on Health).	April 16, 2015
114-35 .....	Legislative Hearing on 21st Century Cures. (Subcommittee on Health) .....	April 30, 2015
114-39 .....	Examining Microbeads in Cosmetic Products. (Subcommittee on Health) .....	May 1, 2015
114-51 .....	Examining H.R. 2017, the Common Sense Nutrition Disclosure Act of 2015. (Subcommittee on Health).	June 4, 2015
114-52 .....	Examining H.R. 1786, James Zadroga 9/11 Health and Compensation Reauthorization Act. (Subcommittee on Health).	June 11, 2015
114-55 .....	Examining H.R. 2646, the Helping Families in Mental Health Crisis Act. (Subcommittee on Health).	June 16, 2015
114-58 .....	A National Framework for the Review and Labeling of Biotechnology in Food. (Subcommittee on Health).	June 18, 2015
114-59 .....	Examining the Administration’s Approval of Medicaid Demonstration Projects. (Subcommittee on Health).	June 24, 2015
114-61 .....	Examining Public Health Legislation: H.R. 2820, H.R. 1344, and H.R. 1462. (Subcommittee on Health).	June 25, 2015
114-63 .....	Medicaid at 50: Strengthening and Sustaining the Program. (Subcommittee on Health).	July 8, 2015
114-72 .....	Protecting Affordable Coverage for Employees. (Subcommittee on Health) .....	September 9, 2015
114-74 .....	Strengthening Medicaid Program Integrity and Closing Loopholes. (Subcommittee on Health).	September 11, 2015
114-75 .....	Protecting Infants: Ending Taxpayer Funding for Abortion Providers Who Violate the Law. (Subcommittee on Health).	September 17, 2015
114-76 .....	Improving the Medicaid Program for Beneficiaries. (Subcommittee on Health) .....	September 18, 2015
114-81 .....	Examining Potential Ways to Improve the Medicare Program (Subcommittee on Health).	October 1, 2015
114-86 .....	Examining Legislative Proposals to Combat our Nation’s Drug Abuse Crisis. (Subcommittee on Health).	October 8, 2015, October 20, 2015
114-88 .....	Examining the Medicare Part D Medication Therapy Management Program. (Subcommittee on Health).	October 21, 2015

## HEARINGS HELD—Continued

Serial No.	Hearing Title	Hearing Date(s)
114–91 .....	Reviewing the Accuracy of Medicaid and Exchange Eligibility Determinations. (Subcommittee on Health).	October 23, 2015
114–98 .....	Examining Legislation to Improve Medicare and Medicaid. (Subcommittee on Health)	November 3, 2015
114–100 ...	Examining the Regulation of Diagnostic Tests and Laboratory Operations. (Subcommittee on Health).	November 17, 2015
114–108 ...	Examining Legislation to Improve Health Care and Treatment. (Subcommittee on Health).	December 9, 2015
114–114 ...	Examining Implementation of the Biologics Price Competition and Innovation Act. (Subcommittee on Health).	February 4, 2016
114–115 ...	Examining Medicaid and CHIP's Federal Medical Assistance. (Subcommittee on Health).	February 10, 2016
114–118 ...	The Fiscal Year 2017 HHS Budget. (Subcommittee on Health) .....	February 24, 2016
114–122 ...	Examining the Financing and Delivery of Long-Term Care in the U.S. (Subcommittee on Health).	March 1, 2016
114–127 ...	Medicare Access and CHIP Reauthorization Act of 2015: Examining Implementation of Medicare Payment Reforms. (Subcommittee on Health).	March 17, 2016
114–131 ...	Flint Water Crisis: Impacts and Lessons Learned. (Subcommittee on Environment and the Economy and Subcommittee on Health).	April 13, 2016
114–137 ...	Medicare Access and CHIP Reauthorization Act of 2015: Examining Physician Efforts to Prepare for Medicare Payment Reforms. (Subcommittee on Health).	April 19, 2016
114–143 ...	Health Care Solutions: Increasing Patient Choice and Plan Innovation. (Subcommittee on Health).	May 11, 2016
114–146 ...	The Obama Administration's Medicare Drug Experiment: The Patient and Doctor Perspective. (Subcommittee on Health).	May 17, 2016
114–147 ...	Examining H.R. 3299, Strengthening Public Health Response Act. (Subcommittee on Health).	May 19, 2016
114–150 ...	Examining Cybersecurity Responsibilities at HHS. (Subcommittee on Health) .....	May 25, 2016
114–151 ...	Advancing Patient Solutions for Lower Costs and Better Care. (Subcommittee on Health).	June 10, 2016
114–158 ...	Examining the Advancing Care for Exceptional Kids Act. (Subcommittee on Health) ....	July 7, 2016
114–160 ...	Strengthening our National Trauma System. (Subcommittee on Health) .....	July 12, 2016
114–165 ...	Examining Legislation to Improve Public Health. (Subcommittee on Health) .....	September 8, 2016
114–167 ...	An Examination of Federal Mental Health Parity Laws and Regulations. (Subcommittee on Health).	September 9, 2016
114–168 ...	The Affordable Care Act on Shaky Ground: Outlook and Oversight. (Subcommittee on Health and Subcommittee on Oversight and Investigations).	September 14, 2016
114–176 ...	Examining the United States Preventive Services Task Force. (Subcommittee on Health).	November 30, 2016
114–178 ...	Waste and Duplication in the USDA Catfish Inspection Program. (Subcommittee on Health).	December 7, 2016



## SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

(Ratio 14–10)

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*Vice Chairman*

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(*Ex Officio*)

*Jurisdiction:* Responsibility for oversight of agencies, departments, and programs within the jurisdiction of the full committee, and for conducting investigations within such jurisdiction.

## ACTIVITIES PERTAINING TO HEALTH MATTERS

### EXAMINING THE U.S. PUBLIC HEALTH RESPONSE TO SEASONAL INFLUENZA

On February 3, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Examining the U.S. Public Health Response to Seasonal Influenza.” The purpose of the hearing was to examine the role of U.S. public health agencies in protecting the U.S. population from the spread of seasonal influenza. The Subcommittee received testimony from Anne Schuchat, Director, National Center for Immunization and Respiratory Diseases, Centers for Disease Control and Prevention; Karen Midthun, Director, Center for Biologics Evaluation and Research, U.S. Food and Drug Administration; Robin Robinson, Director, Biomedical Advanced Research and Development Authority, Office of the Assistant Secretary for Preparedness and Response; and Anthony Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health.

### FEDERAL EFFORTS ON MENTAL HEALTH: WHY GREATER LEADERSHIP IS NEEDED

On February 11, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Federal Efforts on Mental Health: Why Greater Leadership is Needed.” The purpose of the hearing was to examine the findings in the U.S. Government Accountability Office’s report entitled “Mental Health: HHS Leadership Needed to Coordinate Federal Efforts Related to Serious Men-

tal Illness.” The Subcommittee received testimony from Linda T. Kohn, Director, Health Care, U.S. Government Accountability Office; and Richard G. Frank, Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, accompanied by Pamela S. Hyde, Administrator, Substance Abuse and Mental Health Services Administration.

#### EXAMINING THE GROWING PROBLEMS OF PRESCRIPTION DRUG AND HEROIN ABUSE: STATE AND LOCAL PERSPECTIVES

On March 26, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Examining the Growing Problems of Prescription Drug and Heroin Abuse: State and Local Perspectives.” The purpose of the hearing was to identify the successes states and local communities have had in addressing prescription drug and heroin abuse that could be applied at the national level and to review the effectiveness of Federal programs aimed at reducing prescription drug and heroin overdoses. The Subcommittee received testimony from Fred Wells Brason II, Executive Director, Project Lazarus; Sarah T. Melton, Associate Professor of Pharmacy Practice, Gatton College of Pharmacy, East Tennessee State University, Chair of the Board of Directors, OneCare of Southwest Virginia; Stefan R. Maxwell, Associate Professor, Pediatrics, WVU School of Medicine, MEDNAX Medical Group, Medical Director, NICU, Women and Children’s Hospital; Rachelle Gardner, Chief Operating Officer, Hope Academy; Michael Griffin, Narcotics Unit Supervisor—K9 Handler, Special Investigations Division, Tulsa Police Department; Caleb Banta-Green, Senior Research Scientist, Alcohol and Drug Abuse Institute, University of Washington; and Victor Fitz, Prosecutor, Cass County, Michigan, President, Prosecuting Attorneys Association of Michigan.

#### COMBATTING THE OPIOID ABUSE EPIDEMIC: PROFESSIONAL AND ACADEMIC PERSPECTIVES

On April 23, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Combatting the Opioid Abuse Epidemic: Professional and Academic Perspectives.” The purpose of the hearing was to hear from professionals and academic experts on opioid abuse. The Subcommittee received testimony from Robert L. DuPont, President, Institute For Behavior and Health; Marvin D. Seppala, Chief Medical Officer, Hazelden Betty Ford Foundation; Laurence M. Westreich, President, American Academy of Addiction Psychiatry; Anna Lembke, Assistant Professor of Psychiatry and Behavioral Sciences, Stanford University Medical Center, Psychiatry Department; Adam Bisaga, Columbia University Medical Center, NYS Psychiatric Institute; and Patrice Harris, American Medical Association.

#### WHAT IS THE FEDERAL GOVERNMENT DOING TO COMBAT THE OPIOID ABUSE EPIDEMIC?

On May 1, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “What is the Federal Government Doing to Combat the Opioid Abuse Epidemic?” The purpose of the hearing was to hear from Federal agencies regarding their efforts

to combat the opioid abuse epidemic. The Subcommittee received testimony from Michael Botticelli, Director, Office of National Drug Control Policy; Richard G. Frank, Assistant Secretary for Planning and Evaluation, Department of Health and Human Services; Nora D. Volkow, Director, National Institute on Drug Abuse, National Institutes of Health; Douglas Throckmorton, Deputy Director, Center for Drug Evaluation and Research, U.S. Food and Drug Administration; Debra Houry, Director, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention; Pamela S. Hyde, Administrator, Substance Abuse and Mental Health Services Administration; and Patrick Conway, Deputy Administrator for Innovation and Quality and CMS Chief Medical Officer, Centers for Medicare and Medicaid Services.

#### WHAT ARE THE STATE GOVERNMENTS DOING TO COMBAT THE OPIOID ABUSE EPIDEMIC?

On May 21, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “What Are the State Governments Doing to Combat the Opioid Abuse Epidemic?” The purpose of the hearing was to hear from state health officials regarding their ongoing efforts to combat opioid abuse. The Subcommittee received testimony from Jerome Adams, Health Commissioner, Indiana State Department of Health; Monica Bharel, Commissioner, Massachusetts Department of Public Health; Mark Stringer, Director, Division of Behavioral Health, Missouri Department of Mental Health; and Larry Wolk, Executive Director and Chief Medical Officer, Colorado Department of Public Health and Environment.

#### MEDICAID PROGRAM INTEGRITY: SCREENING OUT ERRORS, FRAUD, AND ABUSE

On June 2, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse.” The purpose of the hearing was to examine the findings of the U.S. Government Accountability Office’s report entitled “Medicaid: Additional Actions Needed to Help Improve Provider and Beneficiary Fraud Controls.” The Subcommittee received testimony from Seto J. Bagdoyan, Director, Audit Services, Forensic Audits and Investigative Service, U.S. Government Accountability Office; and Shantanu Agrawal, Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

#### MEDICARE PART D: MEASURES NEEDED TO STRENGTHEN PROGRAM INTEGRITY

On July 14, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Medicare Part D: Measures Needed to Strengthen Program Integrity.” The purpose of the hearing was to examine the findings of Department of Health and Human Services Office of Inspector General reports entitled “Ensuring the Integrity of Medicare Part D” and “Questionable Billing and Geographic Hotspots Point to Potential Fraud and Abuse in Medicare Part D.” The Subcommittee received testimony from Ann Maxwell,

Assistant Inspector General, Evaluation and Inspections, Office of Inspector General, Department of Health and Human Services; and Shantanu Agrawal, Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

CONTINUING CONCERNS WITH THE FEDERAL SELECT AGENT  
PROGRAM: DEPARTMENT OF DEFENSE SHIPMENTS OF LIVE ANTHRAX

On July 28, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Continuing Concerns with the Federal Select Agent Program: Department of Defense Shipments of Live Anthrax.” The purpose of the hearing was to examine the Federal Select Agent Program. The Subcommittee received testimony from D. Christian Hassell, Deputy Assistant Secretary of Defense for Chemical and Biological Defense, Department of Defense; Dan Sosin, Deputy Director, Office of Public Health Preparedness and Response, Centers for Disease Control and Prevention; Gregory Demske, Counsel to the Inspector General, Office of Inspector General, Department of Health and Human Services; and Marcia Crosse, Director, Healthcare, U.S. Government Accountability Office.

AN OVERDUE CHECKUP: EXAMINING THE ACA’S STATE INSURANCE  
MARKETPLACES

On September 29, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “An Overdue Checkup: Examining the ACA’s State Insurance Marketplaces.” The purpose of the hearing was to examine the challenges state exchanges face and how Federal grant dollars have been spent. The Subcommittee received testimony from Peter V. Lee, Executive Director, Covered California, State of California; Jim Wadleigh, Jr., CEO, Access Health CT, State of Connecticut; Jeff M. Kissel, Executive Director, Hawaii Health Connector, State of Hawaii; Louis Gutierrez, Executive Director, Massachusetts Health Connector, Commonwealth of Massachusetts; Allison O’Toole, Interim Chief Executive Officer, MNsure, State of Minnesota; and Patrick Allen, Director, Department of Consumer and Business Services, State of Oregon.

EXAMINING THE COSTLY FAILURES OF OBAMACARE’S CO-OP  
INSURANCE LOANS

On November 5, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Examining the Costly Failures of Obamacare’s CO-OP Insurance Loans.” The purpose of the hearing was to examine the implementation of the Consumer Operated and Oriented Plan (CO-OP) established by the Patient Protection and Affordable Care Act. The Subcommittee received testimony from Ben Sasse, United States Senator (Nebraska); Julie McPeak, Insurance Commissioner, State of Tennessee; James Donelon, Insurance Commissioner, State of Louisiana; Peter Beilenson, Board of Directors, National Alliance of State Health CO-OPs; John Morrison, Vice Chair, Montana Health CO-OP; Mandy Cohen, Chief of Staff, Centers for Medicare and Medicaid Services; and Gloria L.



Jarmon, Deputy Inspector General for Audit Services, Office of Inspector General, Department of Health and Human Services.

#### U.S. PUBLIC HEALTH PREPAREDNESS FOR SEASONAL INFLUENZA: HAS THE RESPONSE IMPROVED?

On November 19, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “U.S. Public Health Preparedness for Seasonal Influenza: Has the Response Improved?” The purpose of the hearing was to better understand the challenges in flu vaccine development and review recommended actions to improve seasonal influenza preparedness. The Subcommittee received testimony from Anne Schuchat, Principal Deputy Director, Centers for Disease Control and Prevention; Karen Midthun, Director, Center for Biologics Evaluation and Research, U.S. Food and Drug Administration; Robin Robinson, Director, Biomedical Advanced Research and Development Authority, Office of the Assistant Secretary for Preparedness and Response; and Carole Heilman, Director, National Institute of Allergy and Infectious Diseases, Division of Microbiology and Infectious Diseases, National Institutes of Health.

#### AN OVERDUE CHECKUP PART II: EXAMINING THE ACA’S STATE INSURANCE MARKETPLACES

On December 8, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “An Overdue Checkup Part II: Examining the ACA’s State Insurance Marketplaces.” The purpose of the hearing was to examine the challenges state exchanges are facing and to examine how Federal grant dollars have been spent. The Subcommittee received testimony from Andy Slavitt, Acting Administrator, Centers for Medicare and Medicaid Services.

#### OUTBREAKS, ATTACKS, AND ACCIDENTS: COMBATting BIOLOGICAL THREATS

On February 12, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “Outbreaks, Attacks, and Accidents: Combatting Biological Threats.” The purpose of the hearing was to learn about the threat of biological attacks against the United States and our preparedness for such an event. The Subcommittee received testimony from Donna Shalala, Panel Member, Blue Ribbon Study Panel on Biodefense; James Greenwood, Panel Member, Blue Ribbon Study Panel on Biodefense; Tara O’Toole, Senior Fellow and Executive Vice President, In-Q-Tel; and Gerald Parker, Associate Vice President, Public Health Preparedness and Response, Center for Innovation in Advanced Development and Manufacturing, Texas A&M University.

#### EXAMINING THE U.S. PUBLIC HEALTH RESPONSE TO THE ZIKA VIRUS

On March 2, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “Examining the U.S. Public Health Response to the Zika Virus.” The purpose of the hearing was to learn about the spread of the Zika virus and the public health response. The Subcommittee received testimony from Nicole

Lurie, Assistant Secretary for Preparedness and Response, Department of Health and Human Services; Thomas Frieden, Director, Centers for Disease Control and Prevention; Anthony Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health; Luciana Borio, Acting Chief Scientist, U.S. Food and Drug Administration; Timothy Persons, Chief Scientist, U.S. Government Accountability Office; Peter Hotez, Dean, National School of Tropical Medicine, Baylor College of Medicine, President, Sabin Vaccine Institute, and Texas Children's Hospital Endowed Chair in Tropical Pediatrics; Lawrence O. Gostin, Linda D. and Timothy J. O'Neill Professor of Global Health Law, Georgetown University Law Center; Joseph Conlon, Technical Advisor, American Mosquito Control Association; and Jeanne Sheffield, Director, Division of Maternal-Fetal Medicine, Johns Hopkins School of Medicine.

#### UNLAWFUL REINSURANCE PAYMENTS: CMS DIVERTING \$3.5 BILLION FROM TAXPAYERS TO PAY INSURANCE COMPANIES

On April 15, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled "Unlawful Reinsurance Payments: CMS Diverting \$3.5 Billion from Taxpayers to Pay Insurance Companies." The purpose of the hearing was to examine why the Centers for Medicare and Medicaid Services diverted funds intended for the U.S. Treasury to insurance companies as reinsurance payments. The Subcommittee received testimony from Andy Slavitt, Acting Administrator, Centers for Medicare and Medicaid Services.

#### HOW SECURE ARE U.S. BIORESEARCH LABS? PREVENTING THE NEXT SAFETY LAPSE

On April 20, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled "How Secure are U.S. Bioresearch Labs? Preventing the Next Safety Lapse." The purpose of this hearing was to examine the conclusions of a U.S. Government Accountability Office report on high containment laboratories. The Subcommittee received testimony from John Neumann, Director, Natural Resources and Environment, U.S. Government Accountability Office; Lawrence A. Tabak, Principal Deputy Director, National Institutes of Health; Steve Monroe, Associate Director for Laboratory Science and Safety, Centers for Disease Control and Prevention; Segaran Pillai, Director, Office of Laboratory Science and Safety, Office of Commissioner, Office of Chief Scientist, U.S. Food and Drug Administration; and Brian C. Lein, Commanding General, U.S. Army Medical Research and Materiel Command and Fort Detrick and Deputy for Medical Systems to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, Department of the Army, Department of Defense.

#### CONCUSSIONS IN YOUTH SPORTS: EVALUATING PREVENTION AND RESEARCH

On May 13, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled "Concussions in Youth Sports: Evaluating Prevention and Research." The purpose of the hearing was to examine issues related to research and prevention of concussions in

youth sports. The Subcommittee received testimony from Kelli Jantz, the mother of Jake Snakenberg and Concussion Advocate; Karen Zegel, the mother of Patrick Risha and Chronic Traumatic Encephalopathy advocate; Eugene F. (Buddy) Teevens III, Head Football Coach, Dartmouth; Andrew Gregory, Member, Medical Advisory Committee, USA Football; Associate Professor, Orthopedics, Neurology, and Pediatrics, Vanderbilt University Medical Center; Kevin Margarucci, Manager, Player Safety, USA Hockey; Steve Stenersen, President and CEO, US Lacrosse; Terry O'Neil, Founder, Practice Like Pros; Dawn Comstock, Associate Professor, Department of Epidemiology, Colorado School of Public Health; and Thomas Talavage, Professor, School of Electrical and Computer Engineering, Weldon School of Biomedical Engineering, Purdue University.

#### MEDICARE AND MEDICAID PROGRAM INTEGRITY: COMBATTING IMPROPER PAYMENTS AND INELIGIBLE PROVIDERS

On May 24, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “Medicare and Medicaid Program Integrity: Combatting Improper Payments and Ineligible Providers.” The purpose of the hearing was to explore the integrity of Medicare and Medicaid programs. The Subcommittee received testimony from Ann Maxwell, Assistant Inspector General, Office of Evaluation and Inspections, Office of Inspector General, Department of Health and Human Services; Seto J. Bagdoyan, Director, Audit Services, Forensic Audits and Investigative Service, U.S. Government Accountability Office; and Shantanu Agrawal, Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

#### COMBATTING SUPERBUGS: U.S. PUBLIC HEALTH RESPONSES TO ANTIBIOTIC RESISTANCE

On June 14, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “Combatting Superbugs: U.S. Public Health Responses to Antibiotic Resistance.” The purpose of the hearing was to hear testimony from U.S. public health officials on the status of and response to antibiotic-resistant bacteria. The Subcommittee received testimony from Beth Bell, Director, National Center for Emerging and Zoonotic Infectious Disease, Centers for Disease Control; Janet Woodcock, Director of the Center for Drug Evaluation and Research, U.S. Food and Drug Administration; Richard Hatchett, Acting Director, Biomedical Advanced Research and Development Authority; and Dennis Dixon, Division of Microbiology and Infectious Diseases, National Institute of Allergy and Infectious Diseases, National Institutes of Health.

#### THE ACA'S COST SHARING REDUCTION PROGRAM: RAMIFICATIONS OF THE ADMINISTRATION'S DECISION ON THE SOURCE OF FUNDING FOR THE CSR PROGRAM

On July 8, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “The ACA's Cost Sharing Reduction Program: Ramifications of the Administration's Decision on the

Source of Funding for the CSR Program.” The purpose of the hearing was to examine the Administration’s decisions to fund the cost sharing reduction program in the Patient Protection and Affordable Care Act from the permanent appropriation for tax refunds and credits. The Subcommittee received testimony from Doug Badger, Senior Fellow, Galen Institute; Tom Miller, Resident Fellow, American Enterprise Institute; Morton Rosenberg, Legislative Consultant; and Simon Lazarus, Senior Counsel, The Constitutional Accountability Center.

### ACTIVITIES PERTAINING TO CYBER ISSUES

#### UNDERSTANDING THE CYBER THREAT AND IMPLICATIONS FOR THE 21ST CENTURY ECONOMY

On March 3, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled “Understanding the Cyber Threat and Implications for the 21st Century Economy.” The purpose of the hearing was to provide an overview of cybersecurity, history, evolution, and future threats. The Subcommittee received testimony from Herbert Lin, Senior Research Scholar, Center for International Security and Cooperation, Senior Fellow, Hoover Institution, Stanford University; Richard Bejtlich, Chief Security Strategist, FireEye, Incorporated; and Gregory Shannon, Chief Scientist, CERT Program, Software Engineering Institute, Carnegie Mellon University.

#### DECIPHERING THE DEBATE OVER ENCRYPTION: INDUSTRY AND LAW ENFORCEMENT PERSPECTIVES

On April 19, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “Deciphering the Debate Over Encryption: Industry and Law Enforcement Perspectives.” The purpose of the hearing was to examine the benefits of strong encryption and challenges for law enforcement and intelligence communities. The Subcommittee received testimony from Amy Hess, Executive Assistant Director for Science and Technology, Federal Bureau of Investigations; Thomas Galati, Chief, Intelligence Bureau, New York Police Department; Ron Hickman, Sheriff, Harris County Sheriff’s Office, on behalf of the National Sheriff’s Association; Charles Cohen, Commander, Indiana Internet Crimes Against Children Task Force; Bruce Sewell, General Counsel, Apple, Inc.; Amit Yoran, President, RSA Security LLC; Daniel Weitzner, Director and Principal Research Scientist, Computer Science and Artificial Intelligence Laboratory Decentralized Information Group, Massachusetts Institute of Technology; and Matthew Blaze, Associate Professor, Computer and Information Science, School of Engineering and Applied Science, University of Pennsylvania.

## ACTIVITIES RELATING TO THE ENERGY MATTERS

### OVERSIGHT FAILURES BEHIND THE RADIOLOGICAL INCIDENT AT DOE'S WASTE ISOLATION PILOT PLANT

On June 12, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled "Oversight Failures Behind the Radiological Incident at DOE's Waste Isolation Pilot Plant." The purpose of the hearing was to examine the Federal oversight failures that contributed to a radiological incident in 2014 that shut down the Department of Energy's Waste Isolation Pilot Plant. The Subcommittee received testimony from Madelyn R. Creedon, Principal Deputy Administrator, National Nuclear Security Administration; Mark Whitney, Acting Assistant Secretary for Environmental Management, Department of Energy, accompanied by Theodore A. Wyka, Chairperson, Accident Investigation Board and Chief Nuclear Safety Officer, Environmental Management; and Allison B. Bawden, Acting Director, Natural Resources and Environment, U.S. Government Accountability Office.

### DOE FOR THE 21ST CENTURY: SCIENCE, ENVIRONMENT, AND NATIONAL SECURITY MISSIONS

On February 24, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled "DOE for the 21st Century: Science, Environment, and National Security Missions." The purpose of the hearing was to discuss two advisory panels' reports on findings and recommendations concerning the governance, management, and accountability necessary for Department of Energy to perform its national security mission. The Subcommittee received testimony from Norman R. Augustine, Co-Chairman, Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise; Richard W. Mies, Co-Chairman, Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise; Jared L. Cohon, Co-Chairman, Commission to Review the Effectiveness of the National Energy Laboratories; and TJ Glauthier, Co-Chairman, Commission to Review the Effectiveness of the National Energy Laboratories.

## ACTIVITIES PERTAINING TO ENVIRONMENT ISSUES

### VOLKSWAGEN'S EMISSIONS CHEATING ALLEGATIONS: INITIAL QUESTIONS

On October 8, 2015, the Subcommittee on Oversight and Investigations held a hearing entitled "Volkswagen's Emissions Cheating Allegations: Initial Questions." The purpose of the hearing was to examine the available facts, initial compliance, and consumer issues stemming from Volkswagen AG's reported use of engine software that would reduce the effectiveness of emissions control systems in certain passenger vehicles in the United States. The Subcommittee received testimony from Michael Horn, President and CEO, Volkswagen Group of America; Christopher Grundler, Director, Office of Transportation and Air Quality, Office of Air and Radiation; and Phillip Brooks, Director, Air Enforcement Division, Of-

Office of Enforcement and Compliance Assurance, Environmental Protection Agency.

#### VOLKSWAGEN'S EMISSIONS CHEATING ALLEGATIONS: INITIAL QUESTIONS

On October 6, 2016, the Subcommittee on Oversight and Investigations held a hearing entitled “Volkswagen’s Emissions Cheating Allegations: Questions Concerning ZEV Program Implementation.” The purpose of the hearing was to examine questions concerning EPA’s role in the implementation of the two supplemental agreements appended to the partial consent decree—one to facilitate investments in infrastructure for Zero Emission Vehicles (ZEVs), and one to fund projects to mitigate emissions of nitrous oxides. The Subcommittee received testimony from Cynthia Giles, Assistant Administrator, Office of Enforcement and Compliance Assurance, and Janet McCabe, Acting Administrator, Office of Air and Radiation, Environmental Protection Agency.

#### HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-6 .....	Examining the U.S. Public Health Response to Seasonal Influenza. (Subcommittee on Oversight and Investigations).	February 3, 2015
114-8 .....	Federal Efforts on Mental Health: Why Greater HHS Leadership is Needed. (Subcommittee on Oversight and Investigations).	February 11, 2015
114-17 .....	Understanding the Cyber Threat and Implications for the 21st Century Economy. (Subcommittee on Oversight and Investigations).	March 3, 2015
114-27 .....	Examining the Growing Problems of Prescription Drug and Heroin Abuse: State and Local Perspectives. (Subcommittee on Oversight and Investigations).	March 26, 2015
114-34 .....	Combatting the Opioid Abuse Epidemic: Professional and Academic Perspectives. (Subcommittee on Oversight and Investigations).	April 23, 2015
114-38 .....	What is the Federal Government Doing to Combat the Opioid Abuse Epidemic? (Subcommittee on Oversight and Investigations).	May 1, 2015
114-46 .....	What are the State Governments Doing to Combat the Opioid Abuse Epidemic? (Subcommittee on Oversight and Investigations).	May 21, 2015
114-48 .....	Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse. (Subcommittee on Oversight and Investigations).	June 2, 2015
114-54 .....	Oversight Failures Behind the Radiological Incident at DOE's Waste Isolation Pilot Plant. (Subcommittee on Oversight and Investigations).	June 12, 2015
114-66 .....	Medicare Part D: Measures Needed to Strengthen Program Integrity. (Subcommittee on Oversight and Investigations).	July 14, 2015
114-69 .....	Continuing Concerns with the Federal Select Agent Program: Department of Defense Shipments of Live Anthrax. (Subcommittee on Oversight and Investigations).	July 28, 2015
114-79 .....	An Overdue Checkup: Examining the ACA's State Insurance Marketplaces. (Subcommittee on Oversight and Investigations).	September 29, 2015
114-85 .....	Volkswagen Emissions Cheating Allegations: Initial Questions. (Subcommittee on Oversight and Investigations).	October 8, 2015
114-99 .....	Examining the Costly Failures of Obamacare's CO-OP Insurance Loans. (Subcommittee on Oversight and Investigations).	November 5, 2015
114-102 .....	U.S. Public Health Preparedness for Seasonal Influenza: Has the Response Improved? (Subcommittee on Oversight and Investigations).	November 19, 2015
114-107 .....	An Overdue Checkup Part II: Examining the ACA's State Insurance Marketplaces. (Subcommittee on Oversight and Investigations).	December 8, 2015
114-117 .....	Outbreaks, Attacks, and Accidents: Combatting Biological Threats. (Subcommittee on Oversight and Investigations).	February 12, 2016
114-119 .....	DOE for the 21st Century: Science, Environment, and National Security Missions. (Subcommittee Oversight and Investigations).	February 24, 2016
114-124 .....	Examining the U.S. Public Health Response to the Zika Virus. (Subcommittee on Oversight and Investigations).	March 2, 2016
114-135 .....	Unlawful Reinsurance Payments: CMS Diverting \$3.5 Billion from Taxpayers to Pay Insurance Companies. (Subcommittee on Oversight and Investigations).	April 15, 2016

## HEARINGS HELD—Continued

Serial No.	Hearing Title	Hearing Date(s)
114–136 .....	Deciphering the Debate Over Encryption: Industry and Law Enforcement Perspectives. (Subcommittee on Oversight and Investigations).	April 19, 2016
114–139 .....	How Secure are U.S. Bioresearch Labs? Preventing the Next Safety Lapse. (Subcommittee on Oversight and Investigations).	April 20, 2016
114–145 .....	Concussions in Youth Sports: Evaluating Prevention and Research. (Subcommittee on Oversight and Investigations).	May 13, 2016
114–149 .....	Medicare and Medicaid Program Integrity: Combatting Improper Payments and Ineligible Providers. (Subcommittee on Oversight and Investigations).	May 24, 2016
114–153 .....	Combatting Superbugs: U.S. Public Health Responses to Antibiotic Resistance. (Subcommittee on Oversight and Investigations).	June 14, 2016
114–159 .....	The ACA's Cost Sharing Reduction Program—Ramifications of the Administration's Decision on the Source of Funding for the CSR Program. (Subcommittee on Oversight and Investigations).	July 8, 2016
114–168 .....	The Affordable Care Act on Shaky Ground: Outlook and Oversight. (Subcommittee on Health and Subcommittee Oversight and Investigations).	September 14, 2016
114–173 .....	Bioresearch Labs and Inactivation of Dangerous Pathogens. (Subcommittee on Oversight and Investigations).	September 27, 2016
114–177 .....	Volkswagen's Emissions Cheating Settlement: Questions Concerning ZEV Program Implementation. (Subcommittee on Oversight and Investigations).	December 6, 2016





OVERSIGHT PLAN FOR THE COMMITTEE ON ENERGY AND COMMERCE,  
U.S. HOUSE OF REPRESENTATIVES, 114TH CONGRESS

During the 114th Congress, the Committee on Energy and Commerce will hold hearings and conduct rigorous oversight over matters within its jurisdiction. The Committee will conduct thorough oversight, reach conclusions based on an objective review of the facts, and treat witnesses fairly. The Committee will request information in a responsible manner that is calculated to be helpful to the Committee in its oversight responsibilities. The Committee's oversight functions will focus on: 1) cutting government spending through the elimination of waste, fraud, and abuse and 2) ensuring laws are adequate to protect the public interest or are being implemented in a manner that protects the public interest, without stifling economic growth.

**HEALTH AND HEALTHCARE ISSUES**

**PATIENT PROTECTION AND AFFORDABLE CARE ACT**

One year after the opening of the State and Federal exchanges, the Committee in the 114th Congress will continue to examine issues related to the Department of Health and Human Services (HHS) implementation of Public Law 111–148, The Patient Protection and Affordable Care Act (PPACA) and the related Health Care and Education Reconciliation Act of 2010, Public Law 111–152. This will include the numerous provisions contained within the law that affect the private insurance market in the United States, the operation of the State and Federal health insurance exchanges, and oversight of these exchanges by the Federal government. The Committee will also continue to examine the law's effects on individuals as well as the regulations and requirements imposed on both small and large businesses, including reporting requirements.

The Committee will also evaluate what controls are in place to prevent bias, waste, fraud, and abuse in the management of PPACA and its programs. The Committee will examine what programs HHS has in place to improve the availability of reliable, consumer-oriented information on the cost and quality of health care goods, services, and providers. The Committee will also examine the status and future of employer-sponsored health care plans as well as the effects of PPACA's enactment on the States. The Committee will examine the impact of PPACA and its implementing regulations on the economy, consumers, and the health care industry, including the provision of subsidies and cost-sharing reductions.

### CENTERS FOR MEDICARE AND MEDICAID SERVICES

The Committee will review the management, operations, and activity of the Centers for Medicare and Medicaid Services (CMS) and the programs it administers. The Committee will examine and review Medicare and Medicaid management and activity as it relates to ongoing Committee efforts to prevent bias, waste, fraud, and abuse in Federal health care programs, particularly in the implementation of PPACA. The Committee will investigate the process by which CMS implements statutory formulas to set prices for Medicare payment, as well as the effectiveness of those formulas. The Committee will examine the effects that the Medicaid expansion included in PPACA will have on State budgets, the budgets of individuals and families, the budgets of providers currently providing uncompensated care, and the impact it may have on access to health insurance and health care. The Committee will investigate the processes by which CMS prevents bias, waste, fraud, and abuse in the award of government contracts.

### FOOD AND DRUG ADMINISTRATION AND DRUG SAFETY

The Committee will review whether the Food and Drug Administration (FDA) is ensuring that regulated drugs are safe, effective, and available to American patients in an expeditious fashion. The Committee will also explore the interplay between these policies and drug innovation, both in the United States and abroad. Further, the Committee will examine FDA's enforcement of current drug safety laws and the issues involved in protecting the nation's supply chains against economically motivated and other forms of adulteration, including those posed by illegal drug supply chains and economically-motivated adulteration. The Committee will examine whether FDA's reorganization efforts are improving the effectiveness of product reviews, or worsening delays and inefficiency in decision-making. The Committee will review FDA's efforts to improve and modernize import-safety screening, and the management of its foreign inspection program.

### PUBLIC HEALTH

The Committee will examine the roles of various Federal agencies involved in insuring and protecting the public health, including the implementation and management of these programs. In particular, the Committee will review Federal efforts on mental health and pandemic preparedness, including influenza preparedness and the United States' response to the Ebola epidemic and other emerging infectious disease threats from abroad. The Committee will evaluate the Federal response to Ebola and other public health emergencies to better understand the operation and efficacy of key public health programs and to address broader concerns about national all-hazards preparedness and response capacity. Further, the Committee will monitor related spending to ensure the appropriate and efficient use of Federal tax dollars.

## **ENERGY AND ENVIRONMENT ISSUES**

### **NATIONAL ENERGY POLICY**

During the 114th Congress, the Committee will examine issues relating to national energy policy, including U.S. policies that relate to the exploration, production, distribution, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will examine the impact of government policies and programs on the efficient exploration, production, storage, supply, marketing, pricing, and regulation of domestic energy resources, including issues relating to the nation's energy infrastructure. The Committee will continue to examine safety and security issues relating to energy exploration, production, and distribution.

### **ELECTRICITY MARKETS**

The Committee will review Federal electricity policies of the Department of Energy (DOE) and the Federal Energy Regulatory Commission (FERC) to ensure that those policies promote competitive wholesale power markets, transmission, and generation infrastructure upgrades, and compliance with relevant statutes. It will also examine the activities of the DOE and FERC relating to electric industry restructuring, protection of consumers, and the development of efficient and vigorous wholesale markets for electricity. It will also continue to examine the activities of the DOE and FERC with respect to Environmental Protection Agency (EPA) regulations affecting the electricity sector, including regulatory requirements that may impact consumer prices and reliability of the electricity grid.

### **MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES**

The Committee will continue to oversee the governance, management, and operations issues at DOE, including oversight, management, and operations of the National Nuclear Security Administration (NNSA) and the national laboratories. The Committee's oversight work will include review of the implementation of security and safety reforms at NNSA and DOE facilities, ongoing safety and security matters, the Office of Environmental Management's clean-up program, and DOE's implementation of the Nuclear Waste Policy Act.

### **YUCCA MOUNTAIN**

The Committee will continue to examine the actions of DOE and the NRC in connection with obligations of these agencies under the Nuclear Waste Policy Act, including licensing activities for the Yucca Mountain repository.

### **DOE ENERGY GRANT AND LOAN PROGRAMS**

The Committee will continue to review management and implementation of clean energy and advanced technology grant and loan programs authorized under the Energy Policy Act of 2005 and

other statutes; the development of new technologies, products, and businesses including clean energy, advanced coal, nuclear, and other technologies; and the impact of DOE grant, cost-sharing, and loan spending on the domestic supply, manufacture and commercial deployment of clean and advanced energy products and other technologies.

#### THE NUCLEAR REGULATORY COMMISSION

The Committee will continue to review the activities of the Nuclear Regulatory Commission. The Committee will examine NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including licensing activity, the safety and security of nuclear power facilities, and the agency's regulatory changes.

#### CLEAN AIR ACT

The Committee will continue to review significant rulemakings under the Clean Air Act and the potential economic and job impacts of those rulemakings on the energy, manufacturing, industrial, and construction industries, and other critical sectors of the U.S. economy, as well as any public health and environmental benefits of the regulations. The Committee's review will include oversight of the EPA's decisions, strategies and actions to meet Clean Air Act standards, and the current role of cost, employment and feasibility considerations in Clean Air Act rulemakings. The Committee will also continue to review EPA's implementation of the Renewable Fuel Standard.

#### CLIMATE CHANGE

The Committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global climate change. In addition, the Committee will examine the EPA's efforts to regulate domestic greenhouse gas emissions under the Clean Air Act based on its endangerment finding. The Committee will consider whether such agreements and regulatory efforts are scientifically well grounded. The Committee will also review the activities undertaken in this area by DOE, HHS, and other agencies within the Committee's jurisdiction, including efforts to prepare for and respond to weather events and natural disasters in the future.

#### EPA MANAGEMENT AND OPERATIONS

The Committee intends to continue to conduct general oversight of the EPA, including review of the agency's funding decisions, resource allocation, grants, research activities, enforcement actions, relations with State and local governments, public transparency, and respect for economic, procedural, public health, and environmental standards in regulatory actions. The oversight will also include EPA program management and implementation and the use of chemical risk analysis in environmental assessment programs and the Toxic Substances Control Act. In addition, the Committee

will review the government's activities in hydraulic fracturing research and regulation.

## **COMMUNICATIONS AND TECHNOLOGY ISSUES**

### **A MODERN COMMUNICATIONS FRAMEWORK FOR THE INNOVATION AGE**

The Committee will continue to exercise its jurisdiction over wired and wireless communications to ensure our nation's policies governing voice, video, audio, and data services are promoting investment, innovation, and job creation. The country's current regulatory regime takes a siloed approach in which different technological platforms—such as wireline, wireless, broadcast, cable, and satellite—are regulated differently based on regulations that may be decades old. As we move deeper into the Internet era, however, providers are increasingly using these platforms to offer the same or similar services. The Committee will examine whether these regulations should be updated to better meet the communications needs of the country and to ensure its citizen enjoy cutting edge services and the economic benefits they bring.

### **FEDERAL COMMUNICATIONS COMMISSION**

During the 114th Congress, the Committee will conduct oversight of the Federal Communications Commission (FCC), including the effect of the FCC's decisions on innovation and the U.S. economy. Among other things, the Committee will evaluate the impact generally of FCC actions on voice, video, audio, and data services, and on public safety. The Committee will pay particular attention to whether the FCC conducts cost-benefit and market analyses before imposing regulations. The Committee will also conduct oversight to ensure compliance with existing processes, improve FCC procedures, and promote transparency.

### **SPECTRUM MANAGEMENT**

The Committee will conduct oversight of the Federal Communications Commission's and the National Telecommunications and Information Administration's (NTIA) management and allocation of the nation's spectrum for commercial and government use. Spectrum is increasingly being used to provide voice, video, audio, and data services to consumers. The Committee will evaluate spectrum-management policies to ensure efficient use of the public airwaves for innovative communications services. The Committee will also examine whether plans for allocating spectrum maximizes broadband deployment and encourages investment. The Committee will pay particular attention to FCC and NTIA implementation of the Middle Class Tax Relief and Job Creation Act of 2012, which was intended to make more spectrum available for mobile broadband services, as well as raise billions in spectrum auction proceeds to help build a nationwide, interoperable public safety broadband network, fund other Committee priorities, and reduce the deficit.

## AVAILABILITY OF BROADBAND

The Committee will investigate whether regulatory policies are helping or hindering broadband deployment. For example, the Committee will conduct oversight of the \$9 billion per year Universal Service Fund. In particular, the Committee will examine what procedures are in place to control waste, fraud, and abuse, whether the funds are appropriately targeted, and the impact of the funding on jobs and the economy.

## INTERNET

The Committee will exercise its jurisdiction over wired and wireless communications to ensure continued growth and investment in the Internet. In particular, the Committee will monitor efforts to replace the successful multi-stakeholder model of Internet governance—in which non-governmental entities develop best practices for the management of Internet networks and content—with domestic regulation and international multilateral institutions.

## PUBLIC SAFETY COMMUNICATIONS

The Committee will examine whether the communications needs of first responders are being met. The Committee will examine the progress being made to ensure that first responders have interoperable communications capabilities with local, State, and Federal public safety officials. The Committee will also examine the progress being made by the First Responder Network Authority (FirstNet) in carrying out the mandates of the Middle Class Tax Relief and Job Creation Act of 2012. Specifically, the progress made in establishing FirstNet, in coordinating with State and local law enforcement, and in finding private sector partners to develop an interoperable public safety broadband network. In addition, the Committee will conduct oversight regarding the implementation of legacy 911 and Next Generation 911 (NG911) services. NG911 relies on IP-based architecture rather than the PSTN-based architecture of legacy 911 to provide an expanded array of emergency communications services that encompass both the core functionalities of legacy E911 and additional functionalities that take advantage of the enhanced capabilities of IP-based devices and networks.

## COMMERCE, MANUFACTURING, AND TRADE ISSUES

### PRIVACY AND DATA SECURITY

In the 114th Congress, the Committee will examine issues relating to the privacy and security of information and data collected by businesses about consumers and the potential for improving protection without undercutting innovative uses that benefit consumers and the economy. Further, the Committee will continue to review the manner in which fraud and other criminal activities affect e-commerce.

### MANUFACTURING

The Committee will explore the state of manufacturing in the United States to identify factors that are hampering or furthering

U.S. competitiveness. The Committee will review the issues presented by the globalization of production and manufacturing networks, including the integrity of products and components assembled overseas and the impact on national security.

#### **TRADE**

The Committee will examine trade negotiations to ensure that foreign governments are not imposing non-tariff trade barriers, such as regulations or requirements, that harm U.S. businesses, their competitiveness and their ability to support jobs in the United States.

#### **DEPARTMENT OF COMMERCE MANAGEMENT AND OPERATIONS**

The Committee will conduct oversight of the Commerce Department and complementary or conflicting Federal efforts to promote U.S. manufacturing, exports, and trade, including efforts to lower or eliminate non-tariff barriers and harmonize regulation of products sold internationally where other countries share our health, safety, and consumer protection goals.

#### **CONSUMER PRODUCT SAFETY COMMISSION MANAGEMENT AND OPERATIONS**

The Committee will continue oversight of the Consumer Product Safety Commission and its implementation and enforcement of laws and regulations relating to the safety of consumer products, including the agency's implementation of Public Law 112-28 and determination of priorities to ensure that it is efficiently and effectively protecting consumers.

#### **NHTSA MANAGEMENT AND OPERATIONS**

The Committee intends to continue oversight of the National Highway Traffic Safety Administration, including the effectiveness of agency's structure, regulations, research activities, investigations, and enforcement actions pertaining to motor vehicle safety. The committee will be particularly concerned with the way the Administration processes information and its ability to effectively oversee ever advancing safety technologies.

#### **FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS**

The Committee will conduct oversight of the Federal Trade Commission's management and operations, including the impact of its decisions and actions on the general public and the business community, its determination of priorities and the need, if any, for refinement of its authorities.

#### **MISCELLANEOUS**

##### **CYBERSECURITY**

The Committee will exercise its jurisdiction over cybersecurity to ensure the country is well protected while at the same time avoid-

ing one-size-fits all approaches that hinder the flexibility of commercial and governmental actors to combat the rapidly evolving threats. The Committee will also review the efforts of agencies within its jurisdiction to secure their networks consistent with the Homeland Security Act of 2002. In doing so, the Committee will explore current cybersecurity threats and strategies to address those threats. The Committee will also examine government initiatives to improve cybersecurity both in the public and private sectors.

#### BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will continue its examination of the roles of HHS agencies in assisting the nation's detection, warning capability, and response to potential biological attacks. In addition, the Committee will evaluate the potential impact and preparedness of the nation's public health system. The Committee will continue to review the implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS, and the extent of the coordination between HHS and the Department of Homeland Security, especially as it relates to Project Bioshield.

#### FEDERAL OVERSIGHT OF HIGH-CONTAINMENT BIO LABORATORIES

The Committee will examine issues related to high-containment bio laboratories, which handle some of the world's most exotic and dangerous diseases, including anthrax, smallpox, foot and mouth disease, and Ebola virus. Among the issues under review are whether Federal plans or efforts to oversee high-containment bio laboratories are adequate, and whether some of these efforts are duplicative and overlapping. The Committee will continue its oversight into issues raised by the improper storage and handling of Federal select agents at CDC, NIH, and FDA labs. The Committee will also follow-up on ongoing efforts coordinated by the White House to improve oversight and management of Federal laboratories handling select agents.

#### ANTI-TERRORISM SECURITY FOR CHEMICAL FACILITIES

The Committee will continue its oversight of the Department of Homeland Security's implementation of the Chemical Facilities Anti-Terrorism Program, originally authorized in Section 550 of Public Law 109-295, the Homeland Security Appropriations Act of 2007. The Committee will continue to examine whether taxpayer funds are spent prudently and the extent to which the Department is advancing the purpose of securing chemical facilities against terrorist threats.

#### GOVERNMENT SCIENTIFIC AND RISK ASSESSMENT PROGRAMS

During the 114th Congress, the Committee will examine issues relating to the numerous Federal science programs assessing public health risks, including the Integrated Risk Information System at the Environmental Protection Agency, the Report on Carcinogens produced by the National Toxicology Program at the Department of



Health and Human Services, and assessments proposed or ongoing in other Federal departments and agencies. The Committee will review programs to assess the objectives, transparency, and integrity of scientific assessments that inform regulatory and public health policies.

#### CONTROLLING SPENDING

The Committee will examine Departments and agencies under its jurisdiction to assure adequate and prompt implementation of recommendations from the Administration, the Offices of Inspectors General, the Government Accountability Office, and other sources to achieve cost savings or eliminate wasteful spending.

#### CRITICAL INFRASTRUCTURE

In June 2006, the Bush Administration issued a National Infrastructure Protection Plan. This plan created a process by which the Department of Homeland Security is to identify critical assets and assess their vulnerabilities and risks due to loss or natural disaster. During the 114th Congress, the Committee will review the Department's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction. The Committee will also examine the activities of the Department of Energy, FERC, and other Federal agencies related the physical and cyber security of the nation's energy infrastructure. Further, the Committee will examine the roles and responsibilities of the private sector, which owns and operates the bulk of the nation's critical infrastructure assets.

#### NUCLEAR SMUGGLING

The Committee will continue to monitor Federal government and private sector efforts at border crossings, seaports, and mail facilities. The Committee's review will analyze and assess Customs' and DOE's efforts and the utility of equipment aimed at detecting and preventing the smuggling of dangerous commerce, particularly nuclear and radiological weapons of mass destruction.

## PUBLIC LAWS

This list includes: (1) legislation on which the Committee on Energy and Commerce acted directly, (2) legislation developed through Committee participation in House-Senate conferences, and (3) legislation which included provisions within the Committee's jurisdiction, including legislation enacted by reference as part of other legislation.

Serial No.	Date Approved	Bill	Title
114-10 ..	4/16/2015 .....	H.R. 2 .....	Medicare Access and CHIP Reauthorization Act of 2015.
114-11 ..	4/30/2015 .....	S. 535 .....	Energy Efficiency Improvement Act of 2015.
114-21 ..	5/29/2015 .....	H.R. 2353 .....	Highway and Transportation Funding Act of 2015.
114-39 ..	7/30/2015 .....	S. 971 .....	Medicare Independence at Home Medical Practice Demonstration Improvement Act of 2015.
114-40 ..	7/30/2015 .....	S. 984 .....	Steve Gleason Act of 2015.
114-41 ..	7/31/2015 .....	H.R. 3236 .....	Surface Transportation and Veterans Health Care Choice Improvement Act of 2015.
114-42 ..	8/6/2015 .....	H.R. 876 .....	NOTICE Act.
114-45 ..	8/7/2015 .....	H.R. 212 .....	To amend the Safe Drinking Water Act to provide for the assessment and management of the risk of algal toxins in drinking water, and for other purposes.
114-51 ..	9/24/2015 .....	S. 1359 .....	E-Warranty Act of 2015.
114-60 ..	10/7/2015 .....	H.R. 1624 .....	Protecting Affordable Coverage for Employees Act.
114-63 ..	10/7/2015 .....	S. 139 .....	Ensuring Access to Clinical Trials Act of 2015.
114-73 ..	10/29/2015 .....	H.R. 3819, H.R. 3996	Surface Transportation Extension Act of 2015.
114-74 ..	11/2/2015 .....	H.R. 1314 .....	Bipartisan Budget Act of 2015.
114-85 ..	11/5/2015 .....	S. 1362 .....	A bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly.
114-87 ..	11/20/2015 .....	H.R. 3996, H.R. 3819	Surface Transportation Extension Act of 2015, Part II.
114-89 ..	11/25/2015 .....	H.R. 639 .....	Improving Regulatory Transparency for New Medical Therapies Act.
114-91 ..	11/25/2015 .....	S. 799 .....	Protecting Our Infants Act of 2015.
114-94 ..	12/04/2015 .....	H.R. 22 .....	FAST Act.
114-97 ..	12/11/2015 .....	S. 599 .....	Improving Access to Emergency Psychiatric Care Act.
114-98 ..	12/11/2015 .....	S. 611 .....	Grassroots Rural and Small Community Water Systems Assistance Act.
114-99 ..	12/11/2015 .....	S. 1170 .....	Breast Cancer Research Stamp Reauthorization Act of 2015.
114-104 ..	12/18/2015 .....	H.R. 2820 .....	Stem Cell Therapeutic and Research Reauthorization Act of 2015.
114-106 ..	12/18/2015 .....	H.R. 3831 .....	Securing Fairness in Regulatory Timing Act of 2015.
114-112 ..	12/18/2015 .....	S. 1461, H.R. 3861 ..	A bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.
114-113 ..	12/18/2015 .....	H.R. 2029 .....	Consolidated Appropriations Act of 2016.
114-114 ..	12/28/2015 .....	H.R. 1321 .....	Microbead-Free Waters Act of 2015.
114-116 ..	1/28/2016 .....	S. 142 .....	Child Nicotine Poisoning Prevention Act of 2015.
114-145 ..	4/19/2016 .....	S. 483 .....	Ensuring Patient Access and Effective Drug Enforcement Act of 2016.
114-146 ..	4/19/2016 .....	S. 2512 .....	Adding Zika Virus to the FDA Priority Review Voucher Program Act.
114-154 ..	5/16/2016 .....	S. 32 .....	Transnational Drug Trafficking Act of 2015.
114-157 ..	5/20/2016 .....	H.R. 4238 .....	To amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.
114-182 ..	6/22/2016 .....	H.R. 2576, H.R. 4111	Frank R. Lautenberg Chemical Safety for the 21st Century Act.
114-183 ..	6/22/2016 .....	S. 2276 .....	PIPES Act of 2016.
114-198 ..	7/22/2016 .....	S. 524 .....	Comprehensive Addiction and Recovery Act of 2016.
114-221 ..	9/23/2016 .....	S. 1579 .....	NATIVE Act.
114-229 ..	9/30/2016 .....	S. 1878 .....	Advancing Hope Act of 2016.
114-236 ..	10/7/2016 .....	H.R. 5578 .....	Survivors' Bill of Rights Act of 2016.
114-249 ..	12/8/2016 .....	H.R. 4665 .....	Outdoor Recreation Jobs and Economic Impact Act of 2016.
114-274 ..	12/14/2016 .....	S. 3183, H.R. 5104 ..	BOTS Act of 2016.

Serial No.	Date Approved	Bill	Title
114-255	12/13/2016 .....	H.R. 34, H.R. 6 .....	21st Century Cures Act.

**HEARINGS HELD PURSUANT TO CLAUSES 2(n), (o), OR (p) OF RULE XI**

Serial No.	Hearing Title	Hearing Date(s)
114-6 .....	Examining the U.S. Public Health Response to Seasonal Influenza. (Subcommittee on Oversight and Investigations).	February 3, 2015
114-8 .....	Federal Efforts on Mental Health: Why Greater HHS Leadership is Needed. (Subcommittee on Oversight and Investigations).	February 11, 2015
114-9 .....	Examining ICD-10 Implementation. (Subcommittee on Health) .....	February 11, 2015
114-10 .....	The Fiscal Year 2016 Department of Energy Budget. (Subcommittee on Energy and Power).	February 11, 2015
114-11 .....	The Fiscal Year 2016 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	February 25, 2015
114-13 .....	Examining the FY 2016 HHS Budget. (Subcommittee on Health) .....	February 26, 2015
114-19 .....	Reauthorization of the Federal Communications Commission: The FCC's FY 2016 Budget Request. (Subcommittee on Communications and Technology).	March 4, 2015
114-24 .....	FCC Reauthorization: Oversight of the Commission. (Subcommittee on Communications and Technology).	March 19, 2015
114-25 .....	Examining the 340B Drug Pricing Program. (Subcommittee on Health) .....	March 24, 2015
114-30 .....	H.R. , the TSCA Modernization Act of 2015. (Subcommittee on Environment and the Economy).	April 14, 2015
114-37 .....	FCC Reauthorization: Improving Commission Transparency. (Subcommittee on Communications and Technology).	April 30, 2015
114-42 .....	Update on the Current State of Nuclear Waste Management Policy. (Subcommittee on Environment and the Economy).	May 15, 2015
114-45 .....	Oversight of the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	May 19, 2015
114-48 .....	Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse. (Subcommittee on Oversight and Investigations).	June 2 , 2015
114-54 .....	Oversight Failures Behind the Radiological Incident at DOE's Waste Isolation Pilot Plant. (Subcommittee on Oversight and Investigations).	June 12, 2015
114-59 .....	Examining the Administration's Approval of Medicaid Demonstration Projects. (Subcommittee on Health).	June 24, 2015
114-63 .....	Medicaid at 50: Strengthening and Sustaining the Program. (Subcommittee on Health).	July 8, 2015
114-66 .....	Medicare Part D: Measures Needed to Strengthen Program Integrity. (Subcommittee on Oversight and Investigations).	July 14, 2015
114-67 .....	Oversight of Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 and Related Issues. (Subcommittee on Energy and Power).	July 14, 2015
114-69 .....	Continuing Concerns with the Federal Select Agent Program: Department of Defense Shipments of Live Anthrax. (Subcommittee on Oversight and Investigations).	July 28, 2015
114-70 .....	Continued Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 28, 2015
114-71 .....	Oversight of the Nuclear Regulatory Commission. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	September 9, 2015
114-73 .....	Oversight of Federal Facility Cleanup under CERCLA. (Subcommittee on Environment and the Economy).	September 11, 2015 September 16, 2015
114-74 .....	Strengthening Medicaid Program Integrity and Closing Loopholes. (Subcommittee on Health).	September 11, 2015
114-76 .....	Improving the Medicaid Program for Beneficiaries. (Subcommittee on Health) .....	September 18, 2015
114-79 .....	An Overdue Checkup: Examining the ACA's State Insurance Marketplaces. (Subcommittee on Oversight and Investigations).	September 29, 2015
114-81 .....	Examining Potential Ways to Improve the Medicare Program (Subcommittee on Health).	October 1, 2015
114-82 .....	Transporting Nuclear Materials: Design, Logistics, and Shipment. (Subcommittee on Environment and the Economy).	October 1, 2015
114-84 .....	Improving Federal Spectrum Systems. (Subcommittee on Communications and Technology).	October 7, 2015
114-88 .....	Examining the Medicare Part D Medication Therapy Management Program. (Subcommittee on Health).	October 21, 2015
114-91 .....	Reviewing the Accuracy of Medicaid and Exchange Eligibility Determinations. (Subcommittee on Health).	October 23, 2015

## HEARINGS HELD PURSUANT TO CLAUSES 2(n), (o), OR (p) OF RULE XI—Continued

Serial No.	Hearing Title	Hearing Date(s)
114-94 .....	E-manifest: An Update on Implementation. (Subcommittee on Environment and the Economy).	October 27, 2015
114-98 .....	Examining Legislation to Improve Medicare and Medicaid. (Subcommittee on Health)	November 3, 2015
114-99 .....	Examining the Costly Failures of Obamacare's CO-OP Insurance Loans. (Subcommittee on Oversight and Investigations).	November 5, 2015
114-100 .....	Examining the Regulation of Diagnostic Tests and Laboratory Operations. (Subcommittee on Health).	November 17, 2015
114-101 .....	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	November 17, 2015
114-102 .....	U.S. Public Health Preparedness for Seasonal Influenza: Has the Response Improved? (Subcommittee on Oversight and Investigations).	November 19, 2015
114-104 .....	Oversight of the Federal Energy Regulatory Commission. (Subcommittee on Energy and Power).	December 1, 2015
114-106 .....	The Nuclear Waste Fund: Budgetary, Funding, and Scoring Issues. (Subcommittee on Environment and the Economy).	December 3, 2015
114-107 .....	An Overdue Checkup Part II: Examining the ACA's State Insurance Marketplaces. (Subcommittee on Oversight and Investigations).	December 8, 2015
114-112 .....	Status of the Public Safety Broadband Network. (Subcommittee on Communications and Technology).	February 2, 2016
114-114 .....	Examining Implementation of the Biologics Price Competition and Innovation Act. (Subcommittee on Health).	February 4, 2016
114-115 .....	Examining Medicaid and CHIP's Federal Medical Assistance. (Subcommittee on Health).	February 10, 2016
114-116 .....	Industry Perspectives on the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	February 10, 2016
114-118 .....	The Fiscal Year 2017 HHS Budget. (Subcommittee on Health) .....	February 24, 2016
114-119 .....	DOE for the 21st Century: Science, Environment, and National Security Missions. (Subcommittee Oversight and Investigations).	February 24, 2016
114-123 .....	The Fiscal Year 2017 DOE Budget. (Subcommittee on Energy and Power) .....	March 2, 2016
114-124 .....	Examining the U.S. Public Health Response to the Zika Virus. (Subcommittee on Oversight and Investigations).	March 2, 2016
114-127 .....	Medicare Access and CHIP Reauthorization Act of 2015: Examining Implementation of Medicare Payment Reforms. (Subcommittee on Health).	March 17, 2016
114-129 .....	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	March 22, 2016
114-130 .....	Fiscal Year 2017 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	March 22, 2016
114-133 .....	NHTSA Oversight. (Subcommittee on Commerce, Manufacturing, and Trade) .....	April 14, 2016
114-135 .....	Unlawful Reinsurance Payments: CMS Diverting \$3.5 Billion from Taxpayers to Pay Insurance Companies. (Subcommittee on Oversight and Investigations).	April 15, 2016
114-137 .....	Medicare Access and CHIP Reauthorization Act of 2015: Examining Physician Efforts to Prepare for Medicare Payment Reforms. (Subcommittee on Health).	April 19, 2016
114-138 .....	Fiscal Year 2017 Nuclear Regulatory Commission Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	April 20, 2016
114-139 .....	How Secure are U.S. Bioresearch Labs? Preventing the Next Safety Lapse. (Subcommittee on Oversight and Investigations).	April 20, 2016
114-140 .....	EPA's Brownfields Program: Empowering Cleanup and Encouraging Economic Redevelopment. (Subcommittee on Environment and the Economy).	April 21, 2016
114-146 .....	The Obama Administration's Medicare Drug Experiment: The Patient and Doctor Perspective. (Subcommittee on Health).	May 17, 2016
114-149 .....	Medicare and Medicaid Program Integrity: Combatting Improper Payments and Ineligible Providers. (Subcommittee on Oversight and Investigations).	May 24, 2016
114-150 .....	Examining Cybersecurity Responsibilities at HHS. (Subcommittee on Health) .....	May 25, 2016
114-153 .....	Combatting Superbugs: U.S. Public Health Responses to Antibiotic Resistance. (Subcommittee on Oversight and Investigations).	June 14, 2016
114-154 .....	FCC Overreach: Examining the Proposed Privacy Rules. (Subcommittee on Communications and Technology).	June 14, 2016
114-155 .....	The Renewable Fuel Standard—Implementation Issues. (Subcommittee on Energy and Power).	June 22, 2016
114-156 .....	A Review of EPA's Regulatory Activity During the Obama Administration: Energy and Industrial Sectors. (Subcommittee on Energy and Power).	July 6, 2016
114-157 .....	Federal, State, and Local Agreements and Economic Benefits for Spent Nuclear Fuel Disposal. (Subcommittee on Environment and the Economy).	July 7, 2016

## HEARINGS HELD PURSUANT TO CLAUSES 2(n), (o), OR (p) OF RULE XI—Continued

Serial No.	Hearing Title	Hearing Date(s)
114–159 .....	The ACA's Cost Sharing Reduction Program—Ramifications of the Administration's Decision on the Source of Funding for the CSR Program. (Subcommittee on Oversight and Investigations).	July 8, 2016
114–161 .....	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 12, 2016
114–162 .....	Oversight of CERCLA Implementation. (Subcommittee on Environment and the Economy).	July 13, 2016
114–167 .....	An Examination of Federal Mental Health Parity Laws and Regulations. (Subcommittee on Health).	September 9, 2016
114–168 .....	The Affordable Care Act on Shaky Ground: Outlook and Oversight. (Subcommittee on Health and Subcommittee Oversight and Investigations).	September 14, 2016
114–170 .....	The Department of Energy's Role in Advancing the National, Economic, and Energy Security of the United States. (Subcommittee on Energy and Power).	September 15, 2016
114–171 .....	Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards For Motor Vehicles. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Energy and Power).	September 22, 2016
114–173 .....	Bioresearch Labs and Inactivation of Dangerous Pathogens. (Subcommittee on Oversight and Investigations).	September 27, 2016
114–176 .....	Examining the United States Preventive Services Task Force (Subcommittee on Health).	November 30, 2016
114–178 .....	Waste and Duplication in the USDA Catfish Inspection Program (Subcommittee on Health).	December 7, 2016

## PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE

Serial No.	Hearing Title	Hearing Date(s)
114–1 .....	Protecting the Internet and Consumers Through Congressional Action. (Subcommittee on Communications and Technology).	January 21, 2015
114–2 .....	A Permanent Solution to the SGR: The Time Is Now. (Subcommittee on Health) .....	January 21, 2015, January 22, 2015
114–3 .....	EPA's 2014 Final Rule: Disposal of Coal Combustion Residuals from Electric Utilities. (Subcommittee on Environment and the Economy).	January 22, 2015
114–4 .....	What are the Elements of Sound Data Breach Legislation?(Subcommittee on Commerce, Manufacturing, and Trade).	January 27, 2015
114–5 .....	Examining Public Health Legislation to Help Patients and Local Communities. (Subcommittee on Health).	January 27, 2015
114–6 .....	Examining the U.S. Public Health Response to Seasonal Influenza. (Subcommittee on Oversight and Investigations).	February 3, 2015
114–7 .....	H.R. 212, the Drinking Water Protection Act. (Subcommittee on Environment and the Economy).	February 5, 2015
114–8 .....	Federal Efforts on Mental Health: Why Greater HHS Leadership is Needed. (Subcommittee on Oversight and Investigations).	February 11, 2015
114–9 .....	Examining ICD–10 Implementation. (Subcommittee on Health) .....	February 11, 2015
114–10 .....	The Fiscal Year 2016 Department of Energy Budget. (Subcommittee on Energy and Power).	February 11, 2015
114–11 .....	The Fiscal Year 2016 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	February 25, 2015
114–12 .....	The Uncertain Future of the Internet. (Subcommittee on Communications and Technology).	February 25, 2015
114–13 .....	Examining the FY 2016 HHS Budget. (Subcommittee on Health) .....	February 26, 2015
114–14 .....	Update: Patent Demand Letter Practices and Solution. (Subcommittee on Commerce, Manufacturing, and Trade).	February 26, 2015
114–15 .....	The Needs of Drinking Water Systems in Rural and Smaller Communities. (Subcommittee on Environment and the Economy).	February 27, 2015
114–16 .....	21st Century Energy Markets: How the Changing Dynamics of World Energy Markets Impact our Economy and Energy Security. (Subcommittee on Energy and Power).	March 3, 2015
114–17 .....	Understanding the Cyber Threat and Implications for the 21st Century Economy. (Subcommittee on Oversight and Investigations).	March 3, 2015
114–18 .....	The 21st Century Electricity Challenge: Ensuring a Secure, Reliable, and Modern Electricity System. (Subcommittee on Energy and Power).	March 4, 2015
114–19 .....	Reauthorization of the Federal Communications Commission: The FCC's FY 2016 Budget Request. (Subcommittee on Communications and Technology).	March 4, 2015

## PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE—Continued

Serial No.	Hearing Title	Hearing Date(s)
114-20 .....	EPA's Proposed 111(d) Rule for Existing Power Plants: Legal and Cost Issues. (Subcommittee on Energy and Power).	March 17, 2015
114-21 .....	Discussion Draft of H.R. __, Data Security and Breach Notification Act of 2015. (Subcommittee on Commerce, Manufacturing, and Trade).	March 18, 2015
114-22 .....	H.R. __, Improving Coal Combustion Residuals Regulation Act of 2015. (Subcommittee on Environment and the Economy).	March 18, 2015, March 24, 2015
114-23 .....	H.R. 906, to Modify the Efficiency Standards for Grid-Enabled Water Heaters. (Subcommittee on Energy and Power).	March 19, 2015
114-24 .....	FCC Reauthorization: Oversight of the Commission. (Subcommittee on Communications and Technology).	March 19, 2015
114-25 .....	Examining the 340B Drug Pricing Program. (Subcommittee on Health) .....	March 24, 2015
114-26 .....	The Internet of Things: Exploring the Next Technology Frontier. (Subcommittee on Commerce, Manufacturing, and Trade).	March 24, 2015
114-27 .....	Examining the Growing Problems of Prescription Drug and Heroin Abuse: State and Local Perspectives. (Subcommittee on Oversight and Investigations).	March 26, 2015
114-28 .....	Next Steps for Spectrum Policy. (Subcommittee on Communications and Technology)	March 26, 2015
114-29 .....	EPA's Proposed 111(d) Rule for Existing Power Plants, and H.R. __, Ratepayer Protection Act. (Subcommittee on Energy and Power).	April 14, 2015
114-30 .....	H.R. __, the TSCA Modernization Act of 2015. (Subcommittee on Environment and the Economy).	April 14, 2015
114-31 .....	Medicare Post Acute Care Delivery and Options to Improve It. (Subcommittee on Health).	April 16, 2015
114-32 .....	H.R. __, Targeting Rogue and Opaque Letters (TROL) Act. (Subcommittee on Commerce, Manufacturing, and Trade).	April 16, 2015
114-33 .....	Title II: 21st Century Workforce. (Subcommittee on Energy and Power) .....	April 23, 2015
114-34 .....	Combating the Opioid Abuse Epidemic: Professional and Academic Perspectives. (Subcommittee on Oversight and Investigations).	April 23, 2015
114-35 .....	Legislative Hearing on 21st Century Cures. (Subcommittee on Health) .....	April 30, 2015
114-36 .....	Strategic Petroleum Reserve Discussion Draft and Title IV Energy Efficiency. (Subcommittee on Energy and Power).	April 30, 2015
114-37 .....	FCC Reauthorization: Improving Commission Transparency. (Subcommittee on Communications and Technology).	April 30, 2015
114-38 .....	What is the Federal Government Doing to Combat the Opioid Abuse Epidemic? (Subcommittee on Oversight and Investigations).	May 1, 2015
114-39 .....	Examining Microbeads in Cosmetic Products. (Subcommittee on Health) .....	May 1, 2015
114-40 .....	Discussion Drafts Addressing Hydropower Regulatory Modernization and FERC Process Coordination under the Natural Gas Act. (Subcommittee on Energy and Power).	May 13, 2015
114-41 .....	Stakeholder Perspectives on the IANA Transition. (Subcommittee on Communications and Technology).	May 13, 2015
114-42 .....	Update on the Current State of Nuclear Waste Management Policy. (Subcommittee on Environment and the Economy).	May 15, 2015
114-43 .....	FCC Reauthorization: Improving Commission Transparency Part II. (Subcommittee on Communications and Technology).	May 15, 2015
114-44 .....	Discussion Draft Addressing Energy Reliability and Security. (Subcommittee on Energy and Power).	May 19, 2015
114-45 .....	Oversight of the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	May 19, 2015
114-46 .....	What are the State Governments Doing to Combat the Opioid Abuse Epidemic? (Subcommittee on Oversight and Investigations).	May 21, 2015
114-47 .....	Quadrennial Energy Review and Related Discussion Drafts. (Subcommittee on Energy and Power).	June 2, 2015
114-48 .....	Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse. (Subcommittee on Oversight and Investigations).	June 2, 2015
114-49 .....	An Update on the Takata Airbag Ruptures and Recalls. (Subcommittee on Commerce, Manufacturing, and Trade).	June 2, 2015
114-50 .....	Discussion Draft on Accountability and Department of Energy Perspectives on Title IV: Energy Efficiency. (Subcommittee on Energy and Power).	June 3, 2015 June 4, 2015
114-51 .....	Examining H.R. 1786, the Common Sense Nutrition Disclosure Act of 2015. (Subcommittee on Health).	June 4, 2015
114-52 .....	Examining H.R. 1786, James Zadroga 9/11 Health and Compensation Reauthorization Act. (Subcommittee on Health).	June 11, 2015
114-53 .....	EPA's Proposed Ozone Rule. (Subcommittee on Energy and Power) .....	June 12, 2015

## PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE—Continued

Serial No.	Hearing Title	Hearing Date(s)
114-54 .....	Oversight Failures Behind the Radiological Incident at DOE's Waste Isolation Pilot Plant. (Subcommittee on Oversight and Investigations).	June 12, 2015
114-55 .....	Examining H.R. 2646, the Helping Families in Mental Health Crisis Act. (Subcommittee on Health).	June 16, 2015
114-56 .....	EPA's Proposed Ozone Rule: Potential Impacts on Manufacturing. (Subcommittee on Energy and Power and Subcommittee on Commerce, Manufacturing, and Trade).	June 16, 2015
114-57 .....	Progress Toward a Nationwide Public Safety Broadband Network. (Subcommittee on Communications and Technology).	June 16, 2015
114-58 .....	A National Framework for the Review and Labeling of Biotechnology in Food. (Subcommittee on Health).	June 18, 2015
114-59 .....	Examining the Administration's Approval of Medicaid Demonstration Projects. (Subcommittee on Health).	June 24, 2015
114-60 .....	Vehicle to Vehicle Communications and Connected Roadways of the Future. (Subcommittee on Commerce, Manufacturing, and Trade).	June 25, 2015
114-61 .....	Examining Public Health Legislation: H.R. 2820, H.R. 1344, and H.R. 1462. (Subcommittee on Health).	June 25, 2015
114-62 .....	Internet Governance Progress After ICANN 53. (Subcommittee on Communications and Technology).	July 8, 2015
114-63 .....	Medicaid at 50: Strengthening and Sustaining the Program. (Subcommittee on Health).	July 8, 2015
114-64 .....	H.R. 702, Legislation to Prohibit Restrictions on the Export of Crude Oil. (Subcommittee on Energy and Power).	July 9, 2015
114-65 .....	H.R. 985, Concrete Masonry Products Research, Education, and Promotion Act of 2015. (Subcommittee on Commerce, Manufacturing, and Trade).	July 10, 2015
114-66 .....	Medicare Part D: Measures Needed to Strengthen Program Integrity. (Subcommittee on Oversight and Investigations).	July 14, 2015
114-67 .....	Oversight of Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 and Related Issues. (Subcommittee on Energy and Power).	July 14, 2015
114-68 .....	Promoting Broadband Infrastructure Investment. (Subcommittee on Communications and Technology).	July 22, 2015
114-69 .....	Continuing Concerns with the Federal Select Agent Program: Department of Defense Shipments of Live Anthrax. (Subcommittee on Oversight and Investigations).	July 28, 2015
114-70 .....	Continued Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 28, 2015
114-71 .....	Oversight of the Nuclear Regulatory Commission. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	September 9, 2015
114-72 .....	Protecting Affordable Coverage for Employees. (Subcommittee on Health) .....	September 9, 2015
114-73 .....	Oversight of Federal Facility Cleanup under CERCLA. (Subcommittee on Environment and the Economy).	September 11, 2015, September 16, 2015
114-74 .....	Strengthening Medicaid Program Integrity and Closing Loopholes. (Subcommittee on Health).	September 11, 2015
114-75 .....	Protecting Infants: Ending Taxpayer Funding for Abortion Providers Who Violate the Law. (Subcommittee on Health).	September 17, 2015
114-76 .....	Improving the Medicaid Program for Beneficiaries. (Subcommittee on Health) .....	September 18, 2015
114-77 .....	Broadcast Ownership in the 21st Century. (Subcommittee on Communications and Technology).	September 25, 2015, December 3, 2015
114-78 .....	Legislative Hearing on VIN Database and Auto Whistleblower Bills. (Subcommittee on Commerce, Manufacturing, and Trade).	September 25, 2015
114-79 .....	An Overdue Checkup: Examining the ACA's State Insurance Marketplaces. (Subcommittee on Oversight and Investigations).	September 29, 2015
114-80 .....	The Disrupter Series: How the Sharing Economy Creates Jobs, Benefits Consumers, and Raises Policy Questions. (Subcommittee on Commerce, Manufacturing, and Trade).	September 29, 2013
114-81 .....	Examining Potential Ways to Improve the Medicare Program (Subcommittee on Health).	October 1, 2015
114-82 .....	Transporting Nuclear Materials: Design, Logistics, and Shipment. (Subcommittee on Environment and the Economy).	October 1, 2015
114-83 .....	EPA's CO2 Regulations for New and Existing Power Plants. (Subcommittee on Energy and Power).	October 7, 2015
114-84 .....	Improving Federal Spectrum Systems. (Subcommittee on Communications and Technology).	October 7, 2015
114-85 .....	Volkswagen Emissions Cheating Allegations: Initial Questions. (Subcommittee on Oversight and Investigations).	October 8, 2015

## PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE—Continued

Serial No.	Hearing Title	Hearing Date(s)
114-86 .....	Examining Legislative Proposals to Combat our Nation's Drug Abuse Crisis. (Subcommittee on Health).	October 8, 2015 October 20, 2015
114-87 .....	Examining Ways to Improve Vehicle and Roadway Safety. (Subcommittee on Commerce, Manufacturing, and Trade).	October 21, 2015
114-88 .....	Examining the Medicare Part D Medication Therapy Management Program. (Subcommittee on Health).	October 21, 2015
114-89 .....	Technical Assistance for Rural Water Systems: S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act. (Subcommittee on Environment and the Economy).	October 22, 2015
114-90 .....	EPA's CO2 Regulations for New and Existing Power Plants: Legal Perspectives. (Subcommittee on Energy and Power).	October 22, 2015
114-91 .....	Reviewing the Accuracy of Medicaid and Exchange Eligibility Determinations. (Subcommittee on Health).	October 23, 2015
114-92 .....	Fighting Fraud Against the Elderly, an Update. (Subcommittee on Commerce, Manufacturing, and Trade).	October 23, 2015
114-93 .....	Common Carrier Regulation of the Internet: Investment Impacts. (Subcommittee on Communications and Technology).	October 27, 2015
114-94 .....	E-manifest: An Update on Implementation. (Subcommittee on Environment and the Economy).	October 27, 2015
114-95 .....	Breaking Down Barriers to Broadband Infrastructure Deployment. (Subcommittee on Communications and Technology).	October 28, 2015
114-96 .....	Update on Low-Level Radioactive Waste Disposal Issues. (Subcommittee on Environment and the Economy).	October 28, 2015
114-97 .....	Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology).	November 3, 2015
114-98 .....	Examining Legislation to Improve Medicare and Medicaid. (Subcommittee on Health)	November 3, 2015
114-99 .....	Examining the Costly Failures of Obamacare's CO-OP Insurance Loans. (Subcommittee on Oversight and Investigations).	November 5, 2015
114-100 .....	Examining the Regulation of Diagnostic Tests and Laboratory Operations. (Subcommittee on Health).	November 17, 2015
114-101 .....	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	November 17, 2015
114-102 .....	U.S. Public Health Preparedness for Seasonal Influenza: Has the Response Improved? (Subcommittee on Oversight and Investigations).	November 19, 2015
114-103 .....	The Disrupter Series: The Fast-Evolving Uses and Economic Impacts of Drones. (Subcommittee on Commerce, Manufacturing, and Trade).	November 19, 2015
114-104 .....	Oversight of the Federal Energy Regulatory Commission. (Subcommittee on Energy and Power).	December 1, 2015
114-105 .....	The Disrupter Series: Mobile Payments. (Subcommittee on Commerce, Manufacturing, and Trade).	December 1, 2015
114-106 .....	The Nuclear Waste Fund: Budgetary, Funding, and Scoring Issues. (Subcommittee on Environment and the Economy).	December 3, 2015
114-107 .....	An Overdue Checkup Part II: Examining the ACA's State Insurance Marketplaces. (Subcommittee on Oversight and Investigations).	December 8, 2015
114-108 .....	Examining Legislation to Improve Health Care and Treatment. (Subcommittee on Health).	December 9, 2015
114-109 .....	H.R. __, the EPS Improvement Act of 2016 (Subcommittee on Energy and Power) .....	January 12, 2016
114-110 .....	A Legislative Hearing on Four Communications Bills. (Subcommittee on Communications and Technology).	January 12, 2016
114-111 .....	Legislative Hearing on Eight Energy Infrastructure Bills. (Subcommittee on Energy and Power).	February 2, 2016
114-112 .....	Status of the Public Safety Broadband Network. (Subcommittee on Communications and Technology).	February 2, 2016
114-113 .....	H.R. 3797, the Satisfying Energy Needs and Saving the Environment Act (SENSE) Act and H.R. __, the Blocking Regulatory Interference from Closing Kilns (BRICK) Act. (Subcommittee on Energy and Power).	February 3, 2016
114-114 .....	Examining Implementation of the Biologics Price Competition and Innovation Act. (Subcommittee on Health).	February 4, 2016
114-115 .....	Examining Medicaid and CHIP's Federal Medical Assistance. (Subcommittee on Health).	February 10, 2016
114-116 .....	Industry Perspectives on the Consumer Product Safety Commission. (Subcommittee on Commerce, Manufacturing, and Trade).	February 10, 2016



## PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE—Continued

Serial No.	Hearing Title	Hearing Date(s)
114-117 .....	Outbreaks, Attacks, and Accidents: Combatting Biological Threats. (Subcommittee on Oversight and Investigations).	February 12, 2016
114-118 .....	The Fiscal Year 2017 HHS Budget. (Subcommittee on Health) .....	February 24, 2016
114-119 .....	DOE for the 21st Century: Science, Environment, and National Security Missions. (Subcommittee Oversight and Investigations).	February 24, 2016
114-120 .....	Disrupter Series: 3D Printing. (Subcommittee on Commerce, Manufacturing, and Trade).	February 26, 2016
114-121 .....	Legislative Hearing to Examine Pipeline Safety Reauthorization. (Subcommittee on Energy and Power).	March 1, 2016
114-122 .....	Examining the Financing and Delivery of Long-Term Care in the U.S. (Subcommittee on Health).	March 1, 2016
114-123 .....	The Fiscal Year 2017 DOE Budget. (Subcommittee on Energy and Power) .....	March 2, 2016
114-124 .....	Examining the U.S. Public Health Response to the Zika Virus. (Subcommittee on Oversight and Investigations).	March 2, 2016
114-125 .....	Disrupter Series: Wearable Devices. (Subcommittee on Commerce, Manufacturing, and Trade).	March 3, 2016
114-126 .....	Disrupter Series: Digital Currency and Block Chain Technology. (Subcommittee on Commerce, Manufacturing, and Trade).	March 16, 2016
114-127 .....	Medicare Access and CHIP Reauthorization Act of 2015: Examining Implementation of Medicare Payment Reforms. (Subcommittee on Health).	March 17, 2016
114-128 .....	Privatizing the Internet Assigned Number Authority. (Subcommittee on Communications and Technology).	March 17, 2016
114-129 .....	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	March 22, 2016
114-130 .....	Fiscal Year 2017 EPA Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	March 22, 2016
114-131 .....	Flint Water Crisis: Impacts and Lessons Learned. (Subcommittee on Environment and the Economy and Subcommittee on Health).	April 13, 2016
114-132 .....	Legislative Hearing on Seven Communications Bills. (Subcommittee on Communications and Technology).	April 13, 2016
114-133 .....	NHTSA Oversight. (Subcommittee on Commerce, Manufacturing, and Trade) .....	April 14, 2016
114-134 .....	H.R. 4775, Ozone Standards Implementation Act of 2016. (Subcommittee on Energy and Power).	April 14, 2016
114-135 .....	Unlawful Reinsurance Payments: CMS Diverting \$3.5 Billion from Taxpayers to Pay Insurance Companies. (Subcommittee on Oversight and Investigations).	April 15, 2016
114-136 .....	Deciphering the Debate Over Encryption: Industry and Law Enforcement Perspectives. (Subcommittee on Oversight and Investigations).	April 19, 2016
114-137 .....	Medicare Access and CHIP Reauthorization Act of 2015: Examining Physician Efforts to Prepare for Medicare Payment Reforms. (Subcommittee on Health).	April 19, 2016
114-138 .....	Fiscal Year 2017 Nuclear Regulatory Commission Budget. (Subcommittee on Environment and the Economy and Subcommittee on Energy and Power).	April 20, 2016
114-139 .....	How Secure are U.S. Bioresearch Labs? Preventing the Next Safety Lapse. (Subcommittee on Oversight and Investigations).	April 20, 2016
114-140 .....	EPA's Brownfields Program: Empowering Cleanup and Encouraging Economic Redevelopment. (Subcommittee on Environment and the Economy).	April 21, 2016
114-141 .....	H.R. 4979, the Advanced Nuclear Technology Development Act of 2016 and H.R. __, the "Nuclear Utilization of Keynote Energy Policies Act. (Subcommittee on Energy and Power).	April 29, 2016
114-142 .....	The Pet Medication Industry: Issues and Perspectives. (Subcommittee on Commerce, Manufacturing, and Trade).	April 29, 2016
114-143 .....	Health Care Solutions: Increasing Patient Choice and Plan Innovation. (Subcommittee on Health).	May 11, 2016
114-144 .....	Daily Fantasy Sports: Issues and Perspectives. (Subcommittee on Commerce, Manufacturing, and Trade).	May 11, 2016
114-145 .....	Concussions in Youth Sports: Evaluating Prevention and Research. (Subcommittee on Oversight and Investigations).	May 13, 2016
114-146 .....	The Obama Administration's Medicare Drug Experiment: The Patient and Doctor Perspective. (Subcommittee on Health).	May 17, 2016
114-147 .....	Examining H.R. 3299, Strengthening Public Health Response Act. (Subcommittee on Health).	May 19, 2016
114-148 .....	Legislative Hearing on 17 FTC Bills. (Subcommittee on Commerce, Manufacturing, and Trade).	May 24, 2016
114-149 .....	Medicare and Medicaid Program Integrity: Combatting Improper Payments and Ineligible Providers. (Subcommittee on Oversight and Investigations).	May 24, 2016

## PRINTED HEARINGS OF THE COMMITTEE ON ENERGY AND COMMERCE—Continued

Serial No.	Hearing Title	Hearing Date(s)
114-150 .....	Examining Cybersecurity Responsibilities at HHS. (Subcommittee on Health) .....	May 25, 2016
114-151 .....	Advancing Patient Solutions for Lower Costs and Better Care. (Subcommittee on Health).	June 10, 2016
114-152 .....	Home Appliance Energy Efficiency Standards Under the Department of Energy Stakeholder Perspectives. (Subcommittee on Energy and Power).	June 10, 2016
114-153 .....	Combatting Superbugs: U.S. Public Health Responses to Antibiotic Resistance. (Subcommittee on Oversight and Investigations).	June 14, 2016
114-154 .....	FCC Overreach: Examining the Proposed Privacy Rules. (Subcommittee on Communications and Technology).	June 14, 2016
114-155 .....	The Renewable Fuel Standard—Implementation Issues. (Subcommittee on Energy and Power).	June 22, 2016
114-156 .....	A Review of EPA's Regulatory Activity During the Obama Administration: Energy and Industrial Sectors. (Subcommittee on Energy and Power).	July 6, 2016
114-157 .....	Federal, State, and Local Agreements and Economic Benefits for Spent Nuclear Fuel Disposal. (Subcommittee on Environment and the Economy).	July 7, 2016
114-158 .....	Examining the Advancing Care for Exceptional Kids Act. (Subcommittee on Health)	July 7, 2016
114-159 .....	The ACA's Cost Sharing Reduction Program—Ramifications of the Administration's Decision on the Source of Funding for the CSR Program. (Subcommittee on Oversight and Investigations).	July 8, 2016
114-160 .....	Strengthening our National Trauma System. (Subcommittee on Health) .....	July 12, 2016
114-161 .....	Oversight of the Federal Communications Commission. (Subcommittee on Communications and Technology).	July 12, 2016
114-162 .....	Oversight of CERCLA Implementation. (Subcommittee on Environment and the Economy).	July 13, 2016
114-163 .....	Disrupter Series: Health Care Apps. (Subcommittee on Commerce, Manufacturing, and Trade).	July 13, 2016
114-164 .....	Federal Power Act: Historical Perspectives. (Subcommittee on Energy and Power) .....	September 7, 2016
114-165 .....	Examining Legislation to Improve Public Health. (Subcommittee on Health) .....	September 8, 2016
114-166 .....	Rural Call Quality and Reliability. (Subcommittee on Communications and Technology).	September 8, 2016
114-167 .....	An Examination of Federal Mental Health Parity Laws and Regulations. (Subcommittee on Health).	September 9, 2016
114-168 .....	The Affordable Care Act on Shaky Ground: Outlook and Oversight. (Subcommittee on Health and Subcommittee Oversight and Investigations).	September 14, 2016
114-169 .....	Disrupter Series: Advanced Robotics. (Subcommittee on Commerce, Manufacturing, and Trade).	September 14, 2016
114-170 .....	The Department of Energy's Role in Advancing the National, Economic, and Energy Security of the United States. (Subcommittee on Energy and Power).	September 15, 2016
114-171 .....	Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards For Motor Vehicles. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Energy and Power).	September 22, 2016
114-172 .....	Modernizing the Telephone Consumer Protection Act. (Subcommittee on Communications and Technology).	September 22, 2016
114-173 .....	Bioresearch Labs and Inactivation of Dangerous Pathogens. (Subcommittee on Oversight and Investigations).	September 27, 2016
114-174 .....	Disrupter Series: Self-Driving Cars (Subcommittee on Commerce, Manufacturing, and Trade).	November 15, 2016
114-175 .....	Understanding the Role of Connected Devices in Recent Cyber Attacks. (Subcommittee on Commerce, Manufacturing, and Trade and Subcommittee on Communications and Technology).	November 16, 2016
114-176 .....	Examining the United States Preventive Services Task Force (Subcommittee on Health).	November 30, 2016
114-177 .....	Volkswagen's Emissions Cheating Settlement: Questions Concerning ZEV Program Implementation. (Subcommittee on Oversight and Investigations).	December 6, 2016
114-178 .....	Waste and Duplication in the USDA Catfish Inspection Program (Subcommittee on Health).	December 7, 2016
114-179 .....	Mixed Martial Arts: Issues and Perspectives (Subcommittee on Commerce, Manufacturing, and Trade).	December 8, 2016

## ADDENDUM

### SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

#### MEMBERSHIP AND ORGANIZATION

ONE HUNDRED FOURTEENTH CONGRESS

(Ratio 8–6)

MARSHA BLACKBURN, Tennessee, *Chairman*

JOSEPH R. PITTS, Pennsylvania

DIANE BLACK, Tennessee

LARRY BUCSHON, Indiana

SEAN P. DUFFY, Wisconsin

ANDY HARRIS, Maryland

VICKY HARTZLER, Missouri

MIA B. LOVE, Utah

JANICE D. SCHAKOWSKY, Illinois,

*Ranking Member*

JERROLD NADLER, New York

DIANA DEGETTE, Colorado

JACKIE SPEIER, California

SUZAN K. DELBENE, Washington

BONNIE WATSON COLEMAN,  
New Jersey

#### SELECT INVESTIGATIVE PANEL STAFF

##### MAJORITY STAFF

MARCH BELL, *Staff Director and Chief Counsel*

RACHEL COLLINS, *Investigative Counsel and Legislative Clerk*

MAUREEN CONDIC, *Senior Science Advisor*

CHUCK FLINT, *Policy Coordinator*

MARY HARNED, *Investigative Counsel*

EMILY JOHNS, *Research Assistant*

EMILY LATAIF, *Research Assistant*

MIKE REYNARD, *Communications Director*

FRANK SCATURRO, *Senior Investigative Counsel*

MATTHEW TALLMER, *Investigator*

##### DETAILEES

PIERRE KAMGA, *GAO*

##### MINORITY STAFF

HEATHER SAWYER, *Staff Director*

ZACHARY BARON, *Senior Counsel*

VANESSA CRAMER, *Professional Staff Member*

KAREN LIGHTFOOT, *Communication Director/Senior Advisor*

## SUMMARY OF ACTIVITIES

Total Bills and Resolutions Referred to Committee .....	0
Public Laws .....	0
Bills and Resolutions Reported to the House .....	0
Hearings Held:	
Days of Hearings .....	2
Select Investigative Panel .....	2
Hours of Sitting .....	6:33
Select Investigative Panel .....	6:33
Business Meetings:	
Days of Meetings .....	1
Select Investigative Panel .....	1
Hours of Sitting .....	00:57
Select Investigative Panel .....	00:57

On October 7, 2015, H. Res. 461 was considered in the House, and the resolution was passed, without amendment, by a roll call vote of 242 yeas and 184 nays (Roll Call No. 538). The resolution provided:

*Resolved*, That there is hereby established a Select Investigative Panel of the Committee on Energy and Commerce (hereinafter “select panel”). Sec. 2. (a) The select panel shall be composed of not more than 14 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom not more than six shall be appointed on the recommendation of the minority leader. Any vacancy in the select panel shall be filled in the same manner as the original appointment. (b) Each member appointed to the select panel shall be treated as though a member of the Committee on Energy and Commerce for purposes of the select panel. (c) No member may serve on the select panel in an ex officio capacity. (d) The Speaker shall designate as chair of the select panel a member elected to the Committee on Energy and Commerce. Sec. 3. (a) The select panel is authorized and directed to conduct a full and complete investigation and study and issue a final report of its findings (and such interim reports as it may deem necessary) regarding—(1) medical procedures and business practices used by entities involved in fetal tissue procurement; (2) any other relevant matters with respect to fetal tissue procurement; (3) Federal funding and support for abortion providers; (4) the practices of providers of second and third trimester abortions, including partial birth abortion and procedures that may lead to a child born alive as a result of an attempted abortion; (5) medical procedures for the care of a child born alive as a result of an attempted abortion; and (6) any changes in law or regulation necessary as a result of any findings made under this subsection. (b) The chair of the Committee on Energy and Commerce shall cause any such report to be printed and made publicly available in electronic form. Sec. 4. Rule XI and the rules of the Committee on Energy and Commerce shall apply to the select panel in the same manner as a subcommittee except as follows: (1) The chair of the select panel, consistent with the notification, consultation, and reporting requirements of rule 16 of the rules of the Com-

mittee on Energy and Commerce, may authorize and issue subpoenas pursuant to clause 2(m) of rule XI in the investigation and study conducted pursuant to section 3, including for the purpose of taking depositions. (2) The chair of the select panel, upon consultation with the ranking minority member, may order the taking of depositions, under oath and pursuant to notice or subpoena, by a member of the select panel or a counsel of the select panel. Such depositions shall be governed by the regulations issued by the chair of the Committee on Rules pursuant to section 3(b)(2) of House Resolution 5, One Hundred Fourteenth Congress, and printed in the Congressional Record. The select panel shall be deemed to be a committee for purposes of such regulations. (3) The chair of the select panel may, after consultation with the ranking minority member, recognize—(A) members of the select panel to question a witness for periods longer than five minutes as though pursuant to clause 2(j)(2)(B) of rule XI; and (B) staff of the select panel to question a witness as though pursuant to clause 2(j)(2)(C) of rule XI. Sec. 5. Service on the select panel shall not count against the limitations in clause 5(b)(2)(A) of rule X. Sec. 6. The select panel shall cease to exist 30 days after filing the final report required under section 3.

### HEARINGS

On March 2, 2016, the Select Investigative Panel of the Committee on Energy and Commerce held a hearing entitled “Bioethics and Fetal Tissue.” The purpose of the hearing was to focus upon ethical issues raised as a result of information recently made public about fetal tissue donations, transfer of fetal tissue, and use of fetal tissue by research institutions. The Select Investigative Panel received testimony from R. Alta Charo, Professor of Law and Bioethics, University of Wisconsin at Madison; Paige Comstock Cunningham, Executive Director, The Center for Bioethics & Human Dignity; Gerard Kevin Donovan, Senior Clinical Scholar, Kennedy Institute of Ethics, Georgetown University; Lawrence S.B. Goldstein, Distinguished Professor, Department of Cellular and Molecular Medicine, Department of Neurosciences, University of California, San Diego School of Medicine; Patrick Lee, Professor, Center for Bioethics, Franciscan University of Steubenville; and Kathleen M. Schmainda, Professor, Center for Imaging Research, Medical College of Wisconsin.

On April 20, 2016, the Select Investigative Panel of the Committee on Energy and Commerce held a hearing entitled “The Pricing of Fetal Tissue.” The purpose of the hearing was to focus upon the issues raised as a result of information the Select Investigative Panel has learned about the fetal tissue industry. The Select Investigative Panel received testimony from Benjamin Sasse, Senator, United States Senate; Jeanne Shaheen, Senator, United States Senate; Kenneth Sukhia, Sukhia Law Group; Michael Norton, Thomas N. Scheffel and Associates, P.C.; Catherine Glenn Foster, Charlotte Lozier Institute, Sound Legal; Brian Lennon, Warner, Norcross, and Judd; Fay Clayton, Robinson, Curley, and Clayton, P.C.; and Robert Raben, President and Founder, The Raben Group.

### **BUSINESS MEETING**

On September 21, 2016, the Select Investigative Panel of the Committee on Energy and Commerce held a business meeting to consider a report of the Select Investigative Panel of the Committee on Energy and Commerce recommending that the U.S. House of Representatives find StemExpress, LLC, and Catherine Spears Dyer, founder and Chief Executive Officer of StemExpress, LLC, in contempt of Congress for refusal to comply with subpoenas duly issued by the Select Investigative Panel of the Committee on Energy and Commerce. A motion to order the Report approved was agreed to by a roll call vote of 8 yeas and 0 nays.

### **DOCUMENT REQUESTS**

On December 17, 2015, the Select Investigative Panel of the Committee on Energy and Commerce sent document request letters to 4 entities.

On December 18, 2015, the Select Investigative Panel of the Committee on Energy and Commerce sent document request letters to 5 entities.

On January 6, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent document request letters to 3 entities.

On January 20, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent a document request letter to 1 entity.

On January 21, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent document request letters to 17 entities.

On January 28, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent a document request letter to 1 entity.

On February 12, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent a document request letter to 1 entity.

On March 30, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent document request letters to 4 entities.

On May 18, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent a document request to 1 entity.

On May 19, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent document requests to 21 entities.

On May 25, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent a document request to 1 entity.

On November 2, 2016, the Select Investigative Panel of the Committee on Energy and Commerce sent document requests to 3 entities.

### **SUBPOENAS**

On February 16, 2016, the Select Investigative Panel of the Committee on Energy and Commerce issued 3 subpoenas.

On March 29, 2016, the Select Investigative Panel of the Committee on Energy and Commerce issued 12 subpoenas.

On April 29, 2016, the Select Investigative Panel of the Committee on Energy and Commerce issued 9 subpoenas.

On May 5, 2016, the Select Investigative Panel of the Committee on Energy and Commerce issued 12 subpoenas.

On November 2, 2016, the Select Investigative Panel of the Committee on Energy and Commerce issued 4 subpoenas.

On November 3, 2016, the Select Investigative Panel of the Committee on Energy and Commerce issued 1 subpoena.

### DEPOSITIONS

On May 6, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a deposition.

On May 11, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a deposition.

### TRANSCRIBED INTERVIEWS

On July 21, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a transcribed interview.

On October 6, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a transcribed interview.

On October 19, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a transcribed interview.

On November 1, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a transcribed interview.

On November 17, 2016, the Select Investigative Panel of the Committee on Energy and Commerce conducted a transcribed interview.

### REPORT

Please refer to the final report of the Select Investigative Panel of the Committee on Energy and Commerce for additional information.

### HEARINGS HELD

Serial No.	Hearing Title	Hearing Date(s)
114-A .....	Bioethics and Fetal Tissue. (Select Investigative Panel) .....	March 2, 2016
114-A .....	The Pricing of Fetal Tissue. (Select Investigative Panel) .....	April 20, 2016

## DISSENTING VIEWS

The House Energy and Commerce Committee Democrats exercise their right under House Rule XI to submit these dissenting views to this Energy and Commerce Committee end-of-114th Congress, legislative and oversight activity report (Activity Report).

House Rule XI gives the majority party authority and responsibility to set our committee's agenda and to determine the scope and scrutiny of its oversight and investigative actions.

While there were significant bipartisan accomplishments this Congress of the Committee, unfortunately, there were too many missed opportunities. During this Congress, Committee Republicans focused a great deal of their attention on a trio of topics relating to their opposition of the Affordable Care Act (ACA), climate change, and EPA regulation of fossil-fuels and greenhouse gas emissions.

The attack of the ACA and its implementation of the Act continued for the third straight Congress to be the Republicans' top political target. Committee Activity Report statistics, coupled with the more than 60 votes taken in our committee and on the House floor to repeal or defund the ACA, affirm this widely-held observation. For example, the Health subcommittee held 47 days of hearings and its Members sat for almost 16 hours of legislative markup time in the 114th Congress. That was more than one-third of the committee's total sitting time at markups (46.5 hours). Unfortunately, the Republican Majority's agenda was not focused on how to enhance the ACA, but instead on how to undermine it wherever possible.

The majority's oversight of the ACA resulted in zero solutions to provide more affordable, quality health care coverage to Americans. On the other hand, the majority's health agenda included pursuits of unsubstantiated claims of fraud and abuse in the Marketplaces and the Medicaid program.

The ACA's successes are clear. Over 20 million individuals now have health insurance because of the ACA and the uninsured rate is at a historic low. The majority of people with Marketplace plans are satisfied with their coverage. The ACA protects all Americans from being denied insurance coverage or charged a higher premium based on a pre-existing condition. Americans now have access to free preventive services, kids can stay on their parents' plan up to age 26, and there are no lifetime or annual limits on coverage. Since the enactment of the ACA, the solvency of the Medicare Trust Fund has been extended by 13 years. In addition, unnecessary hospital readmissions in Medicare have fallen for the first time on record, resulting in 100,000 fewer readmissions in 2015 alone. None of the health reform plans released by the majority in this session would provide coverage to as many individuals, offer



better benefits, or protect individuals with preexisting conditions more than the ACA already does.

Committee Republicans also targeted the EPA's Clean Power Plan and a series of carbon, methane, and fracking regulations, wrongly labelled and caricaturized by Republicans as so-called "job-killers."<sup>1</sup> The Subcommittee on Energy and Power convened for 37 days of hearings and nine days of markup activity. Energy and Power subcommittee members also spent more than 89 hours in hearings and nearly eight hours in legislative markup sessions. Committee time would have been more productive if the Republican Majority accepted the scientific fact that climate change exists, and worked in a bipartisan fashion with Democrats to modernize our energy infrastructure and to make it cleaner, cheaper, and healthier, all while creating more American jobs.

In fact, most of the Subcommittee on Energy and Power's attention focused on bills that would have curtailed environmental protections, diminished public participation and transparency, allowed more pollution, increased harm to public health and disregarded well established science. At the same time, it rejected Democratic efforts to provide actual funding for sorely needed electric grid and gas pipeline infrastructure modernization. Similarly, the Subcommittee on Environment and the Economy continued to pursue partisan legislation on coal ash disposal, despite strong opposition from Subcommittee Democrats and the Obama Administration.

The Subcommittee on Energy and Power also considered several bills designed to undermine critical protections in the Clean Air Act. These included a bill that would give opponents of the EPA's Brick and Clay rule the ability to put off much-needed reduction in toxic air pollution; a bill that would give waste coal-burning power plants a free pass on EPA's Mercury and Cross-State rules, allowing them to emit more than their fair share of pollution; and a bill that would eviscerate the health-based air quality standards at the heart of the Clean Air Act, undermining decades of progress on cleaning up pollution and protecting public health from all criteria pollutants—not just ozone. Testimony received in hearings on these bills did not demonstrate the need for legislation or justify the particular policy changes proposed. In reality, these bills were thinly veiled attempts by House Republicans at dismantling one of the most successful public health laws.

Unfortunately, this Congress, Committee chairmen afforded their Republican colleagues an unwarranted abundance of chances and platforms to attack these Republican-targeted laws, programs, and agency regulators. Consequently, the committee did not have time to take up and address other important problems that are hurting American workers, consumers, and business owners. For example, the Subcommittee on Environment and the Economy continued to ignore major threats to public health, including our deteriorating drinking water infrastructure and the risks posed by climate change to drinking water, Superfund cleanups, and waste disposal

<sup>1</sup> Committee Activity Report statistics for the 114th Congress could be construed as measuring even higher on these counts. It could be claimed, for instance, that the hourly and daily amounts spent by the Subcommittee on Oversight and Investigations on (and in preparing for) ACA-health, greenhouse gas emissions, and environmental protection related hearings and oversight and investigative activity are also revealing indicators of committee engagement on the trio of topics.

sites. These were lost opportunities to focus on building a stronger economy that creates more good paying jobs and protects consumers.

Our overall consumer economy, including the American workforce, rely and depend heavily on a highly functioning and productive Congress and Energy and Commerce Committee. Accordingly, the majority party should have set an agenda that is focused on strengthening our economy and consumer protections, not on partisan gamesmanship.

FRANK PALLONE, Jr.,  
*Ranking Member,*  
*House Energy and Commerce Committee.*

