

professional, means a professional that has met the requirements and is approved to provide covered medical services in accordance with State laws and regulations in the primary State. Such term may include the registration or certification, or any other form of special recognition, of an individual as such a professional, as applicable.

**(8) National governing body**

The term “national governing body” has the meaning given such term in section 220501 of title 36.

**(9) Primary State**

The term “primary State” means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional’s practice is underwritten for medical professional liability insurance coverage.

**(10) Secondary State**

The term “secondary State” means, with respect to a covered sports medicine professional, any State that is not the primary State.

**(11) State**

The term “State” means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

**(12) Substantially similar**

The term “substantially similar”, with respect to the licensure by primary and secondary States of a sports medicine professional, means that both the primary and secondary States have in place a form of licensure for such professionals that permits such professionals to provide covered medical services.

(Pub. L. 115–254, div. A, §12, Oct. 5, 2018, 132 Stat. 3197.)

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 115–254, div. A, §11, Oct. 5, 2018, 132 Stat. 3197, provided that: “This division [enacting this chapter] may be cited as the ‘Sports Medicine Licensure Clarity Act of 2018’.”

**CHAPTER 113—CONCRETE MASONRY PRODUCTS RESEARCH, EDUCATION, AND PROMOTION**

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**§ 8701. Declaration of policy**

**(a) Purpose**

The purpose of this chapter is to authorize the establishment of an orderly program for developing, financing, and carrying out an effective, continuous, and coordinated program of research, education, and promotion, including funds for marketing and market research activities, that is designed to—

(1) strengthen the position of the concrete masonry products industry in the domestic marketplace;

(2) maintain, develop, and expand markets and uses for concrete masonry products in the domestic marketplace; and

(3) promote the use of concrete masonry products in construction and building.

**(b) Limitation**

Nothing in this chapter may be construed to provide for the control of production or otherwise limit the right of any person to manufacture concrete masonry products.

(Pub. L. 115–254, div. E, §1302, Oct. 5, 2018, 132 Stat. 3469.)

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 115–254, div. E, §1301, Oct. 5, 2018, 132 Stat. 3469, provided that: “This division [enacting this chapter] may be cited as the ‘Concrete Masonry Products Research, Education, and Promotion Act of 2018’.”

**§ 8702. Definitions**

For the purposes of this chapter:

**(1) Block machine**

The term “block machine” means a piece of equipment that utilizes vibration and compaction to form concrete masonry products.

**(2) Board**

The term “Board” means the Concrete Masonry Products Board established under section 8704 of this title.

**(3) Cavity**

The term “cavity” means the open space in the mold of a block machine capable of forming a single concrete masonry unit having nominal plan dimensions of 8 inches by 16 inches.

**(4) Concrete masonry products**

The term “concrete masonry products” refers to a broader class of products, including concrete masonry units as well as hardscape products such as concrete pavers and segmental retaining wall units, manufactured on a block machine using dry-cast concrete.

**(5) Concrete masonry unit**

The term “concrete masonry unit”—

(A) means a concrete masonry product that is a manmade masonry unit having an actual width of 3 inches or greater and manufactured from dry-cast concrete using a block machine; and

(B) includes concrete block and related concrete units used in masonry applications.

**(6) Conflict of interest**

The term “conflict of interest” means, with respect to a member or employee of the Board, a situation in which such member or employee has a direct or indirect financial or other interest in a person that performs a service for, or enters into a contract with, for anything of economic value.

**(7) Department**

The term “Department” means the Department of Commerce.

**(8) Dry-cast concrete**

The term “dry-cast concrete” means a composite material that is composed essentially of aggregates embedded in a binding medium composed of a mixture of cementitious materials (including hydraulic cement, pozzolans, or other cementitious materials) and water of such a consistency to maintain its shape after forming in a block machine.

**(9) Education**

The term “education” means programs that will educate or communicate the benefits of concrete masonry products in safe and environmentally sustainable development, advancements in concrete masonry product technology and development, and other information and programs designed to generate increased demand for commercial, residential, multifamily, and institutional projects using concrete masonry products and to generally enhance the image of concrete masonry products.

**(10) Machine cavities**

The term “machine cavities” means the cavities with which a block machine could be equipped.

**(11) Machine cavities in operation**

The term “machine cavities in operation” means those machine cavities associated with a block machine that have produced concrete masonry units within the last 6 months of the date set for determining eligibility and is fully operable and capable of producing concrete masonry units.

**(12) Manufacturer**

The term “manufacturer” means any person engaged in the manufacturing of commercial concrete masonry products in the United States.

**(13) Masonry unit**

The term “masonry unit” means a non-combustible building product intended to be laid by hand or joined using mortar, grout, surface bonding, post-tensioning or some combination of these methods.

**(14) Order**

The term “order” means an order issued under section 8703 of this title.

**(15) Person**

The term “person” means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

**(16) Promotion**

The term “promotion” means any action, including paid advertising, to advance the image and desirability of concrete masonry products with the express intent of improving the competitive position and stimulating sales of concrete masonry products in the marketplace.

**(17) Research**

The term “research” means studies testing the effectiveness of market development and promotion efforts, studies relating to the improvement of concrete masonry products and new product development, and studies documenting the performance of concrete masonry.

**(18) Secretary**

The term “Secretary” means the Secretary of Commerce.

**(19) United States**

The term “United States” means the several States and the District of Columbia.

(Pub. L. 115–254, div. E, §1303, Oct. 5, 2018, 132 Stat. 3469.)

**§ 8703. Issuance of orders**

**(a) In general**

**(1) Issuance**

The Secretary, subject to the procedures provided in subsection (b), shall issue orders under this chapter applicable to manufacturers of concrete masonry products.

**(2) Scope**

Any order shall be national in scope.

**(3) One order**

Not more than 1 order shall be in effect at any one time.

**(b) Procedures**

**(1) Development or receipt of proposed order**

A proposed order with respect to the generic research, education, and promotion with regards to concrete masonry products may be—

(A) proposed by the Secretary at any time;

or

(B) requested by or submitted to the Secretary by—

(i) an existing national organization of concrete masonry product manufacturers; or

(ii) any person that may be affected by the issuance of an order.

**(2) Publication of proposed order**

If the Secretary determines that a proposed order received in accordance with paragraph (1)(B) is consistent with and will effectuate the purpose of this chapter, the Secretary shall publish such proposed order in the Federal Register not later than 90 days after receiving the order, and give not less than 30 days notice and opportunity for public comment on the proposed order.