



Legislative Bulletin September 10, 2013

Contents:

- H.R. 1155 - National Association of Registered Agents and Brokers Reform Act of 2013, as amended
- H.R. 2747 - Streamlining Claims Processing for Federal Contractor Employees Act
- H.R. 1891 - Science Laureates of the United States Act of 2013
- S. 130 - Powell Shooting Range Land Conveyance Act
- S. 157 - Denali National Park Improvement Act
- S. 304 - Natchez Trace Parkway Land Conveyance Act of 2013
- S. 256 - A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa
- S. 459 - Minuteman Missile National Historic Site Boundary Modification Act

H.R. 1155 — National Association of Registered Agents and Brokers Reform Act of 2013, as amended (Neugebauer, R-TX)

Order of Business: The legislation is expected to be considered on [September 10, 2013](#), under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: [H.R. 1155](#) creates a non-profit board, the National Association of Registered Agents and Brokers (NARAB), to serve as a clearinghouse for insurance agents and brokers to obtain multi-state licenses. NARAB would be a private, non-profit entity comprised of a majority of state insurance regulators as well as marketplace representatives. It will serve as a portal for agents and brokers to operate in additional states, provided they pay the required state non-resident licensing fees and meet the NARAB standards for membership. NARAB would not have federal regulatory power.

Additional Background: H.R. 2554, The National Association of Registered Agents and Brokers Reform Act of 2010 passed the House under a motion to suspend the rules and pass the bill on March 3, 2010. H.R. 5611, the National Association of Registered Agents and Brokers Reform Act of 2008 passed the House under a motion to suspend the rules and pass the bill on September 17, 2008.

Administration Position: At time of press, no Statement of Administration Policy was available.

Cost to Taxpayers: At time of press, no Congressional Budget Office cost estimate was available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes, the states may not opt out of NARAB; however State insurance commissioners would continue to be responsible for regulating market conduct and products as well as policing unfair trade practices within their jurisdictions. States would also continue to license resident agents and brokers, and set standards that NARAB must consider in devising its standards for membership. NARAB will also be governed by a bipartisan board of directors consisting of state insurance commissioners.

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the bill sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3--The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.” Congressman Neugebauer’s statement in the Congressional Record can be viewed [here](#).

Outside Organizations in Support:

- National Association of Insurance Commissioners & The Center for Insurance Policy and Research
- American Association of Managing General Agents
- Council of Insurance Agents and Brokers
- Independent Insurance Agents and Brokers of America
- Insured Retirement Institute
- National Association of Insurance and Financial Advisors
- National Association of Mutual Insurance Companies
- National Association of Professional Surplus Lines Offices
- Property Casualty Insurance Association of America

RSC Staff Contact: Scott Herndon, Scott.Herndon@mail.house.gov, 202-226-2076

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H.R. 2747 — Streamlining Claims Processing for Federal Contractor Employees Act (Walberg, R-MI)

Order of Business: The legislation is expected to be considered on [September 10, 2013](#), under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: [H.R. 2747](#) transfers authority for processing of claims for the payment of wages due to mechanics and laborers on public works projects from Government Accountability Office to the Department of Labor.

Administration Position: At time of press, no Statement of Administration Policy was available.

Cost to Taxpayers: At time of press, no Congressional Budget Office cost estimate was available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the bill sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I, section 8, clause 3 of the Constitution of the United States.” Congressman Walberg’s statement in the Congressional Record can be viewed [here](#).

RSC Staff Contact: Scott Herndon, Scott.Herndon@mail.house.gov, 202-226-2076

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H.R. 1891 — Science Laureates of the United States Act of 2013 (Lofgren, D-CA)

Order of Business: The legislation is expected to be considered on [September 10, 2013](#), under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: [H.R. 1891](#) establishes the Science Laureates of the United States. Laureates would be appointed by the President and could serve either one or two-year terms. Up to three Laureates could serve consecutively. The Laureates shall be chosen from a variety of scientific disciplines including geophysics, astronomy, physics, biology, chemistry, mathematics and others. The duties of the Laureates are to engage the public and increase the public's awareness about science.

Administration Position: At time of press, no Statement of Administration Policy was available.

Cost to Taxpayers: At time of press, no Congressional Budget Office cost estimate was available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the bill sponsor, "Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the Constitution of the United States." Rep. Lofgren's statement in the Congressional Record can be viewed [here](#).

RSC Staff Contact: Scott Herndon, Scott.Herndon@mail.house.gov, 202-226-2076

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S. 130 - Powell Shooting Range Land Conveyance Act (Sen. Enzi, R-WY)

Order of Business: The legislation is expected to be considered September 10, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: S. 130 directs the Secretary of Interior to convey to the Powell Recreation District (District) all right, title and interest in 322 acres of land. This land is currently managed by the Bureau of Land Management, and is in the Wind River District of Wyoming.

As a condition of receiving the land, the District agrees to operate a shooting range on the property. The District is also allowed to use the property for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the 'Recreation and Public Purposes Act') (43 U.S.C. 869 et seq.).

The legislation directs the District to pay all survey costs and other administrative costs necessary for the preparation and completion of the land transfer. As a condition of receiving the land, the District agrees to release and indemnify the U.S. from any claims and liabilities that may arise.

Committee Action: S. 130 was introduced on January 24, 2013, and was referred to the Senate Energy and Natural Resources Committee. A full committee markup was held on March 14, 2013, and the legislation was approved by voice vote, without amendment. The legislation passed the Senate on June 19, 2013, by unanimous consent, and was referred to the House Natural Resources Subcommittee on Public Lands and Environmental Regulation. A markup in the House was not held.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing the legislation would have no significant impact on the federal budget. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO, S. 130 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Senate rules do not require a statement of constitutional authority to accompany legislation when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

**S. 157 - Denali National Park Improvement Act
(Sen. Murkowski, R-AK)**

Order of Business: The legislation is expected to be considered September 10, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: S. 157 would authorize the Secretary of Interior to issue microhydro permits in the Kantishna Hills area. Kantishna Hills is located within Denali National Park and Reserve.

Within 180 of enactment, the Secretary of Interior shall complete an analysis as required by National Environment Policy Act of the proposed or existing microhydro projects.

The legislation would also allow the Secretary to exchange land with Doyon Tourism, Inc. (Doyon). The legislation directs the Secretary to seek to complete the exchange by February 1, 2015. The legislation does not specifically indicate the size of the land that would be obtained by Doyon, nor does it indicate the exact location of the land exchanged. However, this legislation does indicate that if the Secretary exchanges land with Doyon, the Secretary would obtain approximately 18 acres that is currently owned by Doyon.

In the event that the land exchanged between the Secretary and Doyon are not of equal value, the acreage amounts may be adjusted. Any land obtained by the Secretary would become park of Denali National Park and Reserve.

The legislation allows the Secretary to issue right-of-way permits for a high-pressure natural gas transmission pipeline (including appurtenances) in nonwilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park. The Secretary is also allowed to issue right-of-way permits for any distribution and transmission pipelines and appurtenances that the Secretary determines are necessary to provide natural gas supply to the Park.

S. 157 also designates the Talkeetna Ranger Station, located 100 miles south of the entrance of Denali National Park, as the Walter Harper Talkeetna Ranger Station.

Additional Information: Similar legislation, H.R. 441, passed the House of Representatives on October 24, 2011, by voice vote. The RSC Legislative Bulletin for H.R. 441 can be [viewed here](#).

Walker Harper was the first person to reach the summit of Denali (also known as Mount McKinley), North America's highest peak, on June 7, 1913.

Committee Action: S. 157 was introduced on January 28, 2013, and was referred to the Senate Energy and Natural Resources Committee. A full committee markup was held on March 14, 2013, and the legislation was approved by voice vote, without amendment. The legislation passed the Senate on June 19, 2013, by unanimous consent, and was

referred to the House Natural Resources Subcommittee on Public Lands and Environmental Regulation. A markup in the House was not held.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates CBO estimates that implementing S. 157 would have no significant impact on the federal budget. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO, S. 157 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Senate rules do not require a statement of constitutional authority to accompany legislation when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

S. 304 - Natchez Trace Parkway Land Conveyance Act of 2013 (Cochran, R-MS)

Order of Business: The legislation is expected to be considered September 10, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: S. 304 directs the Secretary of the Interior to convey to the state of Mississippi, all right, title and interest in 2 parcels totaling approximately 67 acres. The United States shall reserve an easement on the property that restricts the parcel to only those uses which are compatible with the Natchez Trace Parkway.

The legislation also adjusts the boundary of the Natchez Trace Parkway to exclude the conveyed land.

Additional Information: According to the National Park Service, the Natchez Trace Parkway is a 444-mile scenic drive through Alabama, Mississippi, and Tennessee.

Committee Action: S. 304 was introduced on February 13, 2013, and was referred to the Senate Energy and Natural Resources Committee. A full committee markup was held on March 14, 2013, and the legislation was approved by voice vote, without amendment. The legislation passed the Senate on June 19, 2013, by unanimous consent, and was

referred to the House Natural Resources Subcommittee on Public Lands and Environmental Regulation. A markup in the House was not held.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing the act would have no significant impact on the federal budget. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO, S. 304 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Senate rules do not require a statement of constitutional authority to accompany legislation when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

S. 256 - A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa (*Sen. Wyden, D-OR*)

Order of Business: The legislation is expected to be considered September 10, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: S. 256 provides the Northern Mariana Islands with the same ownership and jurisdiction over offshore submerged lands as has been provided to other United States territories like Guam.

Additionally, the legislation halts the scheduled minimum wage increase in the Northern Mariana Islands for 2013 and 2015.

Additional Information: After World War II, the Islands were administered by the United States and they chose to keep close ties with the United States. In 1975, Congress approved a covenant to establish a commonwealth in political union with the U.S. A new government and constitution went into effect in 1978.

Similar legislation, H.R. 670, passed the House on October 3, 2011, by a [roll call vote of 397-0](#). The RSC Legislative Bulletin for H.R. 670 can be [viewed here](#). Similar

legislation, H.R. 934, passed the House by a [roll call vote of 416-0](#) on July 15, 2009. The RSC Legislative Bulletin for H.R. 934 can be [viewed here](#).

As a result of the [Fair Labor Standards Act](#) (P.L. 110-28), when the federal minimum wage was mandated to be increased, American Samoa and the Commonwealth of the Northern Mariana Islands were given a transition period. The current minimum wage for the Northern Mariana Islands is \$5.55 per hour. Under current law, the minimum wage is set to increase every year by \$0.50 until it reaches the federal minimum wage of \$7.25 per hour.

The 111th Congress passed, and the President signed into law, H.R. 3940, which delayed the minimum wage increase in the American Samoa and the Commonwealth of the Northern Mariana Islands for 2010. This legislation passed the House on September 30, 2010, by a [roll call vote of 386-5](#). The RSC Legislative Bulletin for H.R. 3940 can be [found here](#).

Democrat Inconsistency Alert: Some Members may note the hypocrisy of delaying an increase in the minimum wage for a particular territory, yet doing nothing to address the harmful causes that the minimum wage causes for the rest of the United States.

Since the minimum wage increase has taken affect in American Samoa and the Commonwealth of the Northern Mariana Islands, thousands of jobs have been lost to Taiwan. In a [press release](#), Rep. Faleomavaega (Del-D-AS) recognizes the “legitimate concerns” regarding minimum wage increases on communities.

Committee Action: S. 256 was introduced on February 7, 2013, and was referred to the Senate Energy and Natural Resources Committee. A full committee markup was held on May 16, 2013, and the legislation was approved by voice vote, without amendment. The legislation passed the Senate on August 1, 2013, by unanimous consent, and was referred to the House Natural Resources Committee, as well as the House Education and Workforce Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing S. 256 would have no significant cost to the federal government. CBO’s report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO, S. 256 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Senate rules do not require a statement of constitutional authority to accompany legislation when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

S. 459 - Minuteman Missile National Historic Site Boundary Modification Act (*Sen. Johnson, D-SD*)

Order of Business: The legislation is expected to be considered September 10, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: S. 459 authorizes a visitor facility and administrative site at the Minuteman Missile National Historic Site in South Dakota. According to CBO, the amounts to construct the facility have already been appropriated.

The legislation authorizes the visitor facility and administrative site to consist of 25 acres of land within the Buffalo Gap National Grassland, and an additional 3.65 acres of land located at the Delta 1 Launch Control Facility. This land will be transferred from the Secretary of Agriculture to the Secretary of Interior, and the boundary of the Buffalo Gap National Grassland will be adjusted to exclude this acreage.

Committee Action: S. 459 was introduced on March 5, 2013, and was referred to the Senate Energy and Natural Resources Committee. A full committee markup was held on May 14, 2013, and the legislation was approved by voice vote, without amendment. The legislation passed the Senate on June 19, 2013, by unanimous consent, and was referred to the House Natural Resources Subcommittee on Public Lands and Environmental Regulation. A House markup was not held.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing S. 459 would have no significant effect on the federal budget. Authority to transfer the land and to build and operate a facility was provided in the legislation that established the park unit in 1999. At that time, CBO estimated that the cost of constructing the facility would be about \$5 million. That amount has already been appropriated for the project. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO, S. 459 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Senate rules do not require a statement of constitutional authority to accompany legislation when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.
