H.R. 1138—Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act (Rep. Simpson, R-ID)

CONTACT: NICHOLAS RODMAN, <u>NICHOLAS.RODMAN@MAIL.HOUSE.GOV</u>, 6-8576

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 1138 would designate 276,000 acres of federal land as wilderness areas in Idaho, and would convey portions of the <u>Sawtooth National Recreation Area</u> as wilderness study areas to local various county and city governments in the state.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

COST: The Congressional Budget Office (CBO) <u>estimates</u> that implementing H.R. 1138 would cost less than \$500,000 over the 2016-2020 period. H.R. 1138 would not affect direct spending or revenues, and payas-you-go procedures do not apply.

DETAILED SUMMARY AND ANALYSIS: The bill would designate 276,000 acres of federal land in Idaho as wilderness and as a component of the National Wilderness Preservation System. The wilderness areas would be administered through the Department of Agriculture by the Forest Service, and the Department of the Interior by the Bureau of Land Management. The federal government would not reserve any water rights with respect to the designated wilderness areas. The federal government would be authorized to acquire any land or interest in land within the boundaries of the wilderness areas by donation, exchange, or purchase from a willing seller.

The Bureau of Land Management and the Forest Service would additionally be required to convey roughly 700 acres of land to several municipalities in Idaho including Blaine County, Custer County, and the cities of Challis, Clayton, as well as Stanley. The House Natural Resources Committee mark-up hearing memo for H.R. 1138 can be found here.

COMMITTEE ACTION: This bill was introduced on February 26, 2015 and was referred to the House Committee on Natural Resources.

ADMINISTRATION POSITION: No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: "The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

H.R. 774—Illegal, Unreported, and Unregulated Fishing Enforcement Act, as amended (Del. Bordallo, D-GU)

CONTACT: NICHOLAS RODMAN, <u>NICHOLAS.RODMAN@MAIL.HOUSE.GOV</u>, 6-8576

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 774 would authorize additional provisions for the National Oceanic and Atmospheric Administration (NOAA) to enforce fisheries laws and to combat illegal, unreported, and unregulated fishing.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS: H.R. 774 would amend and standardize the implementing statues for eight existing international fishery agreements to impose the sanctions of the <u>High Seas Driftnet Fishing Moratorium Protection Act</u>, while also applying additional civil and criminal penalties against violators of the new enforcement provisions. The eight agreements include the <u>Pacific Salmon Treaty Act of 1985</u>, the Dolphin Protection Consumer Information Act, the Tuna Conventions Act of 1950, the North Pacific Anadromous Stocks Act of

COST: The Congressional **Budget Office (CBO)** estimates that implementing H.R. 774 would cost \$2 million over the 2016-2020 period. H.R. 774 could increase revenues and associated direct spending, and pay-as-you-go procedures apply. However, CBO estimates that such increases in penalties and spending would be less than \$500,000 annually and would offset each other in most years.

1992, the Atlantic Tunas Convention Act of 1975, the Northwest Atlantic Fisheries Convention Act of 1995, the Western and Central Pacific Fisheries Convention Implementation Act, and the Antigua Convention Implementing Act of 2015.

Title I of the bill would authorize the Secretary of Commerce to utilize the personnel services, equipment (including aircraft and vessels), and facilities of any other federal agency, and of any state agency to enforce a series of laws and conventions related to fishing. The Secretary would be

authorized to engage in international cooperation to help other nations combat illegal, unreported, and unregulated fishing and achieve sustainable fisheries. The section would require the Secretary of Commerce to keep a list of countries with vessels, including vessels or vessel owners identified by an international fishery management organization, engaged in illegal, unreported, and unregulated fishing in the preceding three years.

The section would authorize \$450,000 for each of fiscal years 2016 through 2020 to the Secretary of Commerce, through the NOAA to expand the agency's efforts to identify vessels conducting illegal and unregulated fishing activities. The section would further amend and expand civil and criminal penalties for violations under the High Seas Driftnet Fisheries Enforcement Act, the North Pacific Anadromous Stocks Act of 1992, the Pacific Salmon Treaty Act of 1985, the Western and Central Pacific Fisheries Convention Implementation Act, the Antarctic Marine Living Resources Convention Act of 1984, the Atlantic Tunas Convention Act of 1975, the High Seas Fishing Compliance Act of 1995, the Dolphin Protection Consumer Information Act, the Northern Pacific Halibut Act of 1982, and the Northwest Atlantic Fisheries Convention Act of 1995. The bill would also amend the Magnuson-Stevens Fishery Conservation and Management Act by prohibiting a person from importing, exporting, transporting, or purchasing in interstate or foreign commerce any fish taken, in violation of any foreign law or regulation or any treaty adopted by an international agreement or organization to which the United States is a party.

Title II of the bill would authorize the implementation of the "Antigua Convention", or the <u>Convention</u> for the <u>Strengthening</u> of the <u>Inter-American Tropical Tuna Commission</u> established by the 1949 Convention between the United States and the Republic of Costa Rica. The convention sets up the Inter-American Tropical Tuna Commission. The Secretary may promulgate regulations to carry out United States international obligations under the Convention, including recommendations and decisions adopted by the Tuna Commission.

Title III would implement the <u>Port State Measures Agreement</u>, adopted by the United Nations in 2009 to prevent illegally caught fish from entering world ports and the global seafood market. The section would require a vessel seeking entry to a port that is subject to the jurisdiction of the United States must submit to the Coast Guard information as required under the Agreement in advance of its arrival in port. The Coast Guard would then be authorized to deny or allow the vessel to enter the port and to inspect it. The House report (H. Rept. 114-212) accompanying H.R. 774 can be found <u>here</u>. The House Natural Resources Committee mark-up memo for H.R. 744 can be found <u>here</u>.

COMMITTEE ACTION: This bill was introduced on February 5, 2015 and was referred to the House Committee on Natural Resources, the House Committee on Transportation and Infrastructure, and the House Judiciary Committee. The bill was then ordered to be reported (amended) by the House Committee on Natural Resources on July 20, 2015.

ADMINISTRATION POSITION: No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

Concur in the Senate Amendment to H.R. 2499— Veterans Entrepreneurship Act of 2015 (Rep. Chabot, R-OH)

CONTACT: REBEKAH ARMSTRONG, REBEKAH.ARMSTRONG@MAIL.HOUSE.GOV, 202-226-0678

FLOOR SCHEDULE: JULY 27, 2015 UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: This bill would amend <u>House-passed H.R.</u> 2499 to concur with an amendment made in the Senate. The amendment made in the Senate would: (1) increase the authorization for general business loans under section 7(a) of the Small Business Act to \$23,500,000,000; (2) make technical changes and institute changes to eligibility requirements for loan recipients; and (3) require the SBA to submit a quarterly report on the Section 7(a) loan program.

COST: There is no updated Congressional Budget Office (CBO) estimate at this time.

CONSERVATIVE CONCERNS: Some conservatives may be concerned this bill would increase the authorization level for SBA general business loans. With more than \$3 trillion in loans on its books, many conservatives believe that federal government should not be expanding existing federal loan programs and putting more taxpayer dollars at risk.

- **Expand the Size and Scope of the Federal Government?** This bill would increase the authorization of SBA 7(a) general business loans.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

DETAILED SUMMARY AND ANALYSIS: The 7(a) Loan Program administered by the Small Business Association (SBA) guarantees a portion of a loan made by participating lending institutions. Although the SBA does not provide funds to the borrower, if the borrow defaults the SBA pays off the guaranteed portion of the remaining loan balance which leaves taxpayers on the hook. According to the Congressional Research Service, in fiscal year (FY) 2014, the SBA approved 52,044 7(a) loans totaling \$19.2 billion. The average approved 7(a) loan amount was \$368,737.

The Senate amendment would increase the authorization for general business loans under section 7(a) of the Small Business Act from \$18,750,000,000 to \$23,500,000,000. The amendment would also make technical changes regarding the guarantee of loans. After October 1, 2015 the SBA administrator may not guarantee a loan if the lender determines the borrower is unable to obtain credit elsewhere.

Finally, the amendment would require quarterly reports on the loan programs carried out under section 7 (a) of the Small Business Act.

Read the RSC legislative bulletin for the House-passed version of H.R. 2499, here.

COMMITTEE ACTION: This legislation was introduced on May 21, 2015 and referred to the House Committee on Small Business. It was ordered to be reported by voice vote on June 10, 2015. On July 13, 2015, the House passed H.R. 2499 by a vote of <u>410-1</u>. The Senate passed the bill, with an amendment, by unanimous consent on July 23, 2015.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: A constitutional authority statement is not required for amendments.

S. 1482—Need-Based Educational Aid Act of 2015 (Sen. Grassley, R-IA)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: <u>S. 1482</u> would extend an expiring exemption to antitrust laws in section 568 of the <u>Improving America's Schools Act of</u> 1994 for seven years.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

COST: The Congressional
Budget Office (CBO) estimates
that this bill would not have a
significant effect on the federal
budget.

DETAILED SUMMARY AND ANALYSIS: This section of the Improving America's Schools Act allows colleges and universities to collaborate on certain financial aid practices. The existing antitrust exemption was established in 1992 and has been extended four times. It is currently set to expire on September 30, 2015. S. 1482 would narrow the existing antitrust exemption by eliminating paragraph Section (a)(4) which allowed data exchange concerning a student's family with an independent third party before awarding financial aid. S. 1482 would also extend its expiration to September 30, 2022.

This legislation passed the Senate by Unanimous Consent on July 14, 2015.

The House companion bill, <u>H.R. 2604</u> (Smith, R-TX) was reported by committee by voice vote on July 8, 2015.

COMMITTEE ACTION: This bill was introduced on May 14, 2015 and was referred to the House Committee on the Judiciary, where it was ordered reported by voice vote on July 8, 2015.

ADMINISTRATION POSITION: No Statement of Administration Position is available.

CONSTITUTIONAL AUTHORITY: (For the House Companion) Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this legislation is based is found in Article 1, Section 8, Clause 3.

H.R. 1656—Secret Service Improvements Act of 2015, as amended (Rep. Goodlatte, R-VA)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: <u>H.R. 1656</u> would improve the performance of the Secret Service and allow them the resources to carry out their mission effectively.

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

CONSERVATIVE CONCERNS: There are no substantive concerns.

- **Expand the Size and Scope of the Federal Government?** It would expand the Secret Service by mandating the hiring of at least 280 Secret Service Agents.
- Encroach into State or Local Authority? No
- Delegate Any Legislative Authority to the Executive Branch? No
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No

DETAILED SUMMARY AND ANALYSIS: Over the past several years, the Secret Service has come under scrutiny for a series of <u>scandals</u> and <u>failures</u> to perform their duties. In March, the Committee on Oversight and Government Reform held a <u>hearing</u> on Secret Service missteps, following news of high-ranking Secret Service agents drinking and driving following a holiday party which resulted in two agents crashing a car though a temporary barricade only feet away from a suspicious package near the White House. The agents were not given a sobriety test.

This legislation would require Senate approval when the president appoints a Secret Service director. H.R. 1656 would clarify that causing an object to enter a restricted building or area with knowledge and intent that doing so would disrupt government business constitutes a federal crime. This bill would also expand the prohibition against threatening former presidents and their families to former vice presidents and members of their families.

This legislation would authorize the director of the Secret Service to construct new facilities at the Rowley Training Center to improve training of the Uniformed Division and the Presidential Protective Detail and would allow the director to hire at least 200 officers for the Uniformed Division and at least 80 officers for the Detail.

H.R. 1656 would require the director to adopt improved procedures for evaluating vulnerabilities to White House Security and threats to persons protected by the Secret Service, including threats from drones or explosive devices. The bill would also require the director to evaluate how technology can be

used to improve security and response. H.R. 1656 would require the Secret Service director to evaluate the practicability of arming agents with additional weapons not currently provided.

Finally, this legislation would express the sense of Congress that an assessment of White House security should be accorded deference by the National Capital Planning Commission, the Commission of Fine Arts, and any other relevant entity. The Secret Service would also be required to notify Congress of any expenditures for permanent facilities, equipment, and services to secure any additional non-governmental property. This legislation would require the creation of an Ethics Program Office.

COMMITTEE ACTION: This bill was introduced on March 26, 2015 and was referred to the House Committee on the Judiciary, where it was ordered reported amended by voice vote on July 15, 2015.

ADMINISTRATION POSITION: No Statement of Administration Position is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this legislation is based is found in Article 1, Section 8, Clause 3.

H.R. 2750—Improved Security Vetting for Aviation Workers Act, as amended (Rep. Katko, R-NY)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: <u>H.R. 2750</u> would improve vetting procedures for individuals with unescorted access to sensitive airport areas.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS: This legislation would require the Transportation Security Administration (TSA) to coordinate with interagency partners to determine <u>Terrorist Identity Datamart Environment</u> (TIDE) codes needed to adequately vet individuals. This bill would also require the TSA to issue new guidance to inspectors to conduct an annual review of airport badging procedures and documentation for granting access to individuals. The TSA would be required to determine the feasibility of implementing the FBI's <u>Rap-Back system</u> for recurrent criminal

COST: The Congressional Budget Office (CBO) cost estimates that H.R. 2750 would have no significant effect on the federal budget because many of the data-sharing activities authorized under H.R. 2750 are already occurring under current law. CBO estimates that any additional costs incurred under the legislation would not exceed \$500,000 annually, which would be subject to the availability of appropriated funds.

vetting and issue new guidance mandating expiration dates for airport credentials for workers with temporary work authorizations for the United States. This bill would also direct the TSA to identify, review, and address airports with issues determining an individual's legal work status.

COMMITTEE ACTION: This bill was introduced on June 12, 2015 and was referred to the House Committee on the Judiciary, where it was ordered reported by voice vote on June 16, 2015.

ADMINISTRATION POSITION: No Statement of Administration Position is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this legislation is based is found in Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 18.

H.R. 2770—Keeping Our Travelers Safe and Secure Act, as amended (Rep. Rice, D-NY)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 2770 would authorize the Transportation Security Administration (TSA) administrator to develop and institute a preventive maintenance validation process for security-related technology sent to airports.

CONSERVATIVE CONCERNS: There are no substantive concerns

- Expand the Size and Scope of the Federal Government? No
- Encroach into State or Local Authority? No
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No

Delegate Any Legislative Authority to the Executive Branch? No

DETAILED SUMMARY AND ANALYSIS: The Department of Homeland Security issued a report on the TSA's screening equipment maintenance and determined that adequate policies are not in place and that equipment is not maintained according to manufacturer instructions. The report found that TSA lacked adequate policies to oversee such maintenance. If not properly maintained, equipment could have a shorter lifespan and become less effective.

This legislation would require the TSA administrator to implement a preventive maintenance validation process within 180 days following the enactment of this bill, which would provide guidance on how to conduct and document maintenance measures and mechanisms to ensure compliance for airport administrators. Section 3 would stipulate that when maintenance is performed, additional verification procedures are required. The contractor would be required to provide monthly maintenance reports detailing which maintenance tasks have been performed and completed. This section would also require an independent validation. Penalties for non-compliance would be in order. This section would require

COST: The Congressional Budget Office (CBO) estimates that implementing this legislation would have no significant effect on the federal budget.

the DHS inspector general to assess implementation of this act within one year of enactment and provide findings and recommendations.

A committee report can be found here.

COMMITTEE ACTION: This bill was introduced on June 15, 2015 and was referred to the House Committee on the Judiciary, where it was ordered reported by voice vote on June 25, 2015.

ADMINISTRATION POSITION: No Statement of Administration Position is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this legislation is based is found in Article 1, Section 8.

H.R. 2843—TSA PreCheck Expansion Act, as amended (Rep. Katko, R-NY)

CONTACT: NICHOLAS RODMAN, NICHOLAS.RODMAN@MAIL.HOUSE.GOV, 6-8576

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 2843 would direct the Department of Homeland Security to expand the enrollment of its Transportation Security Administration (TSA) PreCheck program.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS: The bill would require the Department of Homeland Security to publish PreCheck application enrollment standards to add multiple private sector application capabilities for the TSA PreCheck program in order to increase the public's enrollment access.

with interested parties to deploy TSA-approved ready-to-market

The TSA Administrator would then be required to: (1) coordinate

COST: The Congressional Budget Office (CBO) estimates that H.R. 2843 would have no significant impact on the federal budget. CBO estimates that any net change in TSA's spending for increased credentialing activities would not be significant in any year. CBO also estimates that implementing H.R. 2843 would not significantly affect TSA's overall costs to provide screening at airport checkpoints.

private sector solutions; (2) partner with the private sector to collect biographic and biometric identification information via kiosks, mobile devices, or other mobile enrollment platforms; (3) ensure that the kiosks, and mobile devices are certified as secure and not vulnerable to data breaches; (4) ensure that any biometric and biographic information is collected in a manner which is comparable with the National Institute of Standards and Technology standards and ensures privacy and data security protections consistent with the Privacy Act of 1974; (5) ensure that an individual who wants to enroll in the PreCheck program and has started an application with a single identification verification at one location will be able to save the application on any kiosk, personal computer, or mobile device, and be able to return within a reasonable time to submit a second identification verification; and (6) ensure that any enrollment expansion using a private sector risk assessment instead of a fingerprint-based criminal history records check is determined to be equivalent to a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation.

The TSA Administrator would be required to leverage Department-held data and technologies to verify the citizenship of individuals enrolling in the TSA PreCheck program, and partner with the private sector to use advanced biometrics and standards comparable with National Institute of Standards and Technology standards. The Administrator would additionally be required to initiate an assessment of the security vulnerabilities in the PreCheck program's vetting process that includes an evaluation of whether subjecting PreCheck participants to recurrent fingerprint-based criminal history records checks, in addition to recurrent checks against the terrorist watchlist, could be done in a cost-effective manner.

The House report (H. Rept. 114-221) accompanying H.R. 2843 can be found here. According to the committee report, "while the [PreCheck] program has helped TSA achieve a number of cost and operational efficiencies, [the agency] has relied too heavily on alternate forms of granting passengers expedited PreCheck screening. These alternate methods, known as Managed Inclusion and Risk Assessment, have caused confusion among travelers and have come at the expense of comprehensive efforts by TSA to focus on expanding full enrollment and converting "unknown" passengers into "known" travelers."

COMMITTEE ACTION: This bill was introduced on June 19, 2015 and was referred to the House Committee on Homeland Security. The bill was then ordered to be reported (amended) by the Committee on July 22, 2015.

ADMINISTRATION POSITION: No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3--To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and Article I, Section 8, Clause 18--To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

H.R. 2127—Securing Expedited Screening Act, as Amended (Rep. Thompson, D-MS)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 2127 would direct the administrator of the Transportation Security Administration (TSA) to restrict access of expedited airport screening at airport security checkpoints to PreCheck Program participants and other low risk passengers.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS: Under the <u>Aviation and Transportation Security Act</u>, the TSA is authorized to create programs to expedite security screening for participating passengers. In October 2011, the TSA began its <u>PreCheck</u> Pilot Program, allowing a limited number of passengers access to special security lanes. In December 2013, TSA opened the program to eligible participants who

COST: The Congressional Budget Office (CBO)
estimates that any net change in TSA's spending for credentialing activities under H.R. 2127 would not exceed \$500,000 in any year. H.R. 2127 would not significantly affect TSA's overall costs to provide screening at airport checkpoints. H.R. 2127 would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

submitted biographic and biometric information. These individuals are generally known to be low risk and have either been vetted by the administrator or a Department of Homeland Security (DHS) trusted traveler program, or are chosen on a case-by-case basis through the TSA <u>managed inclusion</u> process. According to the TSA, this process includes canine teams, behavior detection officers, explosive trace detection machines, and other security mechanisms.

A December 2014 comptroller general <u>report</u> indicated the program was expanding rapidly and measures were needed to ensure the effectiveness of the managed inclusion program. On March 16, 2015, the DHS inspector general released a <u>report</u> that detailed that PreCheck procedures were being applied improperly, allowing a passenger that had committed felonies as a member of a domestic terrorist group access to expedited screening.

H.R. 2127 would require the TSA administrator to limit expedited airport security screening within 180 days to:

- (1) Passengers who voluntarily submit biographic and biometric information for security risk assessments and whose application for PreCheck is approved by DHS or another authorized partner program;
- (2) Passengers traveling under the <u>Risk-Based Security for Members of the Armed Forces Act</u>, the <u>Helping Heroes Fly Act</u>, or the <u>Honor Flight Act</u>; or,
- (3) Passengers designated by TSA as low-risk, who may be assigned unique, known travel numbers to designate low-risk status.

This bill would stipulate that security measures for expedited screening must remain at or above the current level. H.R. 2127 would also stipulate that children under 12 traveling with a PreCheck enrolled guardian and seniors over 75 are able to obtain expedited screening.

This bill would allow for the 180-day time period to be extended for up to one year for passengers that receive expedited screening through frequent flyer programs. If this authority is used, the administrator would be required to notify Congress.

TSA would be allowed to permit expedited screening under alternate methods that are submitted and approved by Congress, if the method is reliable, effective, mitigates security threats, and addresses evolving security risks.

The bill would also require TSA to submit a report to Congress detailing the percentage of passengers receiving expedited screening, the percentage that are members of PreCheck, the percentage that are members of other trusted programs, the percentage issued known travel numbers, and information on any others allowed expedited access.

TSA would not be authorized through this bill to reduce or limit the availability of expedited screening or the use of technologies for security.

A committee report for the bill can be found <u>here</u>.

COMMITTEE ACTION: This bill was introduced on April 30, 2015 and was referred to the House Committee on the Judiciary, where it was ordered reported by voice vote on June 25, 2015.

ADMINISTRATION POSITION: No Statement of Administration Position is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this legislation is based is found in Article 1, Section 8.

H.R. 1300—First Responder Anthrax Preparedness Act, as amended (Rep. King, R-NY)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: <u>H.R. 1300</u> would amend the <u>Homeland Security Act of 2002</u> to establish a pilot program to make anthrax vaccines and antimicrobials available to emergency responders.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS: The nation's ability to mount a response to a wide-range anthrax attack may be strengthened when emergency response professionals are vaccinated in advance of an attack. This legislation would require the Department of Homeland Security (DHS) to acquire from the strategic national stockpile a surplus of anthrax vaccines and antimicrobials with short shelf lives, and make them available to emergency responders. This bill would require DHS to establish tracking systems in order to facilitate the availability of the vaccines and antimicrobials, and to disclose risks to end users. H.R. 1300 would require the creation of a pilot program, lasting

COST: The Congressional Budget Office (CBO) estimates that implementing H.R. 1300 would cost about \$4 million over the 2016-2020 period. H.R. 1300 would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

at least 18 months, to administer the vaccines and antimicrobials. Prior to the program's enactment, DHS would be required to conduct an economic analysis of the program and create a platform to process vaccine requests. DHS would also be required to choose providers in a minimum of two states to participate in the program and must conduct outreach to educate emergency professionals and to disclose risks.

This bill would require DHS to support homeland security-driven risk analyses and assessments of the terror threats associated with anthrax, to leverage homeland security abilities to improve prevention, protection, response and recovery operations in relation to an anthrax attack, and to share information and provide reports on the threats associated with anthrax to state, local, and tribal authorities, in addition to national biosecurity and biodefense stakeholders.

A committee report can be found <u>here</u>.

COMMITTEE ACTION: This bill was introduced on March 3, 2015 and was referred to the House Committee on the Judiciary, where it was ordered reported by voice vote on May 20, 2015.

ADMINISTRATION POSITION: No Statement of Administration Position is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this legislation is based is found in Article 1, Section 8, Clause 1, to provide for the defense of the United States.

H.R. 2206 – Statewide Interoperable Communications (SWIC) Enhancement Act (Rep. Payne, D-NJ)

CONTACT: JENNIFER WEINHART, JENNIFER.WEINHART@MAIL.HOUSE.GOV, 202-226-0706

FLOOR SCHEDULE: JULY 27, 2015 UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 2206 would amend the Homeland Security Act of 2002 to require applications for State Homeland Security Grant Program funding to contain a certification that the governor of the applicant state has designated a Statewide Interoperability Coordinator, or, indicate with point of contact information, that the state is performing the functions of a statewide interoperability coordinator (SWIC).

CONSERVATIVE CONCERNS: There are no substantive concerns.

- **Expand the Size and Scope of the Federal Government?** No.
- Encroach into State or Local Authority? Yes. It requires the states to designate a new position, or take on the role of SWIC themselves.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No

DETAILED SUMMARY AND ANALYSIS: Recently, the Interoperable Emergency Communications grant program was eliminated. Funding has also been cut to certain state and local homeland security grant programs, and states are eliminating SWICs. This legislation would require the designation of a SWIC, or for the state to indicate it is performing the functions of a SWIC to receive state homeland security grants.

The purpose of a statewide interoperability program is to ensure that communications systems of emergency response agencies work together. The functions of the coordinator would include: 1) overseeing daily operations of the state's interoperability efforts; 2) coordinate state interoperability and communications projects, in addition to grant applications for these projects; 3) create and maintain working groups to establish and implement interoperability initiatives; and 4) implement and update a Statewide Communications Interoperability Plan that details state efforts to enhance communications interoperability and future goals. This bill would not apply retroactively to grants applications prior to the enactment of this act.

COMMITTEE ACTION: This legislation was introduced on May 1, 2015 and was referred to the House Committee on Homeland Security where it was ordered to be reported by voice vote on May 20, 2015.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States.

COST: Congressional Budget Office (CBO) estimates that this legislation would have no effect on the federal budget because it would not modify the workload of the Department of Homeland Security.

H.R. 2206 would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

H.R. 1634— Border Security Technology Accountability Act of 2015, as amended (Rep. McSally, R-AZ)

CONTACT: NICHOLAS RODMAN, <u>NICHOLAS.RODMAN@MAIL.HOUSE.GOV</u>, 6-8576

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: <u>H.R. 1634</u> would require the Department of Homeland Security to improve the acquisition and management of border security technology.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

COST: The Congressional Budget Office (CBO) estimates that H.R. 1634 would cost less than \$500,000. This legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

DETAILED SUMMARY AND ANALYSIS: The bill would require the

Department of Homeland Security, for each border security technology acquisition program, to ensure that each program has a written acquisition program baseline approved by the relevant acquisition decision authority; to document that each program is meeting cost, schedule, and performance thresholds; and to have a plan for meeting program implementation objectives by managing contractor performance.

The bill would additionally mandate that the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection ensure that border security technology acquisition program managers adhere to relevant internal control standards identified by the Government Accountability Office (GAO), and ensure that the Commissioner provide information to assist the Under Secretary in monitoring proper program management. H.R. 1634 would further direct the Department of Homeland Security to submit a plan to Congress for the testing and evaluation of border security technology.

COMMITTEE ACTION: This bill was introduced on March 25, 2015 and was referred to the House Committee on Homeland Security. The bill was then ordered to be reported (amended) by the Committee on June 25, 2015.

ADMINISTRATION POSITION: No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

H.R. 998—Preclearance Authorization Act of 2015, as amended (Rep. Meehan, R-PA)

CONTACT: NICHOLAS RODMAN, <u>NICHOLAS.RODMAN@MAIL.HOUSE.GOV</u>, 6-8576

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JULY 27, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: <u>H.R. 998</u> would authorize the Secretary of Homeland Security to establish Customs and Border Protection (CBP) preclearance or inspection stations in foreign countries.

CONSERVATIVE CONCERNS: There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS: The bill would authorize the Department of Homeland Security to establish preclearance operations in order to: (1) prevent terrorists, instruments of terrorism, and other security threats from entering the United

COST: The Congressional Budget Office (CBO) estimates that H.R. 998 would not significantly affect federal spending. CBO also estimates that implementing the bill's requirements related to aviation security would not significantly affect federal costs. The bill would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

States, (2) prevent inadmissible persons from entering the United States, (3) ensure merchandise destined for the United States complies with applicable laws, and (4) ensure the prompt processing of persons eligible to travel to the United States.

Section 4 of the legislation would require the Secretary of Homeland Security to notify Congress 180 days before entering into an agreement with a foreign government to establish a preclearance operation. The Secretary would be required to submit: (1) a copy of the proposed agreement specifying date, location, and funding sources, (2) an impact assessment on legitimate trade and travel, (3) a homeland security threat assessment at the proposed preclearance location, (4) an impact assessment for Customs and Border Protection staffing at domestic ports of entry, (5) information on potential economic, competitive, and job impacts on United States air carriers associated with establishing preclearance operations, (6) information on the anticipated homeland security benefits, in addition to potential security vulnerabilities and mitigation plans, (7) Customs and Border Protection's staffing model for preclearance operations, including anticipated costs for the next five fiscal years, (8) a copy of the agreement, and other factors the Secretary determines to be necessary for Congress to assess the appropriateness of commencing the preclearance facility.

The section would also require the Secretary of Homeland Security to report to Congress 90 days before entering into an agreement with a foreign government to establish a preclearance operation and certify: (1) that at least one United States passenger carrier operates at that location, (2) that foreign government screening procedures meet or exceed United States screening requirements, (3) that the Secretary of Homeland Security has considered alternative options to preclearance operations, (4) that new airport preclearance operations will not increase customs processing times at United States

airports, and (5) that CBP consulted interested parties and stakeholders before entering into an agreement.

Section 5 would mandate that the aviation security screening standards at a preclearance location be comparable to that required by the Transportation Security Administration (TSA), and requires rescreening of passengers and property by the TSA in the United States if the aviation security screening standards at a preclearance location are not maintained to TSA standards.

An identical bill (<u>H.R. 3488</u>) was introduced in the 113th Congress and passed by voice vote on July 8, 2014. The RSC's legislative bulletin for H.R. 3488 can be found <u>here</u>. The House report (H. Rept. 114-219) accompanying H.R. 998 can be found <u>here</u>.

COMMITTEE ACTION: This bill was introduced on February 13, 2015 and was referred to the House Committee on Ways and Means and the House Committee on Homeland Security. The bill was then ordered to be reported by the House Committee on Homeland Security on July 22, 2015.

ADMINISTRATION POSITION: No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States.

H.R. 1831— Evidence-Based Policymaking Commission Act of 2014, as amended (Rep. Ryan, R-WI)

CONTACT: REBEKAH ARMSTRONG, REBEKAH.ARMSTRONG@MAIL.HOUSE.GOV, 202-226-0678

FLOOR SCHEDULE: JULY 27, 2015 UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 1831 would establish the Commission on Evidence Based Policymaking to conduct a comprehensive study of the data inventory, data infrastructure, and statistical protocols related to federal policymaking.

CONSERVATIVE CONCERNS: There are no substantive conservative concerns.

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

DETAILED SUMMARY AND ANALYSIS: This bill would establish the Commission on Evidence Based Policymaking which would be

COST: The Congressional
Budget Office (CBO)
estimates that implementing
H.R. 1831 would cost \$3
million over the 2016-2020
period. The bill would
authorize several federal
agencies to contribute up to
\$3 million from appropriated
funds to carry out the duties
of the commission.

comprised of 15 members who have expertise in economics, statistics, and database management. The Commission would conduct a comprehensive study of the data inventory, data infrastructure, and statistical protocols related to federal policymaking to: (1) determine the optimal arrangement for which federal program administrative data is made available to for program research; (2) make recommendations on how data infrastructure should be modified to fulfil objectives; and (3) how best to incorporate outcomes measurement into program design. The Commission would submit a report to the president and Congress with its recommendation for legislation or administrative action. The Commission would terminate no later than 18 months after the date of enactment.

COMMITTEE ACTION: This bill was introduced by Representative Ryan on April 16, 2015, and referred to the House Committee on Oversight and Government Reform. The committee held a mark-up where the bill was reported out, as amended, by voice vote.

Read the Committee Report <u>here</u>.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: According to the sponsor, Congress has the power to enact this legislation pursuant to the following: "Article I, Section 8, Clause 1 of the United States Constitution, to provide for the common Defence and general Welfare of the United States."

H.J. Res 61— Hire More Heroes Act of 2015 (Rep. Davis, R-IL)

CONTACT: REBEKAH ARMSTRONG, REBEKAH.ARMSTRONG@MAIL.HOUSE.GOV, 202-226-0678

FLOOR SCHEDULE: JULY 27, 2015 UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: This joint resolution would amend the Internal Revenue Code to allow employers to exclude employees who get their health care under TRICARE or from the Veterans Administration from the calculations used to determine whether an employer is an applicable large employer and therefore subject to the employer mandate under the Affordable Care Act (ACA).

CONSERVATIVE CONCERNS: There are no substantive conservative concerns.

- **Expand the Size and Scope of the Federal Government?** No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch?

Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No

COST: The Congressional
Budget Office (CBO) and the
Joint Committee on Taxation
(JCT) estimate enacting H.J.
Res. 61 would reduce
revenues, and thereby
increase budget deficits, by
\$816 million over the 20152025 period.

DETAILED SUMMARY AND ANALYSIS: H.R. 22, the Hire More Heroes Act, previously passed the House on January 6, 2015, by a vote of <u>412-0</u>. Since being sent to the Senate, the Senate stripped the underlying text and used the shell for their transportation bill.

The <u>TRICARE Affirmation Act of 2010</u> specifies that TRICARE is generally considered minimum essential coverage for shared responsibility requirements under the ACA. Likewise, enrollment in the VA health care system meets the health care law's minimum essential coverage standard, which went into effect on January 1, 2014.

Minimum essential coverage is explicitly defined as coverage under VA Health Care, Medicare Part A, Medicaid, CHIP, the TRICARE for Life program, the Peace Corps program, an eligible employer-sponsored plan (as defined by ACA), a governmental plan (local, state, federal) including the Federal Employees Health Benefits Program (FEHBP) and any plan established by an Indian tribal government, any plan offered in the individual, small group, or large group ACA market, a grandfathered health plan, and any other health benefits coverage, such as a state health benefits risk pool, as recognized by the HHS Secretary in coordination with the Treasury Secretary.¹

The ACA requires large-employers, defined as those with more than 50 full-time equivalent employees, to offer qualified health insurance to their employees or be subject to a penalty. The penalty is assessed on a monthly basis and is equal to the number of its full-time employees minus 30 (the penalty waives the first 30 full-time employees) multiplied by one-twelfth of \$2,000 for any applicable month. ² This bill would allow employers to hire veterans without them counting towards the 50 full-time equivalent threshold used for the employer mandate.

COMMITTEE ACTION: This joint resolution was introduced on July 23, 2015, and referred to the Committee on Ways and Means, and the Committee on the Budget where it awaits further action.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

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

H.R. 675—Veterans' Compensation Cost-of-Living Adjustment Act of 2015 (Rep. Abraham, R-LA)

CONTACT: REBEKAH ARMSTRONG, REBEKAH.ARMSTRONG@MAIL.HOUSE.GOV, 202-226-0678

FLOOR SCHEDULE: JULY 27, 2015 UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

19

¹ http://www.crs.gov/pages/Reports.aspx?PRODCODE=R41198&Source=search#fn27

TOPLINE SUMMARY: H.R. 675 would address several issues at the Department of Veterans Affairs (VA), including: (1) Cost-of-living increase for eligible veterans; (2) the Court of Appeals for Veterans Claims; and (3) improving the claims process.

CONSERVATIVE CONCERNS: There are no substantive conservative concerns.

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

COST: The Congressional

Budget Office (CBO) estimates
that enacting H.R. 675 would
decrease net direct spending by
\$4 million over the 2016-2025
period. In addition, CBO
estimates that implementing
the bill would cost \$5 million
over the 2016-2020 period.

DETAILED SUMMARY AND ANALYSIS: First, this bill would increase the cost-of-living adjustment (COLA) at the same rate as the Social Security increase for wartime disability compensation, additional compensation for dependents, the clothing allowance, dependency and indemnity for eligible veterans.

This bill would extend the <u>temporary expansion</u> of the <u>Court of Appeals for Veterans Claims</u> (CAVC) until January 1, 2020. In addition, it would allow the chief judge to recall eligible retired judges for temporary service on the CAVC if there was sufficient work to be assigned. Changes would be made to the Federal Employee Group Life Insurance (FEGLI) program to ensure CAVC judges would be eligible. In addition, CVAC judges would have their salary aligned the applicable rate of federal appellate court judges. Currently, their salary is set at the rate applicable to federal district court judges.

This bill would make several changes to improve the claims process at the VA. The bill would direct the secretary to make interim payments of monetary benefits for any medical condition for which VA adjudicated to the benefit of the veteran, even if VA has not yet made a decision with respect to all medical conditions claimed. The VA would be required to provide notice to all claims applicants that they are eligible to receive up to an extra year of benefits payment if a <u>Fully Developed Claim</u> (FDC) is filed. In addition, information must be posted regarding the average processing time of the claim and the percentage of submitted claims for which benefits are awarded.

This bill would provide for the payment to the estate of a veteran all or any part of such benefits to the veteran or to any other dependent or dependents of the veteran. According to the <u>committee report</u>, this would allow surviving adult children and other beneficiaries of the veteran's estate to receive the benefits the veteran was legally entitled.

Finally, the bill would direct the president to issue a proclamation each year for the observance of two minutes of silence on Veterans Day.

COMMITTEE ACTION: This bill was introduced by Representative Abraham on February 3, 2015 and referred to the House Committee on Veterans' Affairs. The committee held a mark-up and the bill was ordered in be reported in the nature of a substitute by voice vote.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the Constitution.

H.R. 1607— Ruth Moore Act of 2015 (Rep. Pingree, D-ME)

CONTACT: REBEKAH ARMSTRONG, REBEKAH.ARMSTRONG@MAIL.HOUSE.GOV, 202-226-0678

FLOOR SCHEDULE: JULY 27, 2015 UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 1607 would amend the disability compensation evaluation procedure for veterans with mental health conditions related to sexual trauma, and limit awards and bonuses paid to senior executive employees at the Department of Veterans Affairs (VA).

CONSERVATIVE CONCERNS: There are no substantive conservative concerns.

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

DETAILED SUMMARY AND ANALYSIS: This bill would require an annual report on the number of claims for disability compensation based on a covered mental health condition that were incurred or aggravated by military sexual trauma. The report would detail the number and percentage of approved claims as well as reasons for denial. In addition, the reports would include information on any training VA provides to its employees for handling such claims.

Finally, this bill would limit the awards and bonuses of Senior Executive Service (SES) VA employees during fiscal years 2016 through 2018 to no more \$2,000,000 per fiscal year. According to the <u>CBO</u>, the VA paid an average of \$3,500,000 annually from 2008 to 2012 for SES bonuses.

COMMITTEE ACTION: This bill was introduced by Representative Pingree on March 25, 2015, and referred to the House Committee on Veterans' Affairs. The committee held a mark-up and the mill was ordered to be reported in the nature of a substitute by voice vote.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Section I, Article 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

COST: The Congressional Budget
Office (CBO) estimates that H.R.
1607 would have an insignificant
effect on spending subject to
appropriation over the 2016-2020
period.

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

###