



Legislative Bulletin.....July 28, 2014

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H.R. 4156 — Transparent Airfares Act of 2014 (Shuster, R-PA)

Order of Business: H.R. 4156 is expected to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: H.R. 4156 would allow air carriers to advertise the base cost of airfare and separately disclose the government taxes and fees associated with the ticket, as well as the total cost of the ticket.

Additional Background: In 2012, the Department of Transportation [issued regulations](#) that require air carriers to include government taxes and fees in advertised fares. This change was implemented under the guise of “consumer protection,” however, many feel that it simply hides the true impact of government-imposed taxes and fees on the cost of travel. According to [Airlines for America](#), government taxes and fees can make up 21 percent of a typical roundtrip airfare. [Prior to these regulations](#), carriers were permitted to list taxes and fees separately from the base cost of a ticket in advertising.

For further additional background, see information from the [Transportation and Infrastructure Committee](#).

Committee Action: H.R. 4156 was introduced on March 6, 2014, and House Transportation and Infrastructure Committee. The Committee marked up and reported H.R. 4156 by voice vote on [April 9, 2014](#).

Outside Groups In Support:

- [Air Line Pilots Association International](#)
- [Airlines for America](#)
- [Alaska Airlines](#)
- [Allied Pilots Association](#)
- [American Airlines](#)
- [Americans for Tax Reform](#)
- [Association of Flight Attendants - CWA](#)
- [Coalition of Airline Pilots Association](#)
- [Cost of Government Center](#)
- [Delta Airlines](#)
- [International Association of Machinists & Aerospace Workers](#)
- [International Brotherhood of Teamsters](#)
- [JetBlue](#)
- [Southwest Airlines](#)
- [Southwest Airlines Pilots' Association](#)
- [Spirit Airlines](#)
- [United Airlines](#)

Cost to Taxpayers: According to [CBO](#), this legislation would “have no significant effect on the federal budget.”

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill overturns regulations that hide the true cost of government taxes and fees.

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

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: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the several States).”

RSC Staff Contact: Matt Dickerson, matthew.dickerson@mail.house.gov, 6-9718

H.R. 935 — Reducing Regulatory Burdens Act of 2013 (Gibbs, R-OH)

Order of Business: is expected to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: H.R. 935 would amend the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Water Pollution Control Act (also known as the Clean Water Act (CWA)) to prohibit the EPA from requiring National Pollutant Discharge Elimination System (NPDES) permits for the use of FIFRA regulated pesticides.

Additional Background: Similar legislation was passed by the House by a [292 – 130](#) vote in 2011 in the form of [H.R. 872](#), the Reducing Regulatory Burdens Act of 2011.

The [Federal Insecticide, Fungicide, and Rodenticide Act](#) allows the EPA to regulate pesticides. All pesticides must be licensed by the EPA.

The [Clean Water Act](#) allows the EPA to regulate the waters of the United States. Under the CWA, National Pollutant Discharge Elimination System (NPDES) permits must be obtained from the EPA to discharge pollutants into water bodies.

In general, the EPA has not required NPDES permits for the use of FIFRA regulated pesticides. Lawsuits in the 1990's created uncertainty over whether NPDES permits would be required for the use of FIFRA regulated pesticides near bodies of water. Consequently, the EPA finalized formal regulations in 2006 to clarify that FIFRA regulated pesticides are not pollutants under the CWA and therefore do not require NPDES permitting.

After further lawsuits, a federal court vacated the regulation and ruled that NPDES permits would be required for FIFRA regulated pesticides that are used on or near water bodies.

According to the [Agriculture Committee Report](#), these permitting requirements could apply to about 365,000 pesticide users and could cost as much as \$50,000 each annually. Violators of the regulations could face \$37,500 per day fines, which is problematic because most FIFRA regulated pesticide users have never been subject to the NPDES permitting process before.

Committee Action: H.R. 935 was introduced on March 4, 2013, and referred to the House Transportation and Infrastructure and the House Agriculture Committees. On [October 29, 2013](#), the Transportation and Infrastructure Committee marked up and reported the bill by voice vote. On [March 13, 2014](#), the House Agriculture Committee marked up and reported the bill by voice vote.

Cost to Taxpayers: According to [CBO](#), H.R. 935 would “have no significant effect on the federal budget.”

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill blocks burdensome regulations.

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

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: “Congress has the power to enact this legislation pursuant to the following: Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, section 8, clause 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the Constitution of the United States or in any department or officer thereof.”

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H.R. 4838 — To redesignate the railroad station located at 2955 Market Street in Philadelphia, Pennsylvania, commonly known as "30th Street Station", as the "William H. Gray III 30th Street Station" (Fattah, D-PA)

Order of Business: H.R. 4838 is expected to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: The legislation would name the [30th Street Railroad Station](#) in Philadelphia, Pennsylvania, as the “William H. Gray III 30th Street Station.”

Additional Background: Congressman [William H. Gray III](#) represented Philadelphia in the House of Representatives from 1979 to 1991. Gray served as the Chairman of the House Budget Committee in the 99th and 100th Congresses and the Democrat Whip in the 101st and 102nd Congresses. He resigned his seat in 1991 to head the United Negro College Fund. Congressman Gray [passed away](#) in July, 2013.

Committee Action: H.R. 4838 was introduced on June 11, 2014, and referred to the House Transportation and Infrastructure Committee.

Cost to Taxpayers: No CBO report is 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: “This bill is enacted pursuant to the power granted to Congress under Article I Section 8 Clause 3 of the United States Constitution, which states the United States Congress shall have power ``To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".”

RSC Staff Contact: Matt Dickerson, matthew.dickerson@mail.house.gov, 6-9718

S. 1799 – The Victims of Child Abuse Act (*Coons, D-DE*)

Order of Business: This legislation is scheduled for consideration on Monday, July 28, 2014, subject to a suspension of the rules, which requires a two-thirds majority vote for passage.

Summary: [S. 1799](#) amends the Victims of Child Abuse Act of 1990 ([42 U.S.C. 13004](#)) to authorize appropriations of \$20,000,000 for each fiscal year between FY2014-FY2018 for programs designed to improve investigation and prosecution of child abuse cases. The legislation amends current law to add additional accountability and audit requirements.

Additional Information: Current law authorized appropriations for fiscal years 2004 and 2005 for \$20,000,000. The legislation authorizes appropriations for:

- Grants designed to improve criminal prosecution of child abuse cases in state and federal court;
- The [children's advocacy program](#) and
- Grants from the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). More information about OJJDP can be viewed [here](#).

Committee Action: The legislation was introduced on December 11, 2013, and referred to the Senate Committee on the Judiciary. On June 26, 2014, the legislation passed the Senate with an amendment by [Unanimous Consent](#). On July 3, 2014, it was received in the House and referred to the House Committees on the Judiciary and the Committee on Education and the Workforce. There was no further Committee action on the bill.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office cost estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill authorizes appropriations for FY2014-FY2018. The last authorization of funds was for FY2004 and FY2005.

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

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

Constitutional Authority: No Constitutional Authority statement is available because Senate rules do not require them.

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H. J. Res. 105 – Conferring honorary citizenship on Bernardo de Galvez y Madrid, Viscount of Galveston (Miller, R-FL)

Order of Business: This legislation is scheduled for consideration on Monday, July 28, 2014, subject to a suspension of the rules, which requires a two-thirds majority vote for passage.

Summary: [H.J. Res. 105](#) confers honorary citizenship on Bernardo de Galvez y Madrid, Viscount of Galvez and Count of Valdez, for his actions to help the United States colonists during the Revolutionary War.

Additional Information: Congress has granted honorary citizen citizenship six times previously including to Mother Teresa and Winston Churchill. The last two recipients were also awarded honorary citizenship for their service during the Revolutionary War. Additional information can be found in Committee Report [113-548](#).

Committee Action: The resolution was introduced on January 9, 2014, and referred to the House Committee on the Judiciary. On July 10, 2014, the Committee favorably reported the bill by [voice vote](#).

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to the Congressional Budget Office [cost estimate](#) “enacting H.J. Res. 105 would result in no significant cost to the federal government and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.”

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I. Section 8.” Congressman Miller’s statement in the Congressional Record can be viewed [here](#).

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

H. R. 1771 – North Korea Sanctions Enforcement Act of 2013 (Rep. Royce, R-CA)

Order of Business: The bill is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 1771](#) expands existing sanctions against the North Korean regime in particular against illegal weapons proliferation, human rights abuses, and other illicit activities. Title I of the bill states that it is the policy of Congress to:

- Encourage all states to fully implement [United Nations Security Council Resolution 2094 \(2013\)](#);
- Sanction the persons, including financial institutions, that facilitate proliferation, illicit activities, arms trafficking, imports of luxury goods, serious human rights abuses, cash smuggling, and censorship by the Government of North Korea;
- Authorize the President to sanction persons who fail to exercise due diligence and comply;
- Deny the Government of North Korea access to the funds it uses to obtain nuclear weapons ballistic missiles and luxury goods instead of providing for the needs of its people; and
- Enforce sanctions in a manner that avoids any adverse humanitarian impact on the people of North Korea.

Title I requires the President of the United States to investigate sanctionable conduct involving the North Korean regime, and requires the President to designate entities that facilitate such illicit conduct. This section also requires that not later than 180 days after the bill’s enactment, the Administration President must brief Congress on North Korean assets and transactions. Section 104 of Title I designates prohibited conduct and entities subject to the sanctions, and it

also mandates that the President exercise the authorities of the [International Emergency Economic Powers Act](#) to impose criminal and civil penalties on activities that facilitate North Korea's illicit weapons proliferation, money laundering, imports of luxury goods, human rights abuses, and censorship. Section 105 of Title I would deposit any assets forfeited for violations of North Korea sanctions laws into a special fund for the enforcement of these sanctions, and for humanitarian purposes under the [North Korean Human Rights Act of 2004](#).

Title II of the legislation mandates that the Undersecretary of the Treasury for Terrorism and Financial Intelligence determine whether North Korea is a primary money laundering concern. The section also seeks to prohibit North Korean banks from directly or indirectly accessing the U.S. financial system. Title II would also:

- Stipulate that all states and jurisdictions are obligated to implement and enforce applicable United Nations Security Council resolutions fully and promptly;
- Provide as a sense of Congress that the President should intensify efforts to implement a diplomatic strategy to protect the global financial system from North Korean threats;
- Re-impose sanctions under the [Export Administration Act of 1979](#) (section 6(j), 50 United States Code App. 2045) and the [Arms Export Control Act](#) that applied to North Korea until it was removed from the list of state sponsors of terrorism in 2008;
- Bar designated persons, their officers, and their subsidiaries from receiving U.S. government contracts;
- Enhance sanctions against illicit weapons smuggling by requiring enhanced screening procedures to determine if physical inspections are warranted of any cargo bound for or landed in the United States that originated from foreign sea ports and airports whose inspections of ships, aircraft, and conveyances originating in North Korea, carrying North Korean property, or operated by the Government of North Korea. This section also permits the seizure of such cargo.
- Allow the Secretary of State and the Secretary of Homeland Security to deny the entry into the U.S. of any alien who is a designated person who has not complied with the sanctions.
- Provide for exclusions and waivers from sanctions for humanitarian aid, consular activities, for cooperating witnesses and banks, and when vital to the economic or national security interests of the United States.

Title III of H. R 1771 seeks to strengthen the promotion of human rights in North Korea by amending the North Korean Human Rights Act of 2004 by:

- Requiring the President to study the feasibility of bringing unmonitored and inexpensive cellular and internet communications to the people of North Korea, to break the information blockade the regime has imposed on its own population, and

- Requiring reports by the Department of State on North Korea's extensive political prison camps, and a report that identifies severe human rights abusers in North Korea, taking into consideration the findings in the [United Nations Commission of Inquiry into Human Rights in North Korea](#).

Title IV of the bill allows for a one-year suspension of sanctions, renewable for one consecutive year, if North Korea takes significant steps toward disarmament and reform, while preventing the premature relaxation of sanctions for false North Korean promises. It would also allow for the termination of these sanctions if the North Korean regime were to undergo a fundamental change in governance – including the release of all political prisoners – toward an open and free society in line with international norms.

Title IV also provides for an offset, by amending the [Enhanced Partnership with Pakistan Act of 2009](#) by striking “\$1,500,000,000” and inserting “\$1,490,000,000.”

Additional Information: According to the findings of the bill, the Government of North Korea has repeatedly violated its commitments to the complete, verifiable, irreversible dismantlement of its nuclear weapons programs, and has willfully violated multiple United Nations Security Council resolutions calling for it to cease its development, testing, and production of weapons of mass destruction. North Korea has been implicated repeatedly in money laundering and illicit activities, including prohibited arms sales, narcotics trafficking, the [counterfeiting](#) of United States currency, and the counterfeiting of intellectual property of United States persons. The North Korean regime has also been considered one of the worst violators of human rights by maintaining a vast system of [brutal political prison camps](#) that contain as many as 120,000 men, women, and children, who live in inhumane living conditions. A House Foreign Affairs Committee summary of the bill can be found [here](#).

Committee Action: The bill was introduced on April 26, 2013 and was referred to the House Committees on Foreign Affairs, Financial Services, Ways and Means, Judiciary, and Oversight and Government Reform. On May 29, 2014, the bill was marked-up and ordered to be reported in the nature of a substitute (amended) by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that implementing the bill would cost \$10 million over the 2015-2019 period, assuming appropriation of the estimated amounts. Pay-as-you-go procedures apply to this legislation because it would affect direct spending and revenues; however, CBO estimates that those effects would not be significant. Provisions of H. R. 1771 would increase administrative costs of the Department of State and the Department of the Treasury. Based on information from the Administration, CBO estimates that the departments would hire 10 additional employees to implement the bill and would require additional appropriations averaging \$2 million a year over the 2015-2019 period. The CBO estimate can be found [here](#).

While not accounted for in the CBO score, Title IV of the bill provides an offset, by amending the [Enhanced Partnership with Pakistan Act of 2009](#) by striking “\$1,500,000,000” and inserting “\$1,490,000,000”.

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?: H. R. 1771 would impose both intergovernmental and private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA), on public and private entities that export goods or services sent as foreign assistance. The bill would prohibit public and private entities in the United States from exporting defense-related items, data, and services that are sent as non-humanitarian assistance to countries that provide military equipment to North Korea. (For example, the prohibition could affect public universities or other organizations that provide research or technical assistance to such countries.) The bill also would impose a mandate on private entities by requiring the President to revoke licenses for transactions that lack financial controls to ensure that such transactions will not facilitate the proliferation of weapons or human rights abuses by the North Korean government.

The cost of the mandates would be the forgone net revenues from exports or transactions prohibited by the bill. Because of the small number of entities that would be affected and the broad scope of existing U.S. sanctions against North Korea, the Congressional Budget Office expects that the aggregate cost of the mandates on public and private entities would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$76 million and \$152 million, respectively, in 2014, adjusted annually for inflation).

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the United States Constitution.

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H. R. 4490 – United States International Communications Reform Act of 2014 (Rep. Royce, R-CA)

Order of Business: The bill is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4490](#) reforms the [Broadcasting Board of Governors](#) (BBG), the federal agency that oversees all U.S. civilian international media, including the [Voice of America](#) (VOA). Title I of the legislation establishes the United States International Communications Agency, a new federal agency within the executive branch of Government as an independent establishment, effectively replacing the Broadcasting Board of Governors. Section 102 of Title I sets the composition of the Board of the U.S. International Communications Agency with eight voting members who shall be appointed by the President with the advice and consent of the Senate. The board would also include the Secretary of State as a voting member. Excluding the Secretary of

State, not more than four members shall be of the same political party. This section is largely a restatement of the structure, composition, and compensation of the current Board of the Broadcasting Board of Governors as outlined in section 304 of the United States International Broadcasting Act of 1994 ([Public Law 103-236](#)).

Section 103 establishes the authorities of the Board of the U.S. International Communications Agency to:

- Review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all programming produced by the United States International Communications Agency to ensure alignment with the broad foreign policy objectives of the United States;
- Review, evaluate, and recommend to the Chief Executive of the United States International Communications Agency, at least annually, in consultation with the Secretary of State, the necessity of adding or deleting of language services of the Agency;
- Submit to the President and Congress an annual report which summarizes and evaluates activities of the United States International Communications Agency.

Sections 104 and 105 establish the position of Chief Executive of the United States International Communications Agency, including the specific qualifications of the position, and outlines the position's authorities including to:

- Supervise all Federal broadcasting activities conducted pursuant to Title V of the [United States Information and Educational Exchange Act of 1948](#) and the Voice of America;
- Review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services;
- Undertake such studies as may be necessary to identify areas in which broadcasting activities under the authority of the United States International Communications Agency could be made more efficient and economical;
- Make available in the annual reports required under section 103 information on funds expended on administrative and managerial services by the Board of the United States International Communications Agency, and the steps the Board has taken to reduce unnecessary overhead costs for each of the broadcasting services;

Section 106 restates section 306 of the United States International Broadcasting Act of 1994 (Public Law 103-236), by designating the role of the Secretary of State. Section 107 restates section 304(a)(3) of the United States International Broadcasting Act of 1994, by designating the role of the Department of State's Inspector General. Sections 108 and 109 mandate quarterly senior level meetings between the Chief Executive Officer of the United States International Communications Agency and the Chief Executive Officer of the Freedom News Network, the consolidated grantee organization to discuss strategic direction language services, funding, areas

for potential collaboration, and reduction of program overlap, while ensuring that the United States International Communications Agency have no involvement in the daily operations of the Freedom News Network. Section 109 mandates that, in addition to the stated meetings in section 108, both organizations shall meet quarterly with the Undersecretary of State for Public Affairs and Public Diplomacy to review and evaluate broadcasting strategies, and to determine long-term strategies to support the public diplomacy mission of the United States.

Section 110 mandates that the Chief Executive Officer of the United States International Communications Agency shall make grants to Radio Free Europe/Radio Liberty, Incorporated, Radio Free Asia, or the Middle East Broadcasting Networks, Incorporated only after the Chief Executive Officer of the Agency and the Chief Executive Officer of Freedom News Network certify to the appropriate congressional committees that the headquarters of the Freedom News Network and its senior administrative and managerial staff are in a location which ensures economy, operational effectiveness, and accountability. Section 111 mandates a cap in senior level pay at the United States International Communications Agency and a hiring freeze on all vacancies at the GS-14 and GS-15 level for five years except in the case of a waiver. Section 112 mandates a series of reporting requirements including on the appropriate alignment of staff to organizational mission, and on the efficacy of programming to international audiences.

Subtitle B of Title I expresses the sense of Congress that the Voice of America (VOA) has been an indispensable element of United States foreign policy and public diplomacy efforts since 1942, and should remain the flagship brand of the United States International Communications Agency. The subtitle also clarifies the principles of VOA explicitly ensuring that broadcasting service present the policies of the United States, and serve as a consistently reliable and authoritative source of news on the United States, its policies, its people, and the international developments that affect the United States.

- Section 124 mandates that the Voice of America shall be limited to providing reporting in accordance with the VOA's principles specified in subtitle B. It also states that nothing in the section may preclude the Voice of America from broadcasting programming content produced by the Freedom News Network. Radio Marti and Television Marti, which constitute the Office of Cuba Broadcasting, shall continue programming and content production, and continue existing within the Voice of America of the United States International Communications Agency.
- Section 125 establishes the position of the Director of the Voice of America as a subordinate of the Chief Executive Officer of the United States International Communications Agency.

Subtitle C mandates that the United States International Communications Agency consult with federal national security and aid agencies, including with the Department of Defense, and the Office of the Director of National Intelligence, on an unclassified level, in order to ensure that the Agency's strategic and language service priorities align with current strategic needs and concerns. The subtitle also mandates that Federal agency heads shall assist and coordinate with the United States International Communications Agency to facilitate a temporary broadcasting surge or enhance transmission capacity for the agency, and the Freedom News Network. Section

133 requires agency broadcast facility transfers and sales to be made free of charge to the Freedom News Network, while authorizing the agency to sell assets in the event the Freedom News Network refuses the transfer of assets. Section 134 repeals the [United States International Broadcasting Act of 1994](#) (Title III of Public Law 103-236 (United States Code 6201)).

Title II of H. R. 4490 expresses a sense of Congress that Radio Free Europe/Radio Liberty, Radio Free Asia, and the Middle East Broadcasting Networks shall remain brand names under which news and related programming and content may be disseminated by the Freedom News Network. Section 211 seeks to articulate congressional intent to consolidate these broadcasting services previously mentioned into a single, non-federal, non-profit organization based on their shared missions and objectives. Section 212 defines the mission of the Freedom News Network to:

- Provide uncensored local and regional news and analysis to people in societies where a robust, indigenous, independent, and free media does not exist;
- Strengthen civil societies by promoting democratic values and promoting equality and the rights of the individual, including for marginalized groups, such as women and minorities; and
- Promote access to uncensored sources of information, especially via the internet, and use all effective and efficient mediums of communication to reach target audiences.

Subtitle B of Title II establishes a nine-member Board for the Freedom News Network and abolishes the existing boards for each of the federal grantee organizations including Radio Free Europe/Radio Liberty, Radio Free Asia, and the Middle East Broadcasting Networks, and mandates a consolidation plan to be reported to Congress. Section 222 would allow the Freedom News Network to privately fundraise or receive grants and transfers from other federal agencies, but prohibits the acceptance of funds from foreign governments or for commercial purposes. In addition, Subtitle B permits the U.S. International Communications Agency to sell, loan, or grant property to the Freedom News Network, and allows for International Cooperative Administrative Support Service agreements between both agencies. The subtitle mandates one annual audit of the Freedom News Network by the Government Accountability Office and establishes reporting requirements on the network's management practices by the Inspector General of the Department of State.

Title III of the bill mandates that the Chief Executive Officers of the U.S. International Communications Agency and of the Freedom News Network shall establish procedures to vet and monitor employees for affiliations to terrorist organizations, or foreign governments to protect against espionage and subversion. Title III would also mandate that any funds appropriated for the purposes of broadcasting subject to the Board of the U.S. International Communications Agency shall not be available for obligation or expenditure unless authorized.

Additional Information: The report (H. Rept. 113–541) accompanying H. R. 4490 can be found [here](#). A section-by-section summary from the House Foreign Affairs Committee can be found [here](#). The June 2014 Department of State Inspector General report auditing the BBG can be

found [here](#). A 2011 Heritage Foundation report on the necessity to reform the BBG can be found [here](#). The House Committee on Foreign Affairs' fact sheet on reforming the BBG can be found [here](#).

Committee Action: The bill was introduced on April 28, 2014 and was referred to the House Committee on Foreign Affairs. On July 18, 2014, the bill was reported (amended) by the Committee on Foreign Affairs.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that implementing H. R. 4490 would cost \$3.7 billion over the 2015-2019 period, assuming appropriation of the necessary amounts. Pay-as-you-go procedures apply to this legislation because it would affect direct spending; however, CBO estimates that those effects would not be significant. Enacting the bill would not affect revenues. The CBO estimate can be found [here](#).

CBO estimates that implementing H.R. 4490 would require appropriations for U.S. non-military international broadcasting averaging \$780 million annually over the 2015-2019 period. In comparison to the 2014 appropriated level of \$725 million, those amounts include adjustments for expected inflation and savings generated primarily from the consolidation of private broadcasters. The bill also would remove the current requirement that all funds provided for such broadcasting must be authorized each fiscal year. The bill thus provides a permanent authorization to spend funds for those purposes. Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost \$3.7 billion over the next five years.

Please note that H. R. 4490 was amended to remove an initial cost. Based on a preliminary updated CBO estimate, H. R. 4490 (as provided on July 25, 2014) would authorize the appropriation of \$3.90 billion over the 2015-2019 period for international broadcasting operations, assuming appropriation of the estimated amounts. In comparison, the April 2014 CBO baseline projections over that same period show budget authority totaling \$3.91 billion. Assuming appropriation of the estimated amounts, CBO estimates that implementing the bill would cost about \$3.75 billion over the 2015-2019 period.

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?: H. R. 4490 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the United States Constitution.

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H.R. 4919 – To designate the facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, as the “Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office.” (Tiberi –R, OH)

Order of Business: [H.R. 4919](#) is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: This bill would designate the facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, the “Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office.”

Additional Background: Lance Corporal Wesley G. Davids, 20, served in the Marine Corps Forces Reserve’s 3rd Battalion, and died from an explosion while conducting combat operations against enemy forces in Karabilah, Iraq, on May 11, 2005.

Army Captain Nicholas J. Rozanski, 36, served during Operation Enduring Freedom, and died of wounds caused by a suicide vehicle-borne improvised explosive device on April 4, 2012, in Maymaneh, Faryab province, Afghanistan.

Both men were from the town of Dublin, Ohio.

Committee Action: H.R. 4919 was introduced by Representative Tiberi on June 16, 2014, and referred to the House Oversight and Government Reform Committee where it awaits further action.

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

Cost to Taxpayers: No CBO score is available at this time, but only the costs associated with naming U.S. federal buildings and post offices are those for sign and map changes, none of which significantly affect the federal budget.

Constitutional Authority: According to the sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 7.” Read the statement [here](#).

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H.R. 4250 - Sunscreen Innovation Act — (Whitfield R, KY)

Order of Business: [H.R. 4250](#) is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: This bill amends the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients.

Any person may submit a request to the Secretary of Health and Human Services for a determination of whether a nonprescription sunscreen active ingredient is recognized as safe, effective, and is not misbranded. Upon receipt, the Secretary has 60 days to determine whether the request is eligible for further review, notify the sponsor of the determination, and make the determination publically available. When making the eligibility determination publically available, the Secretary will allow for the sponsor to submit a ‘GRASE determination’ which indicates the active ingredients are generally recognized as safe and effective (GRASE), and are not misbranded. Sixty days following the sponsor’s submission of the GRASE determination or any additional comments, the Secretary will notify the sponsor that the request is sufficiently complete to conduct a substantive review, or issue a written notification to the sponsor refusing to file the request which explains why the data submitted was insufficient to conduct a substantive review.

For new requests, the Director of the Center for Drug Evaluation and Research has 300 days to complete the review and issue a proposed order determining if the nonprescription sunscreen ingredients satisfy the GRASE requirements and if they are branded properly. In the event the Director fails to complete his requirements within the 300 day window, the request is transmitted to the Commissioner of Food and Drugs for review. In addition to new requests, the Director is also tasked with reviewing pending requests.

No later than one year after enactment, the Comptroller General shall submit a report reviewing the overall progress in carrying out the alternative review process and progress made in completing the review of pending requests. The Secretary is required to submit a report one year after enactment and every two years thereafter which reviews the progress made in issuing GRASE determinations for pending requests, a detailed breakdown of the status of the pending requests, a description of the staffing and resources relating to the costs associated with the reviews, recommendations for process improvements, and recommendations for expanding applicability to nonprescription active ingredients that are not related to the sunscreen category of over-the-counter drugs.

This bill directs the Secretary, acting through the Commission of Food and Drugs to issue guidance no more than one year after enactment.

Additional Background: The FDA has not approved a new sunscreen ingredient since 1999 even though there are eight new sunscreen ingredients that have applications pending at the FDA. Since 2008, the FDA has listed final action on the sunscreen products as a priority in its [Unified Agenda](#). Dr. Hamburg, the Commissioner of the FDA, testified at an appropriations [hearing](#) last year and stated this was one of her “highest priorities.” However, she couldn’t answer when the FDA would move forward with approving new products. The FDA submitted

additional background for the record which described how the current regulatory environment made it difficult for new ingredients to get approved.

Committee Action: This bill was introduced on March 13, 2014, by representative Whitfield and referred to the House Committee on Energy and Commerce. On [June 19, 2014](#), the Subcommittee on Health held a mark-up where the bill was voted out, as amended, by unanimous consent. On [July 14, 2014](#), the full committee held mark-up where the bill was voted out, as amended, by voice vote.

Outside Groups Support: The following list was made available by the bill's sponsor:

American Association of Dermatology	L'Oreal USA, Inc.
Alzo Nobel Surface Chemistry	Melanoma Research Alliance
Alpha Research & Development	Melanoma Research Foundation
American Cancer Society Cancer Action Network	National Association of Manufacturers House
American College of Mohs Surgery	National Association of Manufacturers Senate
Ashland Specialty Ingredients	Ross Organic
BASF The Chemical Company	Skin Cancer Foundation
Beiersdorf Aktiengesellschaft	Suncare Research Laboratories
Henry Ford Hospital	The Jeffrey Epstein VI Foundation
Department of Dermatology	The Sun Safe Tee Program
Fitz Chemical Corporation	

Administration Position: No Statement of Administration Policy is Available at this time.

Cost to Taxpayers: [CBO](#) estimates that implementing H.R. 4250 would cost \$28 million over the 2015-2019 period, assuming appropriation of the necessary amounts. H.R. 4250 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

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?: H.R. 4250 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA).

The bill would impose private-sector mandates, as defined in UMRA, because it would allow FDA to require that marketing applications for certain sunscreen products be submitted in a new standardized format. CBO estimates that the direct cost of complying with those requirements would not exceed the annual threshold established by UMRA for private-sector mandates (\$152 million in 2014, adjusted annually for inflation).

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.

Constitutional Authority: According to the 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.” Read the statement [here](#).

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H.R. 594 - Paul D. Wellstone Muscular Dystrophy Community Assistance, Research and Education Amendments of 2014 (Burgess-R, TX)

Order of Business: [H.R. 594](#) is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: This bill amends the Public Health Service Act to update currently authorized surveillance, research, and education activities regarding muscular dystrophy to reflect current research and discoveries in this field. It also directs the centers of excellence, known as the “Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers” to include cardiac and pulmonary function as part of their research into all forms of muscular dystrophy as well as encourage the sharing of data between the centers.

This legislation expands the Muscular Dystrophy Coordinating Committee from fifteen to eighteen members, and is amended to include members representing the [Administration for Community Living](#). In addition, language is updated to allow agencies serving not only children, but adults with muscular dystrophy, to be represented on the committee, such as the Social Security Administration. Finally, the committee is directed to meet no fewer than two times a year.

The plan for conducting and supporting research, which is developed by the committee, is updated to include studies to demonstrate the cost-effectiveness of providing independent living resources and support to patients with various forms of muscular dystrophy,

Finally, the program which provides information and education on muscular dystrophy is updated to include adult patients.

Major Changes Since the Last Time This Legislation was Before the House: On September 24, 2008, the House passed ([418-2](#)) H.R. 5265, the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008. This bill was later signed into law on October 8, 2008. In addition to reauthorizing the program, this bill made updates to reflect changes in science and research.

Additional Background: Passed in 2001 and signed into law by President Bush, The Muscular Dystrophy Community Assistance, Research, and Education (MD-CARE) Act, represents the

first piece of legislation to focus solely on muscular dystrophy. [Muscular dystrophy](#) is a group of genetic diseases in which muscle fibers are unusually susceptible to damage and eventually become progressively weaker. Since 2001, there have been 67 clinical trials of drugs or therapies for [muscular dystrophy](#), and currently 37 clinical trials are under way.

Committee Action: This bill was introduced by Representative Burgess on February 8, 2013, and referred to the House Committee on Energy and Commerce. On [June 19, 2014](#), the Subcommittee on Health held a mark-up where the bill was voted out, as amended, by unanimous consent. On [July 14, 2014](#), the full committee held mark-up where the bill was voted out, as amended, by voice vote.

Outside Groups Support: The following list was provided by the bill's sponsor:

[Charley's Fund](#)
[Coalition Duchenne](#)
[Cure CMD](#)
[CureDuchenne](#)
[Defeat Duchenne, Inc.](#)
[Duchenne San Diego](#)
[Faciocapulo humeral Muscular Dystrophy Society \(FSH Society\)](#)
[Foundation to Eradicate Duchenne \(FED\)](#)
[Friends of FSH Research](#)
[Hope for Javier](#)
[Jain Foundation](#)
[JB's Keys to DMD](#)
[John Owen's Adventure, Inc](#)
[Liam Hiatt Foundation](#)
[Muscular Dystrophy Association \(MDA\)](#)
[Myotonic Dystrophy Foundation](#)
[Parent Project Muscular Dystrophy \(PPMD\)](#)
[Rally for Ryan, Inc.](#)
[Save Our Boy Foundation](#)
[Team Joseph](#)
[Two Smiles One Hope Foundation](#)
[Zack Heger Foundation](#)

Administration Position: No Statement of Administration Policy is Available at this time.

Cost to Taxpayers: [CBO](#) estimates that implementing H.R. 594 would cost \$323 million over the 2015-2019 period, assuming appropriation of the necessary amounts. Although authorization for the NIH expired in 2009, appropriations bills have continued funding for the NIH and its research programs. According to CBO, this legislation would authorize funding for muscular dystrophy activities at the currently appropriated level. Pay-as-you-go procedures do not apply to this legislation because it would not affect direct spending or revenues.

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?: H.R. 594 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

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 sponsor, “Congress has the power to enact this legislation pursuant to the following: The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution. In addition, clause 7 of Section 9 of Article I of the Constitution, provides Congress the authority to control the expenditures of the federal government via appropriations.” Read the statement [here](#).

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H.R. 3635 - Safe and Secure Federal Websites Act of 2013 — (Bentivolio-R, MI)

Order of Business: [H.R. 3635](#) is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: This bill prohibits agencies from deploying or making publically available a new Federal personally identifiable information website (Federal PII) until the chief information officer of the agency submits a certification to Congress that the website is fully functional and secure. A new Federal PII website is defined as operated by an agency and elicits, collects, stores, or maintains personally identifiable information, and went live on or after October 1,

2012. Existing federal websites would have 90 days following enactment to comply with this requirement. An exception to the new requirements is included for websites that are in the development phase; however, a member of the public may only access the website after acknowledging the risks involved.

In addition, the bill directs the Director of the Office of Management and Budget to establish and oversee policies and procedures for agencies to follow in the event of a breach of information. The Director is required to provide notice to those who may have been affected within 72 hours of the breach, and report to the applicable Federal cybersecurity center.

Finally, the Director of the Office of Management and Budget will report to Congress no later than March 1st of each year on agency compliance with the policies and procedures established under this bill.

Additional Background: According to [CRS](#), there is no single federal law or regulation that governs the security of all types of sensitive personal information collected by federal agencies. Depending upon the entity collecting the information, different federal laws, regulations and guidance govern the information collected. For example, there are federal information security requirements applicable to all federal government agencies, and a federal information security law applicable to solely federal departments. [CBO](#) further explains, “The Federal Information Security Management Act requires each federal agency to develop, document, and implement an agency wide security program for sensitive information. The Privacy Act of 1974 governs the collection, use, and dissemination by federal agencies of personal records. OMB’s “Breach Notification Policy” requires all agencies to implement a policy to safeguard personally identifiable information and to provide notification of a security breach.”

Most recently, there have been concerns about the Federally Facilitated Marketplace (FFM) created under the Affordable Care Act (ACA) and its vulnerability to security breaches. A [memo](#) released by the Energy and Commerce Committee, and signed by the Centers for Medicare and Medicaid Services Administrator Marilyn Tavenner, regarding the security of the site on the first day of open enrollment states, “Due to system readiness issues, the [Security Control Assessment] SCA was only partly completed. This constitutes a risk that must be accepted and mitigated to support the Marketplace Day 1 operations.” In addition, in the event of a security breach, the Department of Health and Human Services is [not required](#) by law to notify consumers their personal information could have been jeopardized.

Committee Action: This bill was introduced by Representative Bentivolio on December 3, 2013, and referred to the House Committee on Oversight and Government Reform. On March 13, 2014, the committee held a mark-up where the bill was reported in the nature of a substitute by voice vote.

Administration Position: No Statement of Administration Policy is Available at this time.

Cost to Taxpayers: [CBO](#) estimates that enacting H.R. 3635 would have no significant effect on the federal budget.

CBO estimates that the cost of certifying the safety of information collected by federal websites would be less than \$500,000 over the next five years. Enacting the bill could affect direct spending by agencies not funded through annual appropriations; therefore, pay-as-you-go procedures apply. CBO estimates, however, that any net change in spending by those agencies would be negligible. Enacting the bill would not affect revenues.

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?: H.R. 3635 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 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.

Constitutional Authority: According to the sponsor, “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 18, reads: “. . . all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.” This includes the power to regulate the behavior of federal agencies.” Read the statement [here](#).

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