



H.R. 805- the Domain Openness Through Continued Oversight Matters “DOTCOM” Act of 2015 (Rep. Shimkus, R-IL)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 805](#), the DOTCOM Act of 2015, would allow Congress to exercise oversight over the National Telecommunications and Information Administration’s (NTIA) transition of the Internet Assigned Numbers Authority (IANA) functions to the multistakeholder community.

CONSERVATIVE CONCERNS: Some [conservatives](#) would like to see additional guarantees to ensure that .mil and .gov domains will continue to be owned and controlled by the U.S. government. Sections 2(A)(ii) and 2(A)(iii) of the bill require NTIA to ensure the stability of the DNS and meet the needs of the U.S. government. Further, the Committee expects the NTIA to ensure that .mil and .gov are handled in the transition in a manner that maximizes U.S. national security interests and the security of our internet assets.

- **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: On March 14, 2014, NTIA [announced](#) its intent to transition the IANA functions to the global multistakeholder community at the end of the existing contract in September, 2015. NTIA asserted that it was the long-standing intent of the U.S. Government and other Internet architects to transition the role from the U.S. Department of Commerce to the multistakeholder community. NTIA stressed that any acceptable proposal must (1) support and enhance the multistakeholder model; (2) maintain the security and resiliency of the Internet Domain Name System (DNS); (3) meet the expectations of customers and partners of the IANA services; and (4) maintain the openness of the Internet.

This bill would require NTIA to continue to serve as a steward of the IANA functions in the Internet’s DNS until 30 legislative days after the Assistant Secretary of Commerce for Communications and Information submits a report to Congress. This report would certify that the proposal for transition submitted to ICANN meets NTIA’s stated criteria for a successor to the U.S. government’s role in IANA, and does not replace the role of NTIA with a government-led or intergovernmental organization solution. This report would also certify that changes to

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 805 would have an insignificant effect on discretionary costs over 2016-2020 period. CBO expects that the new reporting requirement would not have a significant effect on the agency’s workload. Pay-as-you-go procedures do not apply.

ICANN's bylaws that are required by the multistakeholder community as preconditions to the IANA transition, have been implemented.

The House voted to defund any NTIA transition of the IANA functions to an outside entity in the FY 16 Commerce, Justice, and Science Appropriations Act by a vote of [242-183](#).

Similar language prohibiting NTIA from transitioning IANA functions was also included in the Consolidated and Further Continuing Appropriations Act of 2015, expiring September 30, 2015, now [Public Law 113-235](#).

OUTSIDE GROUPS IN SUPPORT:

[Heritage Foundation](#)

OUTSIDE GROUPS IN OPPOSITION:

[Americans for Limited Government](#)

COMMITTEE ACTION: This bill was introduced on February 2, 2015 and was referred to the House Committee on Energy and Commerce, which reported the bill by voice vote.

ADMINISTRATION POSITION: A statement of administration policy is not available.

CONSTITUTIONAL AUTHORITY: 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 nations, and among the several states, and with Indian tribes.

H.R. 2576- the TSCA Modernization Act of 2015 (Rep. Shimkus, R-IL)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 2576](#) would amend the Toxic Substances Control Act of 1976, to identify and control unreasonable risks to health and the environment from the manufacture, processing, distribution in commerce, use, and disposal of chemical substances.

CONSERVATIVE CONCERNS: There are no major substantive concerns.

- **Expand the Size and Scope of the Federal Government? No**
- **Encroach into State or Local Authority?** EPA decisions on chemical risk evaluations apply to all states. However, state and local laws promulgated under federal law are generally protected from preemption
- **Delegate Any Legislative Authority to the Executive Branch? No**
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No**

DETAILED SUMMARY AND ANALYSIS: The [Toxic Substances Control Act](#), enacted in 1976, allows the Environmental Protection Agency (EPA) to identify new and existing chemicals in commerce that may be dangerous and require federal oversight. The EPA must regulate the production, importation, use, processing, and disposal of any chemical deemed to pose an unreasonable risk to human health or the environment. The TSCA has since been amended to regulate chemicals including asbestos, mercury, radon, formaldehyde and lead-based paint used for residences. Because of industrial advancements and an increase in interstate commerce, modernizations to the law are being considered.

Repeals Least Burdensome Requirements Language: H.R. 2576 would repeal the requirement in subsection 6(a) of the Toxic Substances Control Act (TSCA) that restricts chemical substances to use “the least burdensome requirements.”

Creates a New System for Risk Evaluation: This bill would create a new subsection, 6(b), which would prevent EPA restrictions on a chemical substance before evaluating its risk of injury to the environment or to human health. The EPA would identify and evaluate chemical substances already existing in commerce, if the agency determines the potential hazard from and exposure to a chemical substance may present an unreasonable risk to human health or the environment. This bill would also allow a manufacturer willing to pay EPA administrative costs for risk evaluation to have the EPA designate a chemical for risk evaluation. This legislation would require the administrator to initiate 10 or more risk evaluations per fiscal year, subject to the availability of appropriations.

Following a risk evaluation, if the EPA determines a substance presents an unreasonable risk of injury to human health or the environment, the EPA would be required to develop rules to cease this risk. These rules must (1) consider the harmful effects, benefits, and economic outcomes of the rule; (2) impose cost-effective requirements when possible; (3) determine if feasible substitutes will be available when deciding the status of the substance; and (4) exempt replacement parts designed prior to the publishing of the rule in the Federal Register, unless the replacement parts contribute significantly to the identified risk.

This legislation would require risk evaluations to be completed as soon as possible, dependent on resource availability, but generally not later than three years. All risk management rules falling under subsection 6(a) must be completed within 90 days.

Provides Faster Action on PBTs: This bill would permit the EPA to take faster action on Persistent, Bioaccumulative, and Toxic Chemicals (PBTs). One year post-identification as a PBT, the EPA must determine if the chemical (1) is likely to be exposed to the general population or a vulnerable subpopulation; and (2) scores “high” or “moderate” for either persistence and bioaccumulation OR “high” for either persistence or bioaccumulation, as outlined in the EPA’s February 2012 [Methods Document](#). If the EPA identifies a sufficiently high score, within 2 years, the EPA must apply one or more requirements to reduce chemical exposure found under section [6\(a\)](#). A chemical can be removed from the PBT list if risk evaluation is commenced within 90 days of listing, undergoing risk evaluation process instead.

Permits EPA Testing Authority: This bill would permit EPA testing authority, allowing the agency to obtain data on chemicals for risk evaluations.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 2576 would cost \$64 million over the next five years and \$143 million over the 2016-2025 period. CBO estimates that this legislation would increase offsetting receipts by \$115 million over the 2016-2025 period and increase revenues by \$121 million over the same period. Pay-as-you-go procedures would apply. H.R. 2576 would impose intergovernmental and private-sector mandates, but the aggregate cost of those mandates would fall below the annual thresholds established under UMRA.

Allows for Limited State Preemption: This legislation would allow EPA decisions on risk evaluations to apply to all states. However, state and local laws created under federal law are generally protected from preemption, as are state and local laws concerning air and water quality and waste disposal standards, so long as they are in compliance with federal law. This bill would also maintain state tort and contract laws, evidence admissibility laws, any state or local action restricting chemical substances taken prior to August 1, 2015, and any state law action taken prior to August 31, 2003.

Provides Safeguards for Confidential Business Information: This legislation would protect confidential business information acquired by the EPA, and would allow other bodies, including state, local and tribal government officials that are subject to the same unauthorized disclosure penalties, access to the information. Any confidentiality claims stemming from the enactment of this legislation would have to be reasserted every ten years. Certain exemptions from CBI do not include data whose confidential protection has been justified to the EPA.

Considerations of Other Federal Laws: This bill would require the EPA to consider risks, costs, and efficiencies when deciding whether to take action pursuant to the TSCA or any other relevant federal law.

Ensures User Fees are Appropriately Distributed: This bill would adjust the cap on fees for data submission with lower fees for small businesses, and fees “not more than reasonably necessary.” The EPA would be required by this legislation to publish for notice and comment, their fee-setting policies. This legislation would create a “TSCA Service Fee Fund” from user fees under sections 4 and 5, only to be used for the provisions under which they were collected. The EPA would be required to submit biannual reports to Congress examining income and fee dispersal, and be subject to TSCA Service Fee Fund audits by the inspector general to examine the fund’s stability, management and reasonableness.

Considers Quality of Science: This bill would require the EPA to consider the quality of science used in making science-based decisions as they apply to sections 4, 5, and 6 of the [TSCA](#).

Reports to Congress on Changes: This legislation would require the administrator to publish notices and actions of any changes stemming from this legislation, and must submit reports to Congress on their ability to conduct risk evaluations, issue rules pertaining to chemicals, and future plans for expansion. These reports would commence within two years of this enactment, and every five years following.

The Committee on Energy and Commerce has released a Memo on the markup of H.R. 2576, which can be found [here](#). A CRS report on the Toxic Substances Control Act can be found [here](#).

GROUPS IN SUPPORT:

- [American Alliance for Innovation](#)
- [American Chemistry Council](#)
- [American Cleaning Institute](#)
- [American Coatings Association](#)
- [Consumer Specialty Products Association](#)
- [National Association of Chemical Distributors](#)
- [National Wildlife Federation](#)
- [Semiconductor Industry Association](#)
- [Society of Chemical Manufacturers & Affiliates](#)

COMMITTEE ACTION: This bill was introduced on May 26, 2015 and was referred to the House Committee on Energy and Commerce, which [reported](#) the bill by the Yeas and Nays: 47-0.

ADMINISTRATION POSITION: A statement of administration policy is not available.

CONSTITUTIONAL AUTHORITY: 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 nations, and among the several states, and with Indian tribes.

H.R. 893- Boys Town Centennial Commemorative Coin Act (Fortenberry, R-NE)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE

TOPLINE SUMMARY: [H.R. 893](#) would direct the Secretary of the Treasury to mint coins commemorating the founding of “Boys Town,” a non-profit dedicated to serving displaced children.

COST: There is no Congressional Budget Office (CBO) score currently available.

CONSERVATIVE CONCERNS: There are no major 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: [Boys Town](#) is a non-profit headquartered in Boys Town, Nebraska, that serves displaced children irrespective of race or religious background. According to the Boys Town website, it was founded by Father Edward Flanagan on December 12, 1917, and continues to serve children and families in California, Nevada, Texas, Nebraska, Iowa, Louisiana, North Florida, Central Florida, South Florida, Washington, DC, New York, and New England.

This bill would direct the Secretary of the Treasury to mint and issue up to 50,000 \$5 gold coins, 350,000 \$1 silver coins, and 300,000 half-dollar clad coins. This bill would require the design of the coins to be emblematic of the 100 years of Boys Town and would permit issuance of such coins only between January 1, 2017, and December 31, 2017.

H.R. 893 would subject all coin sales to specified surcharges, which would be paid to Boys Town to carry out the operations of the organization. It would direct the secretary to ensure that minting and issuing the coins would not result in a net cost to the federal government, and would prevent dispersal of any funds, including surcharges, to Boys Town until the cost of designing and issuing authorized coins is recovered by the Treasury.

An identical bill, [H.R. 2866](#), passed by voice-vote in the 113th Congress. The legislative bulletin can be found [here](#).

COMMITTEE ACTION: This bill was introduced on February 11, 2015 and was referred to the House Committee on Financial Services.

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

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

H.R. 1698- Bullion and Collectible Coin Production Efficiency and Cost Savings Act (Huizenga, R-MI)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 1698](#) would repeal the authority of the Secretary of the Treasury to change the design of certain gold bullion and would repeal the requirements for protective covering for certain bullion coins. It would repeal the copper content requirements for quarter dollar coins, and would require the silver content to be not less than 90 percent.

COST: No Congressional Budget Office (CBO) cost estimate is currently available.

CONSERVATIVE CONCERNS: There are no major 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. 1698 would eliminate an unnecessary and costly requirement for special packaging of gold investment-grade coins made by the United States Mint, allow the Mint to purchase blanks for silver coins made of standard coinage silver rather than a custom silver alloy, and would remove the requirement for an already-finished study leading to the Mint issuing investment-grade coins of palladium.

COMMITTEE ACTION: This bill was introduced on February 11, 2015 and was referred to the House Committee on Financial Services.

ADMINISTRATION POSITION: There is no statement of administration policy available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8--To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures

H.R. 2620—To amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act, as amended (Rep. Scott, D-GA)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 2620](#) would amend [subsection \(c\)\(1\) of the United States Cotton Futures Act](#) by changing the definition of cotton futures contracts.

CONSERVATIVE CONCERNS: There are no major 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 current law, only cotton sampled and graded by the United States Department of Agriculture is permitted to be exchanged on the commodities market. The bill would allow cotton that is held outside the U.S. to be sold on U.S. exchanges. Cotton grown outside of the United States that is tendered against a futures contract traded on a United States exchange would not need to be graded by the Department of Agriculture's Agricultural Marketing Service (AMS), the federal agency that tests and grades cotton.

COST: The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would not have a significant effect on the agency's workload or discretionary costs. CBO estimates that the net cost to implement H.R. 2620 would not be significant. Enacting H.R. 2620 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

The bill would amend the definition of a cotton contract of sale, specifically for future delivery made at any exchange, or board of trade, designated as a "contract market" by the [Commodity Futures Trading Commission](#) to include sales, agreements of sale, and agreements to sell. The bill would only apply to cotton futures contracts entered into on or after the bill's enactment.

A glossary from the Commodity Futures Trading Commission that defines a futures contract can be found [here](#). An identical bill ([H.R. 5810](#)) was introduced in the 113th Congress and passed the House by voice vote on December 10, 2014. The RSC's legislative bulletin for H.R. 5810 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on June 2, 2015, and was referred to the House Committee on Agriculture. On June 17, 2015, the bill was ordered to be reported and amended by voice vote.

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 ("The Congress shall have the 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; but all duties, imposts and excises shall be uniform throughout the United States") Article I, Section 8, Clause 3 ("To regulate commerce with foreign nations, and among the several states, and with the Indian tribes") 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. 1640—Department of Homeland Security Headquarters Consolidation Accountability Act, as amended (Rep. Walker, R-NC)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 1640](#) would require the Department of Homeland Security (DHS) to submit a report to Congress on the DHS headquarters consolidation project within the National Capital Region.

CONSERVATIVE CONCERNS: There are no major 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. 1640 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: H.R. 1640 would direct the Secretary of Homeland Security, in coordination with the Administrator of General Services to submit a report to Congress on the DHS headquarters consolidation project within the National Capital Region to include: (1) a proposed occupancy plan for the consolidation project; (2) a comprehensive assessment of the current and future real property needed by the department in the National Capital; (3) an analysis of the difference between the current and needed capital assets and facilities of DHS; (4) a current plan for construction of the headquarters consolidation at the St. Elizabeth's campus; (5) a current plan for the leased portfolio of the Department in the National Capital Region; and (6) a detailed list of alternatives considered by the Department during the development of the plan.

Not later than 180 days after the report's submission, the Secretary of Homeland Security would be directed to complete the update of the cost and schedule estimates for the portions of the consolidation project that are not yet complete as of such date based on the information contained in the report, consistent with the recommendation of the [Government Accountability Office](#) (GAO). The GAO would also be directed to review the update of the cost and schedule estimates to evaluate the estimates' quality and reliability, and submit a report to Congress. The House report (H. Rept. 114-166) accompanying H.R. 1640 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on March 25, 2015 and referred to the House Committee on Homeland Security. On June 17, 2015, the committee ordered the bill reported and amended.

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. 1633—Department of Homeland Security Paid Administrative Leave Accountability Act of 2015, as amended (Rep. Loudermilk, R-GA)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 1633](#) would require heads of Department of Homeland Security (DHS) components to provide certain administrative data to the department’s Chief Human Capital Officer

CONSERVATIVE CONCERNS: There are no major 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 implementing H.R. 1633 would cost less than \$500,000 annually over the 2016-2018 period. This legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

DETAILED SUMMARY AND ANALYSIS: H.R. 1633 would require heads of DHS components to provide the Department’s Chief Human Capital Officer data related to paid administrative leave including: (1) the number of employees of the component who had been on administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters for a period of six consecutive months or longer as of the last day of the period covered by the report; (2) the total cost to the component associated with the administrative leave and such paid non-duty status (including salary and benefits) for the period covered by the report; and (3) the average duration that employees are placed on administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters for a period of six consecutive months or longer, as of the last day of the period covered by the report for the component.

The bill would also require the DHS’ Chief Human Capital Officer to develop and implement a department-wide policy specifically related to the use of administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters. The bill would also require the Chief Human Capital Officer to submit to Congress a report after each calendar quarter of 2016 through 2018 on the number of department employees on administrative leave, and any other type of paid non-duty status without charge to leave, for personnel matters for a period of six consecutive months or longer.

According to the [Government Accountability Office](#), cited in the [committee report](#), “during this three-year period, within the Department of Homeland Security (DHS), over \$380 million was expended on 1.5 million days of paid administrative leave for excused absences, a subset of which are attributable to conduct-related investigations.” The House report (H. Rept. 114-163) accompanying H.R. 1633 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on March 25, 2015 and referred to the House Committee on Homeland Security. On June 17, 2015, the committee ordered it reported and amended.

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. 1646—Homeland Security Drone Assessment and Analysis Act, as amended (Rep. Watson Coleman, D-NJ)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 1646](#) would direct the Department of Homeland Security (DHS) to investigate the potential use of small and medium-sized drones to attack U.S. interests.

CONSERVATIVE CONCERNS: There are no major 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. 1646 would direct the Secretary of Homeland Security to research how commercially available small and medium-sized unmanned aircraft, excluding aircraft more than 1,300 pounds could be used to perpetuate an attack and to develop policies, guidance, and protocols for the Department of Homeland Security to prevent such an attack or mitigate the risks of such an attack.

The bill would also direct the secretary to disseminate information to state, local, and tribal law enforcement officials and state and major urban area fusion centers regarding how such officials may bolster preparedness for and responses to attacks perpetrated by commercially available small and medium sized unmanned aircraft. The bill would not authorize any new funds to be appropriated.

COMMITTEE ACTION: This bill was introduced on March 26, 2015 and referred to the House Committee on Homeland Security and the House Committee on Transportation and Infrastructure. The House Committee on Homeland Security ordered the bill reported and amended by voice vote on May 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: The U.S. Constitution including Article 1, Section 8.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1646 would cost \$3 million in Fiscal Year 2016. The costs would mostly result from the additional personnel required to coordinate activities across different agencies and to communicate with law enforcement officials throughout the country.

H.R. 1615—Department of Homeland Security Freedom of Information Act Efficiency Act, as amended (Rep. Carter, R-GA)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: H.R. 1615 would direct the Chief FOIA ([Freedom of Information Act](#)) Officer the Department of Homeland Security (DHS) to update regulations that implement FIOA.

CONSERVATIVE CONCERNS: There are no major 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. 1615 would direct the Chief FOIA Officer of the DHS to finalize and issue an updated regulation implementing FOIA to include: (1) public guidance on procedures to be followed when making FOIA requests; (2) updated guidance to the components of the Department responsible for processing such requests, which may include information on how to adopt automated processing of requests; (3) detailed information on fees and costs associated with such requests; (4) and detailed information on the appeals process for such requests.

The Chief FOIA Officer is additionally directed to identify the total annual cost to DHS of implementing FOIA and to develop guidance on reporting standards related to the processing of requests.

The bill would require the Chief FOIA Officer—in collaboration with the heads of relevant components—to identify and eliminate unnecessary and duplicative actions taken during the processing of FOIA requests. The Chief FOIA Officer would be directed to develop a plan to automate the processing of requests, and update and issue guidance to the heads of each of the relevant components of the DHS regarding the goal of reducing the backlog in processing requests. The House report (H. Rept. 114-148) accompanying H.R. 1615 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on March 25, 2015 and referred to the House Committee on Homeland Security. On June 11, 2015, the committee reported and amended the bill.

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.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1615 would not significantly affect DHS spending. Enacting the legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

H.R. 1626—Department of Homeland Security IT Duplication Reduction Act of 2015, as amended (Rep. Hurd, R-TX)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 1626](#) would direct the Department of Homeland Security's Chief Information Officer to submit a report to Congress on the number of information technology systems at the department.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1626 would not significantly affect spending by the department. H.R. 1626 would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS: There are no major 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 Chief Information Officer is directed to report on: (1) the number of information technology systems at the Department of Homeland Security; (2) an assessment of the number of such systems exhibiting duplication or fragmentation; (3) a strategy for reducing such duplicative systems, including an assessment of potential cost savings or cost avoidance as a result of such reduction; and (4) a methodology for determining which system should be eliminated when there is duplication or fragmentation. The bill would not authorize any additional appropriations. The House report (H. Rept. 114-162) accompanying H.R. 1626 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on March 25, 2015 and referred to the House Committee on Homeland Security. The bill was then amended and reported by the committee on June 17, 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. 1637—Federally Funded Research and Development Sunshine Act of 2015, as amended (Rep. Ratcliffe, R-TX)

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

FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 1637](#) would direct the Department of Homeland Security (DHS) to report annually to the Congress on the progress of projects funded through DHS research and development centers.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1637 would not significantly affect spending by DHS. This legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS: There are no major 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. 1637 would direct the Secretary of Homeland Security to annually report to Congress a list of ongoing and completed projects that federally funded research and development centers within the DHS have been tasked to complete. No additional funds are authorized to be appropriated by the bill. The House report (H. Rept. 114-149) accompanying H.R. 1637 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on March 25, 2015 and referred to the House Committee on Homeland Security. The bill was then ordered to be reported by the committee on June 11, 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. 2390—Homeland Security University-based Centers Review Act, as amended (Rep. Thompson, D-MS)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 2390](#) would direct the Comptroller General of the United States to initiate a study to assess the university-based centers for homeland security programs.

CONSERVATIVE CONCERNS: There are no major 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 Government Accountability Office would be required to initiate a study to assess the university-based centers for homeland security program authorized by the [Homeland Security Act of 2002](#) and provide recommendations to Congress.

The study would include: (1) a review of the Department of Homeland Security's (DHS) efforts to support the homeland security mission, and criteria that the department utilized to determine those key areas for which the Department should maintain, establish, or eliminate university-based centers; (2) a review of the method by which university-based centers, federally funded research and development centers, and Department of Energy national laboratories receive tasking from the Department of Homeland Security; (3) a review of selection criteria for designating university-based centers and a weighting of such criteria; (4) an examination of best practices from other agencies' efforts to organize and use university-based research to support their missions; (5) a review of the DHS's criteria and metrics to measure demonstrable progress achieved by university-based centers in fulfilling DHS taskings; (6) an examination of the means by which non-designated academic institutions can contribute to the research mission of the DHS' Directorate of Science and Technology; (7) an assessment of the interrelationship between the different university-based centers and the degree to which outreach and collaboration among a diverse array of academic institutions is encouraged by DHS.

The House report (H. Rept. 114-168) accompanying H.R. 2390 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on May 18, 2015 and referred to the House Committee on Homeland Security and the House Committee on Science, Space, and Technology. On May 20, 2015, the House Committee on Homeland Security ordered the bill reported by voice vote.

ADMINISTRATION POSITION: No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY: Congress has the power to enact this legislation pursuant to the following: The U.S. Constitution including Article 1, Section 8.

H.R. 2200—Chemical, Biological, Radiological, and Nuclear (CBRN) Intelligence and Information Sharing Act, as amended (Rep. McSally, R-AZ)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: [H.R. 2200](#) would direct the Department of Homeland Security (DHS) to gather and analyze intelligence on terrorist threats involving chemical, biological, radiological, and nuclear (CBRN) materials.

COST: The Congressional Budget Office (CBO) [estimates](#) that preparing the reports required by H.R. 2390 would cost less than \$500,000 in 2016 and over the 2016-2020 period. The legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS: There are no major 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. 2200 would require DHS's Office of Intelligence and Analysis to (1) support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving chemical, biological, radiological, and nuclear materials; (2) support homeland security-focused intelligence analysis of global infectious disease, public health, food, agricultural, and veterinary issues; (3) support homeland security-focused risk analysis and risk assessments of homeland security hazards; (4) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a chemical, biological, radiological, or nuclear attack; (5) share information and provide tailored analytical support on these threats to state, local, and tribal authorities as well as other national biosecurity and biodefense stakeholders and other federal agencies, as appropriate; and (6) perform other responsibilities, as assigned by the Secretary of Homeland Security.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 2200 would not significantly affect spending by DHS. This legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

The Office of Intelligence and Analysis would additionally be directed to coordinate with other relevant DHS components, others in the intelligence community, and other federal, state, local, and tribal authorities, as well as major urban area fusion centers, and local public health departments. The bill would also require the Secretary of Homeland Security to ensure that homeland security information analyzed by DHS concerning terrorist threats is provided to state, local, private entities and the public. The House report (H. Rept. 114-164) accompanying H.R. 2200 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on May 1, 2015 and referred to the House Committee on Homeland Security. The bill was then amended and reported by the committee on June 17, 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.

Concur in the Senate Amendment to H.R. 615— Department of Homeland Security Interoperable Communications (Rep. Payne, D-NJ)

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FLOOR SCHEDULE: SCHEDULED FOR CONSIDERATION ON JUNE 23, 2015, UNDER A SUSPENSION OF THE RULES WHICH REQUIRES TWO-THIRDS MAJORITY FOR PASSAGE.

TOPLINE SUMMARY: The [Senate amendment to H.R. 615](#) would require that the Under Secretary of Homeland Security for Management to develop policies and directives to achieve and maintain interoperable communications among the components of the Department of Homeland Security (DHS).

CONSERVATIVE CONCERNS: There are no major 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: Section 4 of the bill would require the DHS to submit to Congress a strategy for achieving and maintaining interoperable communications that include (1) an assessment of interoperability gaps in radio communications among the components of the DHS; (2) information on efforts and activities, including current and planned policies and directives, and training to achieve and maintain interoperable communications among the components of the DHS; (3) an assessment of obstacles and challenges to achieving and maintaining interoperable communications among the components of the DHS; (4) an assessment on the adequacy of mechanisms available to the Under Secretary for Management to enforce the directives; (5) guidance provided to the components of the DHS to implement interoperable communications policies and directives; (6) the total amount of funding expended by the DHS since November 1, 2012, and projected future expenditures, to achieve interoperable communications; and (7) dates upon which department-wide interoperability is projected to be achieved.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 615 would not significantly affect spending by DHS. The legislation would not affect direct spending or revenues, and pay-as-you-go procedures do not apply.

Section 5 would mandate that the DHS submit to Congress within 100 days of the enactment of the bill and biannually thereafter, a report on the implementation of these efforts. The House report (H. Rept. 114-53) accompanying H.R. 615 can be found [here](#).

According to the report, the Senate amendment to [H.R. 615](#) offered in the nature of a substitute, changed the definition of “interoperability” to conform with the definition laid out in [6 U.S.C. Section 194\(g\)\(1\)](#). In addition the Senate amendment would require that (1) the strategy outlined be submitted to Congress no later than 180 days after enactment instead of 120 days; (2) made the report required in Section 5 of the act to be required 100 days after the strategy is submitted, instead of 220 days after the act’s enactment; (3) required the report to be submitted every other year following the submission of the first report, and ending the report after six years; and (4) clarified that the strategy and required reports pertain only to DHS and its components.

A similar bill ([H.R. 4289](#)) was introduced in the 113th Congress and passed the House by on July 8, 2014. The RSC’s legislative bulletin for H.R.4289 can be found [here](#). The RSC’s legislative bulletin for H.R. 615 which passed the House under suspension on February 2, 2015 by the yeas and nays: [379 – 0](#) can be found [here](#).

COMMITTEE ACTION: This bill was introduced on January 28, 2015 and referred to the House Committee on Homeland Security. The bill was then passed by the House under suspension by the yeas and nays: [379 - 0](#) on February 2, 2015. H.R. 615 then passed the Senate with an amendment by unanimous consent on June 11, 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.

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.*

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