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H.R. 598: Taxpayers Right-to-Know Act (Walberg, R-MI)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 598](#) would require the Office of Management and Budget (OMB) to make public an inventory of certain federal programs to increase information and taxpayer transparency on their cost and performance.

COST:

The [Congressional Budget Office](#) (CBO) estimates that implementing H.R. 598 would cost \$82 million over the 2016-2020 period, assuming appropriation of the necessary amounts.

CONSERVATIVE CONCERNS:

There are no substantive conservative concerns.

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 598 would require the OMB to include a program inventory on their website of each federal program with \$1,000,000 or more in annual budget authority. For each identified program, the OMB must disclose the amount of funding for the current fiscal year and the two previous fiscal years, the statute that authorizes the program, and a description individuals served by the program or who received financial assistance under the program. If an agency head is unable to provide information on the beneficiaries served by a program, an explanation of why the data is not available and measures that can be taken to gather data for future estimates must be included in the disclosure. In addition, a description of the federal employees who administer the program or other individuals whose salaries are paid through the grant or program would be disclosed in the inventory. Finally, any information regarding the program's performance or reviews by the Inspector General or the Government Accountability Office would be linked to the inventory.

COMMITTEE ACTION:

This bill was introduced by Representative Walberg on January 28, 2015 and was referred the Committee on Oversight and Government Reform. The Committee [marked up](#) the bill on July 22, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 9, Clause 7--No Money shall be drawn from the Treasury, but in Consequence of

Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time

H.R. 1069: Presidential Library Donation Reform Act (Duncan, R-TN)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1069](#) would require a presidential library fundraising organization to submit to the Archivist of the United States donor contributions totaling more than \$200 per quarterly period.

COST:

The [Congressional Budget Office](#) (CBO) estimates that, assuming availability of appropriated funds, the agency would spend about \$1 million over the FY 2016-2020 period. CBO estimates that any increases in federal spending to enforce penalties would be insignificant.

CONSERVATIVE CONCERNS:

There are no substantive conservative concerns.

- **Expand the Size and Scope of the Federal Government?**
- **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. 1069 would require presidential library fundraising organizations to submit quarterly records to the Archivist of the United States disclosing contributions totaling more than \$200 in an applicable reporting period. This period would last until the president leaves office or the government takes possession of the library. The archivist would be required to publish the amount, source and date of each contribution on the National Archives and Records Administration website.

This bill would establish [legal penalties](#) for individuals who purposely falsify information when making contributions.

COMMITTEE ACTION:

This bill was introduced by Representative Duncan on February 25, 2015 and was referred to the Committee on Oversight and Government Reform. The Committee [marked up](#) the bill on March 25, 2015, and ordered the bill favorably reported to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

H.R. 1777: Presidential Allowance Modernization Act (Chaffetz, R-UT)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1777](#) would amend the Former President Act of 1958 to reform the annual allowance and annuity provided to former Presidents.

COST:

The [Congressional Budget Office](#) (CBO) estimates that implementing the legislation would reduce outlays by \$10 million over the FY 2016-2020 period, assuming that appropriations are reduced by those amounts.

CONSERVATIVE CONCERNS:

There are no substantive conservative concerns.

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

DETAILED SUMMARY AND ANALYSIS:

The [Former Presidents Act of 1958](#) (FPA) provides former Presidents an annual lifetime pension equal to the salary of a cabinet secretary - \$201,700 for calendar year 2014 - in addition to an allowance for staff, travel and office space. This bill would amend the FPA by setting the lifetime annual annuity at \$200,000 and the annual monetary allowance for other expenses, not including security, at \$200,000 which would be adjusted annually for inflation as provided by the Social Security Act. In addition, the annual allowance would be reduced dollar for dollar to former presidents earning an outside income in excess of \$400,000.

This bill would also increase the monetary allowance for the surviving spouse from \$20,000 to \$100,000.

COMMITTEE ACTION:

This bill was introduced by Representative Chaffetz on April 14, 2015 and was referred to the Committee on Oversight and Government Reform. The Committee [marked up](#) the bill on May 19, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a voice vote. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18 of the United States Constitution. No specific enumerating clause was included.

S. 1629: District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015 (Senator Johnson, R-MN)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 1629](#) would amend sections of the District of Columbia Official Code and make several changes to the D.C. Courts System.

COST:

The [Congressional Budget Office](#) (CBO) estimates that enacting S. 1629 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2026.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

S. 1629 would make several changes to the District of Columbia Official Code. First, this bill would allow the District of Columbia Courts to collect erroneous payments made to or on the behalf of an employee or former employee. The collection of these debts may be made in monthly installments or at officially established regular pay period intervals after an individual has been given 30 days' notice and the opportunity to review the debt. The bill also gives authority for the Courts to purchase uniforms to be worn by non-judicial employees. In addition, this bill would allow the Court Services and Offender Service Agency (CSOSA) to operate incentive programs for offender education to reduce offender recidivism, accept and spend gifts, and receive reimbursement from the D.C. government for the use of office space in D.C. Courts facilities. Finally, the bill allows the Public Defender Service to accept unpaid volunteers.

COMMITTEE ACTION:

This bill was introduced by Senator Johnson on June 18, 2015 and was passed out of the Senate by unanimous consent on September 10, 2015. This bill was received in the House and referred the Committee on Oversight and Government Reform. The Committee ordered the bill to be reported by unanimous consent. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

H.R. 3231: Federal Intern Protection Act of 2015 (Cummings, D-MD)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016 under a suspension of the rules which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3231](#) would offer the same protections against harassment and discrimination to unpaid interns at federal agencies as currently afforded to employees.

COST:

The [Congressional Budget Office](#) (CBO) estimates that enacting H.R. 3231 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2026.

CONSERVATIVE CONCERNS:

There are no substantive conservative concerns.

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 3231 would include unpaid interns and applicants for internships under the same protections federal employees have against workplace discrimination and harassment. Currently, paid interns are considered employees and are treated as such with regard to discrimination laws.

COMMITTEE ACTION:

This bill was introduced by Representative Cummings on July 28, 2015 and was referred the Committee on Oversight and Government Reform. The Committee [marked up](#) the bill on October 9, 2015, and ordered the bill favorably reported, as amended, to the House of Representatives by a unanimous consent. Read the committee report [here](#).

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 18. No specific enumerating clause was included.

S. 1115: Grants Oversight and New Efficiency Act (Senator Fischer, R-NE)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 1115](#) would require the Office of Management and Budget to direct agencies to identify expired grants.

COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting S.1115 would cost \$8 million over the FY 2016-2020 period, primarily for increased administrative costs related to the new reports; such spending would be subject to the availability of appropriated funds.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

S. 1115 would direct the Director of the Office of Management and Budget to prepare a report that lists each federal grant award held by each agency and the number of grants that have expired and have either zero dollar balances or undisbursed balances. Each agency would also have to detail why expired grants had not been closed. After one year, each agency must submit a report specifying which grant programs had been closed out. Inspectors general at agencies with more than \$500,000,000 in annual grant funding would conduct a risk assessment to determine if an audit or review of the agency's grant closeout process is warranted.

COMMITTEE ACTION:

This bill was introduced by Senator Fischer on April 28, 2015 and passed the Senate as amended by unanimous consent on December 18, 2015. The bill was referred to the House where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

S. 142: Child Nicotine Poisoning Prevention Act of 2015 (Senator Nelson, R-FL)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 142](#) would require the Consumer Product Safety Commission (CPSC) to develop regulations for the packaging of liquid nicotine containers that would prevent children from opening and being harmed by the enclosed nicotine.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 142 would cost about \$1 million over the FY 2016-2020 period, assuming the availability of appropriated funds. Enacting S. 142 would not affect direct spending or revenues; therefore pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** Yes, this bill would preempt state laws governing the packaging of liquid nicotine.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

S. 142 would define a liquid nicotine container as a consumer product; therefore, allowing for regulation by the CPSC. This new authority would not extend to nicotine in pre-filled containers that are inserted into electronic cigarettes. The CPSC would be given the authority to promulgate rules requiring the special packaging of products that are deemed harmful to children. This packaging would be designed to make it significantly difficult for children under the age of five to open. It is important to note, nothing in this bill would remove authority from the Department of Health and Human Services (HHS) to regulate, issue guidance, or take action against liquid nicotine or its packaging.

COMMITTEE ACTION:

This bill was introduced by Senator Nelson on January 8, 2015 and passed the Senate as amended by unanimous consent on February 26, 2015. The bill was referred to the House where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

H.R. 653: FOIA Oversight, as amended (Issa, R-CA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

January 11, 2016, under a suspension of the rules which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 653](#) would amend the Freedom of Information Act (FOIA) to provide for greater public access to information.

COST:

The Congressional Budget Office (CBO) [estimates](#) implementing H.R. 653 would cost \$22 million over the FY 2016-2020 period, assuming appropriation of the necessary amounts. The bill would affect direct spending by agencies not funded through annual appropriations; therefore, pay as-you-go procedures apply. CBO estimates, however, that any net increase in spending by those agencies would not be significant. Enacting the bill would not affect revenues.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 653 would amend FOIA by: increasing electronic accessibility by requiring agencies to post more information online in publicly accessible formats; require the Office of Management and Budget (OMB) to create a consolidated request portal for the public to submit requests; increase information on employees who can provide information about the status of a request; strengthen the Office of Government Information Services by giving it increased independence and ability to report directly to Congress; require agencies to report the number of times they invoked law enforcement exclusions and the number of records made publicly available; require the Government Accountability Office (GAO) to inventory all uses of [\(b\)\(3\) exemptions](#); and, create a Chief FIOA Officers Council to review FOIA compliance and discuss improvements. Each agency would be required to update their FOIA regulations within 180 days of enactment.

The Inspectors General of each agency would be required to periodically review FOIA compliance, including: the timely processing of requests; assessments of fees and fee waivers; and, make recommendations for disciplinary action.

No additional funds are authorized to be used to carry out this bill.

COMMITTEE ACTION:

This bill was introduced by Representative Issa on February 2, 2015 and referred to the House Oversight and Government Reform Committee. The committee held a mark-up on March 25, 2015, and bill was reported out favorably, as amended, by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY: According to the sponsor, Congress has the power to enact this legislation pursuant to the following: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; 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 Government of the United States or in any Department or Officer thereof.

H.R. 757 — North Korea Sanctions Enforcement Act of 2016 (Rep. Royce, R-CA)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on January 12, 2016 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 757](#) would expand existing sanctions against North Korea, in particular those related to illegal weapons proliferation, human rights abuses, and other illicit activities. The sanctions legislation comes in response to an alleged and illegal hydrogen nuclear weapons test conducted by North Korea on January 6, 2016.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost \$10 million over the FY 2016-2020 period, assuming the appropriation of the necessary 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.

CONSERVATIVE CONCERNS:

There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS:

Title I of H.R. 757 states that it is the policy of Congress to: (1) encourage all states to fully implement [United Nations Security Council Resolution 2094 \(2013\)](#); (2) sanction persons that facilitate proliferation of weapons of mass destruction, illicit activities, arms trafficking, imports of luxury goods, cash smuggling, censorship, and knowingly engage in significant activities undermining cyber security by the government of North Korea; and persons that fail to exercise due diligence to ensure that financial institutions do not facilitate any of the illicit activities described in the bill by North Korea; (3) 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 (4) enforce sanctions in a manner that avoids any adverse humanitarian impact on the people of North Korea.

Title I would require the President of the United States to investigate sanctionable conduct involving the North Korean regime, and would require the President to designate entities that facilitate illicit conduct. Section 104 of Title I would designate prohibited conduct and entities subject to the sanctions, and would mandate 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 activities. Section 105 would stipulate that real estate or personal property would be subjected to civil forfeiture if involved in any violation or attempted violation of the mandated sanctions in the bill.

Title II of the legislation would mandate that the Secretary of the Treasury determine whether North Korea is a primary money laundering concern. The section would also seek to prohibit North Korean banks from

directly or indirectly accessing the U.S. financial system. Title II further expresses a sense of Congress on ensuring the consistent enforcement of United Nations Security Council resolutions and financial restrictions on North Korea.

Section 203 of the bill would require a validated license to export any goods or technology to North Korea subject to the [Export Administration Regulations](#). Such license would be subject to a presumption of denial. The section would further apply prohibitions and restrictions of the [Arms Export Control Act](#) to any provision of munitions to North Korea, regardless of whether it is designated as a state sponsor of terrorism. The Arms Export Control Act applied to North Korea until it was removed from the list of state sponsors of terrorism in 2008. The President would be directed to withhold assistance under the [Foreign Assistance Act of 1961](#) to any country that provides lethal military equipment to, or receives it from North Korea. The President would be granted the authority to waive such restrictions on a case-by-case basis.

Section 204 would prohibit the U.S. government from procuring, or entering into any contract for the procurement of, any goods or services from any designated person under the bill. The Federal Acquisition Regulation issued pursuant to [section 1303 of title 41, United States Code](#), would be revised to require a certification from each prospective contractor that such person does not engage in any of the illicit conduct designated in the bill.

Section 205 would require the Secretary of Homeland Security (DHS) to conduct enhanced screening procedures to determine if physical inspections are warranted of any cargo bound for, or landed in, the United States that has been transported through a sea port or airport if there are reasonable grounds to believe that such cargo contains goods prohibited by the sanctions designated in the bill. A vessel, aircraft, or conveyance used to facilitate any of the described illicit activities related to the violation of certain sanctions that comes within the jurisdiction of the United States may be seized and forfeited.

Section 206 would authorize the Secretary of State or the Secretary of Homeland Security to deem an alien who has violated any of the sanctions of the bill to be inadmissible, and ineligible to receive a visa to enter into the United States. However certain specified exemptions would be authorized.

Title II would further require a report to Congress on significant activities undermining cyber security conducted, or otherwise ordered by North Korea, and a report on cooperation between North Korea and Iran on their nuclear programs, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support between North Korea and Iran on their respective nuclear programs.

Title III would amend the North Korean Human Rights Act of 2004 by requiring the President to submit a report to Congress on setting forth a detailed plan for making unrestricted, unmonitored, and inexpensive, radio, Internet, and electronic mass communications available to the people of North Korea. Title III would further require a report to Congress on [each political prison camp in North Korea](#), and a report detailing the identity of each person responsible for serious human rights abuses or censorship in North Korea, along with a description of those abuses or censorship.

Title IV would specify the specific circumstances and mechanisms for the sanctions stipulated in H.R. 757 to be suspended. Section 405 would clarify that no additional funds would be authorized to carry out the bill's requirements.

A section-by-section on H.R. 757 provided by the House Foreign Affairs Committee can be found [here](#). A similar bill, [H.R. 1771](#) passed the House in the 113th Congress on July 28, 2014 by voice vote. The RSC's legislative bulletin for H.R. 1771 can be found [here](#).

COMMITTEE ACTION:

H.R. 757 was introduced on February 5, 2015 and was referred to the House Committees on Foreign Affairs, on Financial Services, on Ways and Means, Judiciary, and Oversight and Government Reform. On February 27, 2015, the bill was ordered to be reported in the nature of a substitute (amended) by voice vote by the House Committee on Foreign Affairs.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the Constitution of the United States." No specific enumerating clause was included.

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.*