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# H.R. 762 — Streamlining Energy Efficiency for Schools Act of 2019 (Rep. Cartwright, D-PA)

## FLOOR SCHEDULE:

Expected to be considered on March 5, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 762](#) would direct the Department of Energy's Office of Energy Efficiency and Renewable Energy to establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

## COST:

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

## CONSERVATIVE VIEWPOINTS:

Many conservatives have supported appropriations amendments to eliminate funding for the Energy Efficiency and Renewable Energy office at the Department of Energy, which is charged with carrying out the functions of the bill. Accordingly, many conservatives may be concerned that the bill would advertise the availability of programs under that office.

- **Expand the Size and Scope of the Federal Government?** By establishing a clearinghouse to disseminate information on federal subsidy programs, some conservatives may be concerned that the bill would result in greater utilization of those programs.
- **Encroach into State or Local Authority?** Some conservatives may believe that the advertised programs are geared toward updating the energy efficiency of local schools which should be a function of local and state government.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

H.R. 762 would amend Section 392 of the [Energy Policy and Conservation Act](#) by directing the Department of Energy's Office of Energy Efficiency and Renewable Energy (EERE) to establish a clearinghouse to disseminate information regarding available federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools. The Secretary of Energy would be required to: (1) consult with appropriate federal agencies to develop a list of federal programs and financing mechanisms that may be used for the purposes of disseminating information; and, (2) coordinate with appropriate federal agencies to develop a collaborative education and outreach effort to streamline communications and promote available federal programs and financing mechanisms, which may include the development and maintenance of a single online resource that includes contact information for relevant technical assistance in the Office of EERE that states, local education agencies, and schools may use to effectively access and use such federal programs and financing mechanisms.

H.R. 762 contains identical language to H.R. 627, which passed the House in the 115th Congress by a voice-vote on June 12, 2017. The RSC's legislative bulletin for H.R. 627 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 762 was introduced on January 24, 2019, and was referred to the House Committee on Energy and Commerce.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)"

# H.R. 347 — Responsible Disposal Reauthorization Act of 2019 (Rep. Tipton, R-CO)

## FLOOR SCHEDULE:

Expected to be considered on March 5, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 347](#) would extend the authorization of the [Uranium Mill Tailings Radiation Control Act of 1978](#) until [September 30, 2031](#) regarding a uranium disposal site, the Cheney disposal cell, in Mesa County, Colorado.

## COST:

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

In the 115<sup>th</sup> Congress, the Congressional Budget Office (CBO) [estimated](#) that the agency's costs to administer the Cheney disposal cell (which primarily involves inspecting and maintaining the facility and preparing certain reports) total less than \$500,000 annually; such spending is subject to appropriation. However, because DOE is already authorized to operate that facility through fiscal year 2023, CBO estimates that enacting H.R. 2278 would have no effect on the department's costs over the 2018-2022 period covered by this estimate. Enacting H.R. 2278 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that H.R. 2278 would not increase net direct spending or on budget deficits in any of the four consecutive 10-year periods beginning in 2029.

## CONSERVATIVE VIEWPOINTS:

- **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. 347 would extend the authorization of the [Uranium Mill Tailings Radiation Control Act of 1978](#) until [September 30, 2031](#) regarding a uranium disposal site, the Cheney disposal cell, in Mesa County, Colorado. The facility serves as a repository for mill tailings, radioactive waste generated during the conversion of uranium into nuclear reactor fuel. The authorization is set to expire no later than September 30, 2023. More information on Uranium Mill Tailings Radiation Control Act Sites from the Department of Energy can be found [here](#).

H.R. 347 contains similar language to H.R. 2278, which passed the House in the 115th Congress by a voice-vote on September 25, 2018. The RSC's legislative bulletin for H.R. 2278 can be found [here](#).

## COMMITTEE ACTION:

H.R. 347 was introduced on January 8, 2019, and was referred to the House Committee on Energy and Commerce.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2."

# H.R. 1138 — To reauthorize the West Valley demonstration project, and for other purposes (Rep. Reed, R-NY)

## FLOOR SCHEDULE:

Expected to be considered on March 5, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 1138](#) would authorize \$75 million for each of fiscal years 2020 through 2026 to clean up the West Valley Demonstration Project, a closed private nuclear waste reprocessing facility in West Valley, New York.

## COST:

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

In the 115<sup>th</sup> Congress, the Congressional Budget Office (CBO) [estimated](#) that implementing H.R. 2389 would cost \$345 million over the 2019-2023 period, assuming appropriation of the authorized amounts. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 2389 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

## CONSERVATIVE VIEWPOINTS:

- **Expand the Size and Scope of the Federal Government?** The bill would increase the authorized level from what it was in FY 1981 to the amount actually appropriated in FY 2019.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** According to the [Committee Report](#) from the 115<sup>th</sup> Congress, no.

Under the [House Rules](#), “the term “congressional earmark” means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula driven or competitive award process.” The GOP Conference Rules of the 115<sup>th</sup> Congress provide that “no Member shall request a congressional earmark, limited tax benefit, or limited tariff benefit, as such terms have been described in the Rules of the House.”

H.R. 1138 would authorize \$75 million per year for an entity, targeted to a specific locality (“a high level radioactive waste management demonstration project at the Western New York

Service Center in West Valley, New York”), without a formula or competitive process, at the request of a Member.

## **DETAILED SUMMARY AND ANALYSIS:**

The West Valley Demonstration Project is located at the site of the West Valley Service Center, the “first and, to date, only [commercial reprocessing](#) plant in the United States.” The plant closed in 1972, leaving significant radioactive waste at the site. In 1980, responsibility for the site reverted to the state of New York.

In 1980, Congress enacted the [West Valley Demonstration Project Act](#). This law authorized appropriations of not more than \$5 million for FY 1981 to “carry out, in accordance with this Act, a high level radioactive waste management demonstration project at the Western New York Service Center in West Valley, New York, for the purpose of demonstrating solidification techniques which can be used for preparing high level radioactive waste for disposal.” The law required the state to pay ten percent of the costs of the project. Funding has not been reauthorized since FY 1981; the project has been funded as an unauthorized appropriation since.

According to the [director](#) of the site, more than \$2 billion has been spent on the project over the last 37 years and “a total cleanup would cost about \$6 billion.” The project has been the subject of [DOE IG](#) reports and [GAO](#) audits.

H.R. 1138 would authorize \$75 million for each of fiscal years 2020 through 2026 to clean up the West Valley Demonstration Project.

The bill would further require a Government Accountability Office (GAO) report that describes: the volumes, origins, and types of radioactive waste at the Western New York Service Center in West Valley, New York; what options have been identified for disposal of each such type of radioactive waste; what is known about the costs of, and timeframes for, each such option; the benefits and challenges of each such option, according to the State of New York and the Department of Energy; how much has been spent on the disposal of radioactive waste associated with the demonstration project; what volumes and types of radioactive waste have been disposed of from the Western New York Service Center.

H.R. 1138 contains language that is identical to H.R. 2389, which passed the House in the 115th Congress by a voice-vote on September 25, 2018. The RSC’s legislative bulletin on H.R. 2389 can be found [here](#).

## **COMMITTEE ACTION:**

H.R. 1138 was introduced on February 11, 2019, and was referred to the House Committee on Energy and Commerce.

## **ADMINISTRATION POSITION:**

No stated Administration position available at this time.

## **CONSTITUTIONAL AUTHORITY:**

According to the bill’s sponsor: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1.”

# H.R. 1381 – Burn Pit Registry Enhancement Act (Ruiz, D-CA)

**FLOOR SCHEDULE:** Scheduled for consideration on March 5, 2019, under a suspension of the rules, which requires a 2/3 majority for passage.

**TOPLINE SUMMARY:** [H.R. 1381](#) would direct the Secretary of Veterans Affairs to take certain actions to ensure that certain specified individuals may update the burn pit registry with a registered individual's cause of death.

**COST:** A Congressional Budget Office estimate is currently unavailable for this legislation.

**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. 1381 would direct the Secretary of Veterans Affairs to take actions to ensure that certain specified individuals may update the [burn pit registry](#) with a registered individual's cause of death.

Specifically, not later than 180 days after the date of enactment, this legislation would require the Secretary of Veterans of Affairs to take actions to ensure that the burn put registry may be updated with the cause of death of a deceased registered individual by: 1) an individual designated by such deceased registered individual; or 2) if no such individual is designated, an immediate family member of such deceased registered individual.

**COMMITTEE ACTION:**

H.R. 1381 was introduced on February 26, 2019 and was referred to the House Committee on Veterans Affairs.

**ADMINISTRATION POSITION:**

No stated Administration position available at this time.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor of this legislation: "Congress has the power to enact this legislation pursuant to the following: Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress."



# H.R. 1271 – VET HP Act (Rep. Kaptur, D-OH)

**FLOOR SCHEDULE:** Scheduled for consideration on March 5, 2019, under a suspension of the rules, which requires a 2/3 majority for passage.

**TOPLINE SUMMARY:** [H.R. 1271](#) would establish a one-year pilot program to provide certain students a clinical observation experience at medical centers of the Department of Veterans Affairs.

**COST:** Although there is no Congressional Budget Office score for H.R. 1271, the [Congressional Budget Office](#) estimated that H.R. 2787 – the same legislation from the 115<sup>th</sup> Congress – would cost \$2 million over the 2019-2023 period. Any spending would be subject to the availability of appropriated funds.

This legislation would specify that no additional funds are authorized to be appropriated to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

## **CONSERVATIVE CONCERNS:**

- **Expand the Size and Scope of the Federal Government?** This legislation would establish a new one-year pilot program.
- **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. 1271 would establish a one-year pilot program to provide certain students a clinical observation experience at medical centers of the Department of Veterans Affairs.

This legislation would require that the Secretary of Veterans Affairs to carry out the pilot program at not fewer than five medical centers of the Department.

This legislation would specify the frequency and duration of such an observational program, as well as the how the sessions will be conducted.

This legislation would specify the selection parameters, including which students would be pursued as priority, for the Secretary regarding the selection of student participants in the program.

This legislation would require a report by the Secretary to Congress on the results of the pilot program. The report would include: 1) the number and demographics of all applicants, those accepted to participate in the pilot program, and those who completed the pilot program; and 2) the results of a reflection survey designed by the Secretary to assess the experience of the student observers.

This legislation would specify that no additional funds are authorized to be appropriated to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

**COMMITTEE ACTION:**

During the 115<sup>th</sup> Congress, [H.R. 2787](#) was introduced on June 6, 2017, and was referred to the House Committee on Veterans' Affairs. A markup was held on June 27, 2018 and was reported by voice vote. This legislation passed the House by voice vote on July 24, 2018.

H.R. 1271 was introduced on February 14, 2019 and was referred to the House Committee on Veterans Affairs.

**ADMINISTRATION POSITION:**

No stated Administration position available at this time.

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

# S. 49 – A bill to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation (Lee, R-UT).

**FLOOR SCHEDULE:** Scheduled for consideration on March 5, 2019, under a suspension of the rules, which requires a 2/3 majority for passage.

**TOPLINE SUMMARY:** [S. 49](#) would designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation.

**COST:** A Congressional Budget Office estimate is currently unavailable for this legislation.

**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. 49](#) would designate the [outstation](#) of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation.

This legislation would provide a brief background on [Major Brent Taylor](#).

**COMMITTEE ACTION:** S. 49 was introduced in the United States Senate on January 8, 2019 and was referred to the Senate Committee on Veterans Affairs. This legislation [passed](#) in the Senate on February 5, 2019 by Unanimous Consent and was subsequently received by the House where it was referred to the House Veterans Affairs Committee.

**ADMINISTRATION POSITION:**

No stated Administration position available at this time.

**CONSTITUTIONAL AUTHORITY:**

Legislation originating in the Senate does not require a Constitutional Authority Statement.

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**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.