



**THE REPUBLICAN
STUDY COMMITTEE**

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3. [H.R. 428 – Homeland Security Assessment of Terrorists’ Use of Virtual Currencies Act](#)
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H.R. 424 – Department of Homeland Security Clearance Management and Administration Act (Rep. Thompson, D-MS)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 424](#) would amend the Homeland Security Act of 2002 by adding requirements for the management and administration of security clearances within the Department of Homeland Security (DHS).

COST:

According to a Congressional Budget Office (CBO) [cost estimate](#) for H.R. 3505, passed by the House in the 114th Congress and substantially the same as H.R. 424, “implementing H.R. 3505 would cost about \$1 million over the 2016-2020 period; 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:

H.R. 424 would require the Secretary of Homeland Security to designate the sensitivity level of national security positions within the Department in accordance with federal guidelines by implementing uniform designation tools. The bill would direct the Secretary to require the utilization of uniform designation tools throughout the Department and provide training to appropriate staff of the Department on such utilization

The Secretary would additionally be required to review all sensitive level designations not later than July 6, 2019. The bill would require the DHS Inspector General to conduct regular audits regarding the department’s compliance with such federal standards.

The Secretary would be mandated to develop a plan to achieve greater uniformity within the Department with respect to the adjudication of eligibility of an individual’s access to classified information and would be required to submit such plan to Congress. The bill would stipulate that the secretary ensure all information received for the adjudication of eligibility of an individual’s access

to classified information is consistent with specified federal guidelines and is protected against misappropriation.

COMMITTEE ACTION:

H.R. 424 was introduced on January 10, 2019 and was referred to the House Committee on Homeland Security. This legislation passed last Congress by voice vote on January 31, 2017.

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."

H.R. 495 – FIRST State and Local Law Enforcement Act (Rep. Jackson Lee, D-TX)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 495](#) would require an annual report for the next five years to Congress on the activities of the Office for State and Local Law Enforcement within the Department of Homeland Security (DHS).

COST:

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

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. 495 would require the Department of Homeland Security's (DHS) Assistant Secretary for State and Local Law Enforcement for each of fiscal years 2020 through 2024, to submit to Congress, a report on the activities of the Office for State and Local Law Enforcement, including a description of:

- efforts to coordinate and share information regarding DHS and component agency programs with state, local, and tribal law enforcement agencies;
- efforts to improve information sharing through the Homeland Security Information Network by appropriate component agencies of the Department and by state, local, and tribal law enforcement agencies;
- the status of performance metrics within the Office of State and Local Law Enforcement to evaluate the effectiveness of efforts to carry out specified responsibilities;
- any feedback from state, local, and tribal law enforcement agencies about the Office, including the mechanisms utilized to collect such feedback;
- and efforts to carry out all other responsibilities of the Office of State and Local Law Enforcement.

COMMITTEE ACTION:

H.R. 495 was introduced on January 11, 2019 and was referred to the House Committee on Homeland Security and the Committee on the Judiciary. This legislation passed last Congress by voice vote on September 12, 2017.

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: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution."

H.R. 428 – Homeland Security Assessment of Terrorists’ Use of Virtual Currencies Act (Rep. Rice, D-NY)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 428](#) would direct the Under Secretary of Homeland Security for Intelligence and Analysis to develop and disseminate a threat assessment regarding terrorists’ use of virtual currency.

COST:

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

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. 428 would direct the Under Secretary of Homeland Security for Intelligence and Analysis to develop and disseminate a threat assessment regarding terrorists’ use of virtual currency not later than 120 days after the bill’s enactment. The Under Secretary would be mandated to share the threat assessment with state, local, and tribal law enforcement officials, including officials that operate within State, local, and regional fusion centers through the [Department of Homeland Security State, Local, and Regional Fusion Center Initiative](#).

COMMITTEE ACTION:

H.R. 428 was introduced on January 10, 2019 and was referred to the House Committee on Homeland Security. This legislation passed last Congress by voice vote on September 12, 2017.

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: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.”

H.R. 449 – Pathways to Improving Homeland Security at the Local Level Act (Rep. Demings, D-FL)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 449](#) would direct the Assistant Secretary for State and Local Law Enforcement within the Department of Homeland Security to produce and disseminate an annual catalog on Department of Homeland Security training, publications, programs, and services for state, local, and tribal law enforcement agencies.

COST:

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

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** This legislation would require DHS to create a catalogue of services for state and local agencies, and this could result in more state and local agencies accessing federal programs.
- **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. 449 would direct the Department of Homeland Security's (DHS) Assistant Secretary for State and Local Law Enforcement to produce an annual catalog that summarizes opportunities for training, publications, programs, and services available to state, local, and tribal law enforcement agencies from the Department. The Department would additionally be required 30 days after the catalog's production, to disseminate it through the [Homeland Security Information Network](#) (HSIN) and submit it to Congress.

COMMITTEE ACTION:

H.R. 449 was introduced on January 10, 2019 and was referred to the House Committee on Homeland Security and the House Committee on the Judiciary. This legislation passed last Congress by voice vote on September 12, 2017.

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: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution."

H.R. 504 – DHS Field Engagement Accountability Act (Rep. Bacon, R-NE)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 504](#) would require the Department of Homeland Security (DHS) to develop an engagement and information sharing strategy with [fusion centers](#).

COST:

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

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** DHS would be required to develop an engagement and information sharing strategy with fusion centers.
- **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. 504 would require the Department of Homeland Security (DHS) to develop an engagement and information sharing strategy with fusion centers. The strategy would be developed and updated at least every five years in consultation with the heads of intelligence components of the Department, the Chief Privacy Officer of the Department, the Officer for Civil Rights and Civil Liberties of the Department, officials of fusion centers, officers designated as Homeland Security Advisors, and the heads of other relevant agencies.

The bill would require the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to consider the effectiveness of existing processes to identify and prepare field personnel for deployment to support fusion centers and internal mechanisms to ensure oversight and accountability of field personnel, including field personnel assigned to one center and field personnel assigned to multiple centers; and publish and disseminate performance metrics, taking into account, as appropriate, regional and threat diversity. The Under Secretary for Intelligence and Analysis would be directed to develop and implement a formalized training module for fusion center personnel regarding the classified Homeland Secure Data Network of the Department, or any successor system.

The Chief Intelligence Officer of the Department of Homeland Security would be directed to develop policies and metrics to ensure effective use by components of the Department's unclassified

Homeland Security Information Sharing Network, or any successor system; and develop policies for posting unclassified products on the Homeland Security Information Sharing Network, or any successor system. The legislation would require a report to Congress within 18 months.

COMMITTEE ACTION:

H.R. 504 was introduced on January 11, 2019 and was referred to the House Committee on Homeland Security. This legislation passed last Congress by voice vote on March 19, 2018.

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, 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. 769 – Counterterrorism Advisory Board Act of 2019 Act (Rep. Katko, R-NY)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 769](#) would codify the authorization for the counterterrorism advisory board in the Department of Homeland Security (DHS) consisting of senior representatives of operational agencies within the department.

COST:

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

CBO [estimated](#) that implementing H.R. 4407, passed in the 114th Congress and identical to H.R. 769, would have no significant effect on DHS spending.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes – this legislation codifies a board that has been operating without authorization.
- **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. 769 would formally direct DHS to establish a board to be composed of senior representatives of departmental operational components and headquarters elements, to coordinate and integrate departmental intelligence, activities, and policy related to the counterterrorism mission and functions. This advisory board already exists within the Department, though without statutory authorization.

A charter would be issued to govern the structure and mission of the board and would direct the board to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary's guidance. The charter would be reviewed and updated every four years. The Secretary of Homeland Security would be mandated to appoint a Coordinator for Counterterrorism within the Department who would serve as the chair of the board.

The board would be directed to meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other

federal, state, local, tribal, territorial, and private sector partners, and would make recommendations to the Secretary; and would advise the Secretary on the issuance of terrorism alerts.

No additional funds would be authorized to carry out the bill.

Similar legislation passed by voice vote last Congress on January 31, 2017.

COMMITTEE ACTION:

H.R. 769 was introduced on January 24, 2019 and was referred to the House Committee on Homeland Security.

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, 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. Res. 77 - Expressing the sense of Congress that financial institutions and other companies should work proactively with their customers affected by the shutdown of the Federal Government who may be facing short-term financial hardship and long-term damage to their creditworthiness through no fault of their own (Rep. Waters, D-CA)

FLOOR SCHEDULE:

Expected to be considered on January 29, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H. Res. 77](#) would express a sense of Congress that financial institutions should work with those impacted by the recent partial government shutdown and are facing financial hardship.

COST:

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

CONSERVATIVE CONCERNS:

Some conservatives may believe that it is not the appropriate role of the federal government to pressure private industry on how it handles business with individuals. Other conservatives may view this measure as simply a mechanism for Democrats to cast further blame on the Trump Administration for any negative consequences experienced by federal workers as a result of the partial shutdown.

- **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 federal government was partially shut down from December 22, 2018 through January 26, 2019. Those affected by the shutdown may have had difficulty making on-time payments for a variety of costs, including to financial institutions for loans, mortgage payments or credit card payments.

H. Res. 77 would express a sense of Congress that federal financial institutions, and other companies, such as consumer reporting agencies and companies engaged in the production of consumer scores, should work with those impacted by the recent partial government shutdown and are facing financial hardship to address any adverse financial consequences caused by the partial shutdown.

COMMITTEE ACTION:

H. Res. 77 was introduced on January 25, 2019 and was referred to the House Committee on Financial Services.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

A constitutional authority statement is not necessary.

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