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**THE REPUBLICAN
STUDY COMMITTEE**

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H.R. 494 – Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2019 (Rep. Jackson Lee, D-TX)

FLOOR SCHEDULE:

Expected to be considered on February 7, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 494](#) would reauthorize the Juvenile Accountability Block Grant Program through 2024. This program expired in 2009 and has not been funded since 2013.

COST:

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

This legislation would authorize \$30 million for each fiscal year from 2020-2024.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes. This bill extends a grant program that has not received funding for 6 years and has not been authorized for a decade.
- **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. 494 would reauthorize the Juvenile Accountability Block Grant Program through 2024. This program expired in 2009 and has not been funded since 2013.

The Juvenile Accountability Block Grant Program supplies grants to state and local governments to improve the juvenile justice system in a manner that encourages accountability for youth. This bill would add the provision of both graduated sanctions and incentives as methods to encourage juvenile offender accountability.

This legislation authorizes \$30 million each year for FY20-24. This bill provides for accountability measures for grant recipients, including an audit requirement. The Attorney General (AG) would be required to submit to the House and Senate Judiciary Committees that the audits have been completed. The AG would be required to make efforts to prevent duplicative grants. If duplicative grants are awarded, the AG would be required to report to the Committees. This legislation includes a sense of Congress that the use of best practices for activities for awarded grants may be used.

Similar legislation, H.R. 68, passed the House on September 28, 2019 by unanimous consent.

COMMITTEE ACTION:

H.R. 494 was introduced on January 11, 2019 and was referred to the House Committee on the Judiciary

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: "Congress has the authority to enact this legislation under Article II, Section 8, Clause 3 of the United States Constitution."

H.R. 450 – Preventing Crimes Against Veterans Act of 2019, as amended (Rep. Deutch, D-FL)

FLOOR SCHEDULE:

Expected to be considered on February 7, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 450](#) would create a new federal criminal law making it illegal for someone to defraud a person of the person's veterans' benefits or defraud a person in connection with the person obtaining veterans' benefits.

COST:

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

According to a Congressional Budget Office (CBO) [estimate](#) from last Congress, "the bill would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such spending would be subject to the availability of appropriated funds." Although the bill would allow the federal government to collect additional civil fines, "CBO expects that any additional revenues and direct spending would not be significant because the legislation would probably affect only a small number of cases."

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would expand the federal criminal code by creating a new federal crime.
- **Encroach into State or Local Authority?** Some conservatives may believe that the bill violates the principle of federalism embodied in the Tenth Amendment given that the bill criminalizes an action that does not necessarily implicate interstate commerce (as would federal mail and wire fraud laws). Instead, the bill would justify federal intervention based solely on the fact that the item a person is being defrauded of is a benefit the person is entitled to under federal law.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The bill would add a new criminal law to the federal criminal code making it illegal for someone to defraud a person of the person's veterans' benefits or defraud a person in connection with the person obtaining veterans' benefits. Conviction under the new criminal law would carry a fine, imprisonment of up to 5 years, or both. The bill would cover any benefit provided by federal law for a veteran or a dependent or survivor of a veteran.

Current federal law does not contain a specific statute making defrauding a person of veterans' benefits illegal. Rather, such an action would have to fall under an existing federal criminal law, such as those criminalizing mail and wire fraud. Unlike federal wire and mail fraud statutes, the bill would not require that the criminal action involve a mode of interstate communication or commerce, like an interstate mail carrier or wire transaction. Accordingly, some conservatives may be concerned that the bill diverges from this precedent in lacking an interstate commerce element. Consequently, some conservatives may believe the bill violates the Tenth Amendment which reserved for the states all authority not explicitly conferred to the federal government. The bill's proffered federal nexus is that the item a person is defrauded of was provided to the person by the federal government.

The budgetary effects of this legislation would be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this legislation so long as the statement is submitted prior to a vote on the bill. Such a statement could set the direct spending and revenue effects of the bill at zero for purposes of [Statutory PAYGO](#).

This legislation passed last Congress by voice vote on March 14, 2018.

COMMITTEE ACTION:

H.R. 450 was introduced on January 10, 2019 and was referred to the House Committee on the Judiciary.

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. 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. 507 – Put Trafficking Victims First Act of 2019 (Rep. Bass, D-CA)

FLOOR SCHEDULE:

Expected to be considered on February 7, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 507](#) would provide a sense of Congress stating that the Attorney General should use technical and training assistance funds to provide training to prosecutors and support for state services regarding victims of human trafficking, using an evidence-based, victim-centered approach. The bill also requires the Justice Department to establish a working group to develop methodologies to assess the prevalence of human trafficking and a pilot program to test the methodologies.

COST:

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

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes. This bill requires the Justice Department to establish a working group to develop methodologies to assess the prevalence of human trafficking. It would also authorize a pilot program to test the methodologies.
- **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. 507 would include a sense of Congress stating that the Attorney General should use technical and training assistance funds to provide training to prosecutors and support for state services regarding victims of human trafficking, using an evidence-based, victim-centered approach. This bill would also authorize a pilot program to test the methodologies.

H.R. 507 would require, within three years following enactment, a report on the federal efforts to estimate the prevalence of human trafficking, the effectiveness of current policies, and an analysis of the demographic characteristics of the victims of trafficking. It would also require the Attorney General, in consultation with other relevant parties, to survey survivors that are seeking or receiving victim assistance services. No additional funds would be authorized for the working group.

This legislation would require the Attorney General to submit a report to Congress on efforts to increase restitution to victims, within one year following enactment.

H.R. 507 includes a sense of Congress that encourages states to adopt protections for trafficking victims.

COMMITTEE ACTION:

H.R. 507 was introduced on January 11, 2019 and was referred to the House Committee on the Judiciary and on Education and Labor.

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 1, Section 1 of the United States Constitution, providing--All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

H.R. 752 – Open Book on Equal Access to Justice Act (Rep. Collins, R-GA)

FLOOR SCHEDULE:

Expected to be considered on February 7, 2019 under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 752](#) would require federal agencies to publish online payments made for attorneys' fees and other expenses in civil or administrative proceedings.

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:

Under the [Equal Access to Justice Act](#), the government has the ability to provide payments to a prevailing party. This legislation would give Americans the ability to more easily obtain information as to how agencies handle lawsuits against the federal government in which attorneys' fees are awarded.

This legislation would direct the Chairman of the Administrative Conference to establish and maintain an online database containing information pertaining to awards, including the agency involved, the names of parties receiving awards, award amounts, and the basis for finding the position of the agencies concerned were not substantially justified. The database would not be permitted to reveal any information prohibited by court order.

This legislation would direct the head of every agency, including the Attorney General, to provide all information requested to the chairman, so that he may comply with the requirements of this legislation.

Similar legislation was passed in 2017 under suspension. A past RSC legislative bulletin can be found [here](#).

COMMITTEE ACTION:

H.R. 752 was introduced on January 24, 2019 and was referred to the House Committee on the Judiciary.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill sponsor: "Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18 of the Constitution of the United States."

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