



**THE REPUBLICAN
STUDY COMMITTEE**

LIBERTY. OPPORTUNITY. SECURITY.
MARK WALKER, CHAIRMAN

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20. [S. 2734 – To designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse"](#)
21. [H.R. 5846 – Promoting Flood Risk Mitigation Act, as amended](#)
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H.R. 1376 — Electronic Message Preservation Act of 2017 (Rep. Cummings, D-MD)

CONTACT: [Jay Fields](#), 202-226-9143

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1376, the Electronic Message Preservation Act of 2017](#), would require the National Archives and Records Administration (NARA) to create regulations requiring the preservation of certain electronic messages and records by Federal agencies. NARA would also be directed to establish standards for the management and preservation of electronic Presidential records.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would have no significant effect on federal spending because most of the provisions of H.R. 1376 would codify current practices.

According to CBO, enacting H.R. 1376 could affect direct spending by agencies that use fees, receipts from the sale of goods, and other collections to cover operating costs. Such collections are counted by CBO as negative mandatory spending. Therefore, pay-as-you-go procedures apply. Because most agencies can adjust the amounts collected as their operating costs change, CBO estimates that any net changes in direct spending by those agencies would be insignificant.

CONSERVATIVE VIEWS:

- **Expand the Size and Scope of the Federal Government?** Yes. The bill would impose additional duties, albeit ones that are inherently administrative, on executive agencies and the office of the President. Additionally, the bill could result in the imposition of higher fees imposed on private entities to cover the costs of agencies complying the bill's requirements.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** Yes. The bill would require NARA to promulgate records preservation regulations.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The bill would require the National Archives and Records Administration (NARA) to issue regulations governing Federal agency preservation of electronic messages such as emails and other electronic records. The regulations would have to require that the electronic records be preserved in an electronic format and be electronically searchable. All federal agencies would be required to comply with the preservation regulations established by NARA.

The bill would require federal agencies to submit to NARA reports within a year of enactment of the bill on the agency's compliance, and make the report public. NARA would have to report to Congress on overall agency compliance with 90 days of receipt of all agency reports.

NARA would also be directed to establish standards for the management of electronic Presidential records during the President's term in office, including for the preservation and searchability of electronic messages. NARA would be directed to annually certify and report to Congress whether the management controls established by the President are in compliance with the standards established by this bill for electronic Presidential Records and section 2203(a) of the Presidential Records Act pertaining to management and custody of Presidential records of official duties.

The bill would also require NARA to report to Congress within one year after the last term of a President on the volume and format of electronic Presidential records deposited into that President's Presidential archival depository and whether the electronic records management controls of that President met the standards established by this bill for electronic Presidential Records and section 2203(a) of the Presidential Records Act pertaining to management and custody of Presidential records of official duties.

COMMITTEE ACTION:

H.R. 1376 was introduced on March 7, 2017, and was referred to the House Committee on Oversight and Government Reform. The Committee held a mark-up session on March 15, 2018, and the bill was ordered to be reported 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 18 of the Constitution of the United States grants the Congress the power to enact this law."

H.R. 5415 — GAO-IG Act (Rep. Walker, R-NC)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5415](#), the “Good Accounting Obligation in Government Act” would require Federal agencies to submit reports on outstanding recommendations from the Government Accountability Office (GAO) for the agency in the annual budget justification submitted to Congress.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would require 15 percent of the time of one employee and cost around \$20,000 per agency each year. That spending would be subject to the availability of appropriated funds and would amount to \$5 million over the 2019-2023 period. Enacting H.R. 5415 could affect direct spending by agencies that are 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 be negligible. Enacting the bill would not affect revenues. CBO estimates that enacting H.R. 5415 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

No additional funds would be authorized to carry out the bill’s requirements, and would be carried out using amounts otherwise authorized.

On March 28, 2018, CBO transmitted a cost estimate for S. 2178, the Inspector General Recommendation Transparency Act of 2018 as ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on February 14, 2018. The two pieces of legislation are similar and CBO’s estimate of their costs are the same. The CBO estimate for S. 2178 can be found [here](#).

CONSERVATIVE SUPPORT:

Conservatives may be pleased the bill would provide additional accountability and transparency for agencies to follow through on completing recommendations from the GAO.

- **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. 5415 would direct the head of each Federal agency to include in the annual budget justification submitted to Congress: a report listing each public recommendation of the Government Accountability Office (GAO) that is designated by the office as “open” or “closed, unimplemented” as of the date on which the annual budget justification is submitted; a report listing each public recommendation for corrective action from the Office of Inspector General of the agency for which

no final action has been taken as of the date on which the annual budget justification is submitted; and a report on the implementation status of each public recommendation.

The head of an agency shall include a written response, in the annual budget justification to each recommendation designated by GAO in the annual priority recommendation letter sent to such head as high priority for attention by that head. Nothing in the bill would be construed to affect an authority provided to an Inspector General of an agency.

No additional funds would be authorized to carry out the bill's requirements, and would be carried out using amounts otherwise authorized.

According to the bill's sponsor and a [joint report](#) from the Senate Committee on Homeland Security and Governmental Affairs and Senate Judiciary Committee, in 2016, there were 15,000 open and unimplemented IG recommendations, which if implemented could result in a potential savings of \$87 billion.

COMMITTEE ACTION:

H.R. 5415 was introduced on March 26, 2018, and was referred to the House Committee on Committee on Oversight and Government Reform. The bill was ordered to be reported (amended) by voice vote on [May 23, 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. -and- Article I, 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. 4446 — To amend the Virgin Islands of the United States Centennial Commission Act to extend the expiration date of the Commission, and for other purposes, as amended (Rep. Plaskett, D-Virgin Islands)

CONTACT: [Jay Fields](#), 202-226-9143

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4446](#), To amend the Virgin Islands of the United States Centennial Commission Act to extend the expiration date of the Commission, and for other purposes, would extend the expiration date of the Virgin Islands of the United States Centennial Commission and its final report required under current law by one year.

COST:

The Commission is prohibited from using appropriated funds.

According to a Congressional Budget Office (CBO) [estimate](#), implementing the bill could affect direct spending by agencies that use fees, receipts from the sale of goods, and other collections to cover operating costs. Such collections are counted by CBO as negative mandatory spending. Therefore, pay-as-you-go procedures apply. Because most agencies can adjust the amounts collected as their operating costs change, CBO estimates that any net changes in direct spending by those agencies would be insignificant. Enacting H.R. 4446 would not affect revenues.

CONSERVATIVE VIEWS:

- **Expand the Size and Scope of the Federal Government?** Yes. The bill would extend the authorization of a commission.
- **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 Virgin Islands of the United States Centennial Commission Act established the Virgin Islands of the United States Centennial Commission to plan, develop, and carry out such activities as the Commission determines to be appropriate to commemorate the 100th anniversary of the Virgin Islands of the United States becoming an unincorporated territory of the United States.

Under the Act, the Commission is set to terminate no later than September 30, 2018, and a final report regarding the Commission's activities and finances is due January 31, 2018.

The bill would extend the termination and final report dates by one year to September 30, 2019, and January 31, 2019, respectively.

COMMITTEE ACTION:

H.R. 4446 was introduced on December 16, 2017, and was referred to the House Committee on Oversight and Government Reform. The Committee held a mark-up session on March 15, 2018, and the bill was ordered to be reported with an amendment in the nature of a substitute 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: Under Article IV Section 3, Congress shall have Power to dispose and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

H.R. 4890 — To designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the “Wayne K. Curry Post Office Building” (Rep. Brown, D-MD)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4890](#) would designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the “Wayne K. Curry Post Office Building”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Wayne K. Curry](#) was one of the country’s first black county leaders elected by popular vote. He served two terms as a county executive in Prince George’s County. While. He also served as the president of the Prince George’s Chamber of Commerce and the chairman of the Prince George’s County Economic Development Corp.

H.R. 4890 would designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the “Wayne K. Curry Post Office Building”.

COMMITTEE ACTION:

H.R. 4890 was introduced on January 29, 2018, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on March 15, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)".

H.R. 5238 — To designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the “Major Robert Odell Owens Post Office” (Rep. Correra, D-CA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5238](#) would designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the “Major Robert Odell Owens Post Office”

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Major Robert Odell Owens](#) represented New York in the U.S. House of Representatives for twelve terms after serving in the New York state senate for 8 years. He served as the chairman of the Subcommittee on Select Education and Civil Rights and was a member of the Congressional Black Caucus and the Progressive Caucus. He died of heart failure in 2013.

H.R. 5238 would designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the “Major Robert Odell Owens Post Office”.

COMMITTEE ACTION:

H.R. 5238 was introduced on March 9, 2018, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on May 23, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States." No specific enumerating clause was cited.

S. 2692 — A bill to designate the facility of the United States Postal Service located at 4558 Broadway in New York, New York, as the “Stanley Michels Post Office Building” (Sen. Gillibrand, D-NY)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 2692](#) would designate the facility of the United States Postal Service located at 4558 Broadway in New York, New York, as the “Stanley Michels Post Office Building”

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Stanley Michels](#) was a councilman in New York City who died from cancer in August of 2008. While serving on the council he advocated for environmental protection laws. He was the primary sponsor of New York’s first law regulating smoking in public places while indoors and a law that made the presence of peeling lead paint a serious violation of the housing code.

S. 2692 would designate the facility of the United States Postal Service located at 4558 Broadway in New York, New York, as the “Stanley Michels Post Office Building”.

COMMITTEE ACTION:

S. 2692 was introduced on April 18, 2018, and referred to the Senate Committee on Homeland Security and Governmental Affairs. The bill passed the Senate without an amendment by unanimous consent on June 28, 2018.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for bills that originate in the Senate.

H.R. 4407 — To designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the “Corporal Jeffery Allen Williams Post Office Building” (Rep. Hultgren, R-IL)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4407](#) would designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the “Corporal Jeffery Allen Williams Post Office Building”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Corporal Jeffery Allen Williams](#) was killed by an IED in Iraq in 2005, six months after being deployed. He was 20 years old. He received the Bronze Star and the Purple Heart. Williams frequented the post office to pay medical bills after his mother was diagnosed with congenital heart disease while Williams was in high school.

H.R. 4407 would designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the “Corporal Jeffery Allen Williams Post Office Building”.

COMMITTEE ACTION:

H.R. 4407 was introduced on November 15, 2017, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on May 23, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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 1, Section 1 of the United States Constitution". No specific enumerating clause was cited.

S. 931 — A bill to designate the facility of the United States Postal Service located at 4910 Brighton Boulevard in Denver, Colorado, as the “George Sakato Post Office” (Sen. Gardner, R-CO)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5238](#) would designate the facility of the United States Postal Service located at 4910 Brighton Boulevard in Denver, Colorado, as the "George Sakato Post Office".

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[George Sakato](#) served in the 442nd Regimental Combat Team. While serving in France, he killed five German soldiers, captured four, endured heavy fire in a one-man rush and took charge after his squad leader was killed in a counterattack the squad sustained destroying a German strongpoint. He killed another seven soldiers and helped take 34 prisoners He was awarded the Distinguished Service Cross and recommended for the Medal of Honor, but denied it because he was Japanese. He eventually received the award, along with 21 other Asian-Americans in 2000. He was the last of the 21 to pass away. He was 94-years-old.

S. 931 would designate the facility of the United States Postal Service located at 4910 Brighton Boulevard in Denver, Colorado, as the "George Sakato Post Office".

COMMITTEE ACTION:

S. 931 was introduced in the Senate on April 25, 2017. It passed the Senate by voice vote and was received in the House on March 8, 2018. The bill was referred to the House Committee on Oversight

and Government Reform. A markup was held on March 15, 2018, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for bills that originate in the Senate.

H.R. 2979 — To designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the “Jack H. Brown Post Office Building” (Rep. Aguilar, D-CA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2979](#) would designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the “Jack H. Brown Post Office Building”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Jack H. Brown](#) was the executive chairman of Stater Bros., a supermarket chain based in San Bernardino, California. He started as a box boy at his hometown supermarket and eventually went on to serve as Stater Bros.’s CEO and president for over 35 years before taking the role of executive chairman. He helped grow the chain from 90 stores to almost 170 stores. Although he was encouraged to move the company out of San Bernardino as the company grew, he remained committed to San Bernardino and continued to invest in the city. He established Stater Bros. Charities, was a founder of the Boys and Girls Club of San Bernardino and was the founding chairman of Children’s Fund of San Bernardino. He also served in the U.S. Navy. Brown passed away in November of 2016.

H.R. 2979 would designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the “Jack H. Brown Post Office Building”.

COMMITTEE ACTION:

H.R. 2979 was introduced on June 21, 2017, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on March 15, 2018, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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 1, Section 8, Clause 18 of the United States Constitution".

H.R. 4946 — To designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Specialist Trevor A. Win'E Post Office” (Rep. Correra, D-CA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4946](#) would designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Specialist Trevor A. Win'E Post Office”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Specialist Trevor A. Win'E](#) served in the U.S. Army for two years before passing away from injuries sustained from an IED attack in Iraq. He was 22-years-old. He was handpicked to serve as a petroleum specialist and was also chosen to be the gunner on the company's gun truck.

H.R. 4946 would designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Specialist Trevor A. Win'E Post Office”.

COMMITTEE ACTION:

H.R. 4946 was introduced on February 6, 2018, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on May 23, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: (1) The U.S. Constitution including Article 1, Section 8." No specific enumerating clause was cited.

H.R. 5504 — To designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the "Sergeant Dietrich Schmieman Post Office Building". (Rep. Newhouse, R-WA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5504](#) would designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the "Sergeant Dietrich Schmieman Post Office Building".

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Sergeant Dietrich Schmieman](#) served in the U.S. Marines before passing away in a helicopter crash in Mississippi along with five other Marines and navy corpsman in 2015. He received 14 awards during his military career.

H.R. 5238 would designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the "Sergeant Dietrich Schmieman Post Office Building".

COMMITTEE ACTION:

H.R. 5238 was introduced on April 13, 2018, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on May 23, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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 1, Section 8, Clause 3."

House Amendment to S. 899 — Veterans Providing Healthcare Transition Improvement Act (Sen. Hirono, D-HI)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[The House Amendment to S. 899](#) would authorize the medical treatment leave policy to new Federal employees who are veterans with service-connected disabilities to apply to certain employees of the Veterans Health Administration.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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 House Amendment to S. 899 would amend [section 6329\(d\)\(1\) of title 5, United States Code](#), to authorize the medical treatment leave policy to new Federal employees who are veterans with service-connected disabilities to apply to certain employees of the Veterans Health Administration, and officers or employees of the United States Postal Service or the Postal Regulatory Commission.

COMMITTEE ACTION:

S. 899 was introduced on April 7, 2017, and was referred to the Senate Committee on Committee on Veterans' Affairs. On March 20, 2018, the bill passed the Senate without amendment by unanimous consent and was referred to the House Committee on Oversight and Government Reform.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

A constitutional authority statement is not required for bills that originate in the Senate.

H.R. 3076 — Creating Advanced Streamlined Electronic Services (CASES) for Constituents Act of 2017 (Rep. Graves, R-LA)

CONTACT: [Jay Fields](#), 202-226-9143

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 3076](#), the Creating Advanced Streamlined Electronic Services (CASES) for Constituents Act of 2017, would require the Office of Management and Budget (OMB) to ensure the creation of a system whereby agencies are able to electronically accept consent forms from constituents and congressional offices allowing for the disclosure of the records of the constituent.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost \$15 million over the 2019 – 2023 period, with most of this funding being subject to appropriation. Extrapolated over a ten- year period, implementing the bill would cost \$30 million.

Pursuant to the bill, no additional funds would be authorized to carry out the requirements of the bill.

According to CBO, enacting the bill could affect direct spending by agencies that use fees, receipts from the sale of goods, and other collections to cover operating costs. Such collections are counted by CBO as negative mandatory spending. Therefore, pay-as-you-go procedures apply. Because most agencies can adjust the amounts collected as their operating costs change, CBO estimates that any net changes in direct spending by those agencies would be insignificant.

CONSERVATIVE VIEWS:

- **Expand the Size and Scope of the Federal Government?** Yes. The bill would expand the duties of federal agencies by requiring them to implement a process for accepting electronic consent forms allowing the disclosure of constituent records. Additionally, the bill could result in the imposition of higher fees imposed on private entities to cover the costs of agencies complying the bill's requirements.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** Yes. The bill would require OMB to development guidance for agencies to implement a process for accepting electronic consent forms allowing the disclosure of constituent records.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The bill would require the Office of Management and Budget (OMB) to issue guidance that establishes standards for agencies to develop an electronic identity proofing and authentication process so that a person can provide electronic consent to have his or her record's disclosed or accessed or a method for agencies to electronically identity proof and authenticate a person submitting electronic consent through a central online portal. OMB's guidance would also have to develop an electronic consent form that can be identity proofed and authenticated, require agencies to accept the consent form from individuals and congressional offices on their behalf, and authorize agencies to provide a link to the central online portal.

OMB would be required to operate the online portal. The bill requires that the portal include privacy protection features. Under the bill, each consent form would be assigned a consent identifier.

OMB would be required to ensure that congressional offices are able to provide constituents with a link to the online portal that prepopulates information about the congressional office along with a consent "checkbox" for the office to access the constituent's records.

No additional funds would be authorized to carry of the requirements of the bill.

COMMITTEE ACTION:

H.R. 3076 was introduced on June 27, 2017, and was referred to the House Committee on Oversight and Government Reform. The Committee held a mark-up session on February 6, 2018, and the bill was ordered to be reported 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 18."

H.R. 4960 — To designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the “Spc. Sterling William Wyatt Post Office Building (Rep. Hartlzer, R-MO)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4960](#) would designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the “Spc. Sterling William Wyatt Post Office Building”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Specialist Sterling William Wyatt](#) served in the U.S. Army until he was killed by an IED while on patrol in Afghanistan. He was 21-years-old. He was an Eagle Scout, a first-degree black belt in taekwondo and a Certified Nurse Attendant. He received the Medal of Valor, Bronze Star and the National Defense Service Medal.

H.R. 4960 would designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the “Spc. Sterling William Wyatt Post Office Building”.

COMMITTEE ACTION:

H.R. 4960 was introduced on February 7, 2018, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on March 15, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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 1, Section 8, Clause 7, "The Congress shall have power to . . . establish Post Offices and Post Roads . . ." In the Constitution, the power possessed by Congress embraces the regulation of the Postal System in the country. Therefore, the proposed legislation in naming a post office would fall under the powers granted to Congress in the Constitution."

H.R. 3230 — To designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the “Harmon Killebrew Post Office Building” (Rep. Labrador, R-ID)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3230](#) would designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the “Harmon Killebrew Post Office Building”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[Harmon Killebrew](#) was a first baseman for the Minnesota Twins who hit more homeruns than any right-handed batter in the history of the American League. He played in the Major League for 22 years before retiring in 1975.

H.R. 3230 would designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the “Harmon Killebrew Post Office Building”.

COMMITTEE ACTION:

H.R. 3230 was introduced on July 13, 2017, and referred to the House Committee on Oversight and Government Reform. A mark-up session was held on September 13, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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 7 of the United States Constitution.

H.R. 66 — Route 66 Centennial Commission Act (Rep. Davis, R-IL)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 66](#) would establish a Route 66 Centennial Commission. The Secretary of Transportation would also be required to prepare a plan on the preservation needs of Route 66.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

The bill does not authorize any additional funds. Activities would be funded through the Department of Transportation, but the bill prohibits Highway Trust Funds from being used for the provisions of this bill.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** The bill would establish a Route 66 Centennial Commission.
- **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. 66 would establish a Route 66 Centennial Commission. The commission would have the following responsibilities: (1) to study federal government activities in order to determine whether the activities are fitting and proper to honor the centennial anniversary of Route 66; (2) to recommend to congress the activities the commission considers most fitting and proper; and, 3) to plan and host a conference on the U.S. Numbered Highway System.

The commission would be comprised of 19 members, and shall serve without pay, but shall receive travel expenses.

The commission may appoint and fix the pay of a director and personnel, as appropriate. The commission may hold hearings, and receive evidence. The commission is required to submit a report to the President and Congress, within five years of enactment, with recommendations for the commemoration of Route 66's centennial.

The Secretary of Transportation would be required to prepare a plan on the preservation needs of Route 66 and submit a report to Congress within 3 years.

The commission shall terminate on June 30, 2027.

The bill does not authorize any additional funds. Activities would be funded through the Department of Transportation, but the bill prohibits Highway Trust Funds from being used for the provisions of this bill.

COMMITTEE ACTION:

H.R. 66 was introduced on January 3, 2017, and referred to the House Committee on Transportation and Infrastructure. A mark-up session was held on June 27, 2018, and the bill was reported by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution."

H.R. 3906 — Innovative Stormwater Infrastructure Act of 2017 (Rep. Heck, D-WA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3906](#) would require the administrator of the Environmental Protection Agency (EPA) to establish a storm water infrastructure funding task force to conduct a study on the availability of public and private funding sources for the construction, rehabilitation and operation and maintenance of stormwater infrastructure and submit a report to Congress.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** The bill would require the administrator of the Environmental Protection Agency (EPA) to establish a storm water infrastructure funding task force.
- **Encroach into State or Local Authority?** Some conservatives may believe that stormwater infrastructure financing is an issue that would be more appropriately handled by state and local governments, or by market forces.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 3906 would require the administrator of the Environmental Protection Agency (EPA) to establish a storm water infrastructure funding task force to conduct a study on the availability of public and private funding sources for the construction, rehabilitation and operation and maintenance of stormwater infrastructure and submit a report to Congress.

The task force would be required to: (1) identify existing government and private sources of funding for stormwater infrastructure; and, (2) consider how funding from these sources has been made available and utilized, how this funding affects the infrastructure's affordability, and whether they are sufficient to support capital expenditures and operation and maintenance costs.

The EPA's administrator must submit a report to congress within 18 months.

COMMITTEE ACTION:

H.R. 3906 was introduced on October 2, 2017, and referred to the House Committee on Transportation and Infrastructure. A mark-up session was held on June 27, 2018, and the bill was reported by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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." No specific enumerating clause was cited.

H.R. 5772 — To designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas as the “J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse” (Rep. Thornberry, R-TX)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5772](#) would designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas as the “J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[J. Marvin Jones](#) was a congressman and judge who passed away on March 4, 1976. He represented the 13th district of Texas for 24 years before retiring to serve on the U.S. Court of Claims as an associate justice. He also served on the War Food Administration and was later nominated to be the Chief Justice on the Court of Claims by Harry Truman.

H.R. 5772 would designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas as the “J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse”.

COMMITTEE ACTION:

H.R. 5772 was introduced on May 10, 2018, and referred to the House Committee on Transportation and Infrastructure. A mark-up session was held on June 27, 2018, and the bill was reported by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: United States Constitution Article I, Section 8, Clause 9 (To constitute Tribunals inferior to the Supreme Court).

H.R. 3460 — A bill to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina as the “John Hervey Wheeler United States Courthouse” (Rep. Butterfield, D-NC)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3460](#) would designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina as the “John Hervey Wheeler United States Courthouse”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

[John Hervey Wheeler](#) was a civil rights leader in North Carolina. He was appointed by President John F. Kennedy to serve on the Equal Employment Opportunity Commission, was one of the first blacks to be appointed to a high position within North Carolina’s Democratic Party, and worked for the National Association for the Advancement of Colored People (NAACP). Wheeler passed away in 1978.

H.R. 3460 would designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina as the “John Hervey Wheeler United States Courthouse”.

COMMITTEE ACTION:

H.R. 3460 was introduced on July 27, 2017, and referred to the House Committee on Transportation and Infrastructure. A mark-up session was held on June 27, 2018, and the bill was reported by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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 18: The Necessary and Proper Clause".

S. 2734 — To designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas as the “George P. Kazen Federal Building and United States Courthouse” (Sen. Cornyn, R-TX)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 2734](#) would designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas as the “George P. Kazen Federal Building and United States Courthouse”.

COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

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:

Senior U.S. District Court Judge [George P. Kazen](#) recently retired after almost 40 years on the bench in the Southern District of Texas.

S. 2734 would designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas as the “George P. Kazen Federal Building and United States Courthouse”.

COMMITTEE ACTION:

S. 2734 was introduced in the Senate on April 24, 2018. The bill passed the Senate by unanimous consent and was received in the House on June 7, 2018. The bill was referred to the House Committee on Transportation and Infrastructure.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for bills that originate in the Senate.

H.R. 5846 — Promoting Flood Risk Mitigation Act, as amended (Rep. Blumenauer, D-OR)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Expected to be considered July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5846](#) would require the GAO to conduct a study on the efficacy of buyout practices and ways to streamline them to provide more timely assistance to a larger number of state and local governments.

COST:

The Congressional Budget Office (CBO) [estimates](#) enacting H.R. 5846 would not have a significant cost.

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. 5846 would require the GAO to conduct a study on the efficacy of buyout practices and ways to streamline buyout practices to provide more timely assistance to a larger number of state and local governments.

The study must include: (1) current and future trends on repetitive loss structures and severe repetitive loss structures that are insured under the National Flood Insurance Program; (2) buyout practices; (3) administrative, financial or temporal constraints that may impede the timely acquisition under a buyout program; (4) potential options, methods, and strategies to address these constraints, including an evaluation of the feasibility of a pilot program; (5) the ecological, financial, and flood risk reduction benefits that buyout practices provide; (6) an assessment of how the Federal Emergency Management Agency (FEMA) administrator may use buyout programs to reduce future projections of flood risk as a result of sea level rise, population changes and subsidence; and, 7) a cost-benefit analysis of mitigation and buyout projects and programs.

The GAO must submit a report to Congress within one year of enactment. The report must detail the feasibility of the administrator to establish and alternative buyout program and the process required by the administrator to establish and alternative buyout program, like the pilot program that is referred to above.

COMMITTEE ACTION:

H.R. 5846 was introduced on May 16, 2018, and referred to the House Committee on Transportation and Infrastructure. A mark-up session was held on June 27, 2018, and the bill was reported by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is 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". No specific enumerating clause was cited.

S. 490 — A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam (Sen. Daines, R-MT)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[S. 490](#) would authorize the Federal Energy Regulatory Commission (FERC) to reinstate and extend the deadline for the commencement of construction of a hydroelectric project involving the [Gibson Dam](#) in Montana.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 490 would have no net effect on the federal budget. Enacting S. 490 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 490 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

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. 490 would authorize the Federal Energy Regulatory Commission (FERC) to reinstate and extend the deadline for the commencement of construction of a hydroelectric project involving the Gibson Dam in Montana, for not more than three consecutive two-year periods from the date of the expiration of the extension originally issued by FERC.

COMMITTEE ACTION:

S. 490 was introduced on March 2, 2017, and was referred to the Senate Committee on Energy and Natural Resources. The bill passed the Senate with an amendment by unanimous consent on June 28, 2018. The bill was then referred to the House Committee on Energy and Commerce.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

A constitutional authority statement is not required for bills that originate in the Senate.

H.R. 5333 — Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018 (Rep. Latta, R-OH)

CONTACT: [Gavin Proffitt](#), 202-226-2076

FLOOR SCHEDULE:

July, 16, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5333](#) would amend the Federal Food, Drug, and Cosmetic Act and change the way that the FDA regulates the marketing of certain over-the-counter medicines and sunscreens by making updates to monograph system. The legislation would make changes to the rulemaking process by implementing an administrative order procedure – which will take input from development meetings, consultations, and public comment periods. This legislation would include updates to the dispute resolution process. Additionally, this legislation would aim to increase the speed for over the counter medications to reach the market.

COST:

The [Congressional Budget Office](#) estimates that enacting H.R. 5333 would “have negligible effect on the federal budget.” H.R. 5333 would affect spending subject to appropriation.

H.R. 5333 “would change the FDA’s oversight of the commercial marketing of OTC medicines and authorize the collection and spending of fees through 2023 to cover the costs of expediting the FDA’s administrative procedures for certain regulatory activities relating to OTC products. Under H.R. 5333, CBO estimates, the FDA would assess about \$147 million in fees over the 2019-2023 period that could be collected and made available for obligation only to the extent and in the amounts provided in advance in appropriation acts. Because the FDA could spend those fees, CBO estimates that the estimated budget authority for collections and spending would offset each other exactly in each year, although CBO expects that spending initially would lag behind collections.”

CBO estimates that implementing H.R. 5333 would reduce net discretionary outlays by \$10 million over the 2019-2023 period. This legislation would also require the Government Accountability Office to conduct certain studies which is estimated to cost less than \$500,000. CBO also notes that, if enacted, H.R. 5333 would affect mandatory spending.

H.R. 5333 would require developers and manufacturers of OTC drugs to pay certain fees to the FDA. CBO estimates that about \$30 million would be collected each year, on average, for a total of \$147 million over the 2019-2023 period. Those amounts would not exceed the annual threshold for private-sector mandates in any year during that period.

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?** The bill would delegate certain rulemaking authority to the Secretary of Health and Human Services, as well as the delegation of certain autonomy over development of approval processes.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 5333 would amend the Federal Food, Drug, and Cosmetic Act and change the way that the FDA regulates the marketing of certain over-the-counter medicines and sunscreens by making updates to monograph system. The legislation would make changes to the rulemaking process by implementing an administrative order procedure – which will take input from development meetings, consultations, and public comment periods. This legislation would include updates to the dispute resolution process. Additionally, this legislation would aim to increase the speed for over the counter medications to reach the market.

Title I – OTC DRUG REVIEW

Sec 101. – Regulation of Certain Nonprescription Drugs that are Marketed Without an Approved New Drug Application

This section would provide for the additional regulations to the Federal Food, Drug, and Cosmetic Act for certain nonprescription drugs that are marketed without an approved new drug application.

This section would provide requirements on which drugs will be recognized as safe and effective, and not to be considered new drugs and exempt from new drug application requirements, and nonprescription if the drug is: 1) in conformity with the requirements for nonprescription use of a final monograph; and 2) conform with a Tentative Final Monograph – except in the case of a minor change in the drug, or are in a dosage form that has been used to a material time and extent. Drugs would lawfully be able to be marketed without a new drug application if they are classified as Category III and conform with a Tentative Final Monograph or are Category I under an advance notice of proposed rulemaking and conform with the conditions of the proposal.

This section would deem sunscreen drugs to be generally recognized as safe and effective if they conform with a stayed final monograph.

This section would allow for the Secretary of Health and Human Services to initiate changes to a monograph from the administration or on behalf of a sponsored request.

This section would provide for a standard for the Secretary to determine whether or not a drug is generally recognized as safe and effective – [under 201\(p\)\(1\) of the Federal Food, Drug, and Cosmetic Act](#) – if 1) the evidence shows that the drug is not generally recognized as safe and effective; and 2) the evidence is inadequate to show that the drug is generally recognized as safe and effective within the meaning of section 201(p)(1).

If the Secretary initiates an administrative order, this section would require the Secretary to make reasonable efforts to notify informally, not later than two business days before the issuance of the proposed order, the sponsors of drugs who have a listing for the drugs or combination of drugs that will be subject to the administrative order. After any such reasonable efforts of notification, the Secretary shall publish it on the website of the FDA and include reasons for the issuance of the order;

and publish a notice of availability of such proposed order in the Federal Register. This section also requires that a public comment period with respect to such a proposed order of not less than 45 calendar days. The FDA would then provide a statement of reasons supporting the order when issuing the final administrative order, and will not take effect until the time requesting judicial review has expired.

This section would require that for an order to determine that a drug is not generally recognized as safe and effective, the Secretary must provide a comment period of 180 days – with a good cause exception for a shorter comment period, such as the interest of public health. For such orders, the FDA will provide general categories of data necessary to determine a drug is generally recognized as safe and effective. Sponsors must submit data in an FDA-prescribed format.

This section also provides for information on the process and procedures for dispute resolution within the FDA's Center for Drug Evaluation and Research. Additionally, if there is still a dispute after that process, the sponsor will have a right to an FDA hearing – which must be requested within 30 days after the Center for Drug Evaluation and Research dispute process. The Center for Drug Evaluation may deny a hearing if the hearing request and administrative record do not establish a genuine and substantial question of material fact based on data using relevant and reliable scientific principles and methodologies. Furthermore, the FDA may consolidate hearing requests to promote efficiency and avoid duplication.

This section would allow for a period to submit a request for a judicial review to a United States District Court, and must be filed within 60 days.

This section also provides for the process for expedited procedure with respect to administrative orders initiated by the Secretary, and administrative orders initiated by a requestor or sponsor.

The GAO would be required to conduct a study of the overall impact of exclusivity under certain provisions of this section within four years. The study would include: 1) the number of nonprescription drug products that were granted exclusivity and the indication for which the nonprescription drug products were determined to be generally recognized as safe and effective; 2) whether the exclusivity for such drug products was granted for a new active ingredient or changes in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requester were essential; 3) whether, and to what extent, the exclusivity impacted the requestor's or sponsor's decision to develop the drug product; 4) an analysis of the implementation of the exclusivity provision, including resources used by the FDA; the impact of the provisions on innovation, as well as research and development, competition, consumer access, prices; and whether the administrative orders initiated by requestors have been sufficient to encourage the development of nonprescription drug products that would likely not have been developed; and 5) whether the administrative orders initiated by requestors under this section have been sufficient incentive to encourage innovation in the nonprescription market.

This section would provide for information regarding safe nonprescription marketing and use as condition for filing a generally recognized as safe and effective request.

This section also provides for new requirements for packaging of a drug to encourage use in accordance with labeling.

This section would state that any final or tentative final monograph for Category I drugs would be considered final administrative orders.

This section would provide the outline for the procedure for minor changes in dosage forms that otherwise are consistent with the requirements of a monograph may take place without prior notice at a sponsor's discretion. This would be done so long as the requestor maintains such information as is necessary to demonstrate that the change: 1) will not affect the safety of effectiveness of the drug; and 2) will not materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product.

This section would also require that a requestor's, or sponsor's records remain confidential until publication of a proposed order. Additional confidentiality requirements are provided for in this section.

This section would provide updates to drug listing information. The requirement would be to update drug listing information for the drug within 30 calendar days prior to introduction of the drug into the market.

This section would require the Secretary of Health and Human Services to establish and maintain a repository of each final order and interim final order in effect, including the complete text of the order; and a listing of all orders proposed and under development. A brief description of each order would also be required.

This section would require sponsors or requestors to meet with appropriate officials of the FDA to obtain advice on the studies and other information necessary to support submissions. All submissions would be required to be submitted in electronic format.

This section would specify that, except as otherwise provided, the FDA would continue to use the existing notice and comment rulemaking for rules that would apply to over the counter drugs in general. Certain regulations would be withdrawn.

Sec 102. – Misbranding

This section would specify that monograph drugs not in compliance would be misbranded. Additionally, monograph drugs marketed from a non-fee-paying facility would be misbranded.

Sec 103. – Drugs Excluded from the Over-The-Counter Drug Review

This section would state that nothing in the bill would apply to any nonprescription drug which was excluded by the FDA from the Over-the-Counter Drug Review.

Sec 104. – Treatment of Sunscreen Innovation Act

This section would include a review of nonprescription sunscreen active ingredients. A sponsor of over-the-counter sunscreen may elect to, by writing, within 180 days, submit to the Secretary of Health and Human Services their intent to transition into the review of such ingredients under the reforms of this act. A final sunscreen order under the Sunscreen Innovation Act would be deemed a final order.

Sec 105. – Annual Update to Congress on Appropriate Pediatric Indication for Certain Over the Counter Cough and Cold Drugs

This section would require the Secretary of Health and Human Services to annually submit to Congress a letter describing the progress of the FDA in: 1) evaluating the cough and cold monograph

with respect to children under the age of 6; and 2) as appropriate, revising such cough and cold monograph to address such children through the order process.

Title II – USER FEES

This title includes the “Over-the-Counter Monograph User Fee Act of 2018.”

This title would require that each person that owns a facility identified as an over the counter monograph drug facility shall be assessed an annual fee for each such facility. Additionally, over the counter monograph order request fees are subject to an inflation-adjusted \$500,000 fee for tier 1 requests, and \$100,000 for tier 2 requests. Safety-related label change OTC monograph order requests would be exempt from the fee.

This title would require that each fiscal year, the FDA must submit to congress and port a report concerning the progress of the FDA in achieving the goals of this legislation, and the future plans for the FDA for meeting such goals.

This title also would require the FDA to submit a report to Congress and post a report on implementation of the authority for fee collection, fee uses, and collections.

This title would require each report to be publicly available on the FDA website.

This title would require the FDA to consult with Congress, scientific and academic experts, health care professionals, representatives of the patient and consumer advocacy groups, and the regulated industry in preparing for the future reauthorization of the legislation. The FDA would post the recommendations report for the public to view, take comments, and revise if necessary. The final recommendations would be required to be sent to Congress no later than January 15, 2022.

COMMITTEE ACTION:

H.R. 5333 was introduced on March 19, 2018, and was referred to the House Committee on Energy and Commerce. The bill was marked up on March 9, 2018, and reported by voice vote.

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 3: Congress shall have the Power . . .” to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.”

H.R. 5554 — Animal Drug and Animal Generic Drug User Fee Amendments of 2018 (Rep. Mullin, R-OK)

CONTACT: [Gavin Proffitt](#), 202-226-2076

FLOOR SCHEDULE:

Scheduled for consideration on July 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5554](#) would authorize the FDA to collect and spend fees to cover the cost of expedited approval for the development and marketing of certain drugs for use in animals. Additionally, this legislation would expand eligibility for conditional approval for certain drugs. This legislation would also require certain reports to be published and submitted to Congress.

COST:

The [Congressional Budget Office](#) estimates that enactment of H.R. 5554 would reduce net discretionary outlays by \$8 million over the 2019-2023 period, primarily because the spending of fees lags somewhat behind their collection.

“Under H.R. 5554, CBO estimates that the FDA would assess about \$257 million in fees over the 2019-2023 period. Because the FDA could spend these funds, CBO estimates that budget authority for collections and spending would offset each other in each year. CBO estimates that the delay between collecting and spending fees under the reauthorized programs would reduce net discretionary outlays by \$14 million over the 2019-2023 period, assuming appropriation actions consistent with the bill.”

CBO estimates that the cost of the FDA published reports and reports to Congress would cost \$6 million over the 2019-2023 period.

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?** The bill would provide new regulatory authority to the Secretary of Health and Human Services regarding the conditional approval of new animal drugs.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

[H.R. 5554](#) would authorize the FDA to collect and spend fees to cover the cost of expedited approval for the development and marketing of certain drugs for use in animals. Additionally, this legislation would expand eligibility for conditional approval for certain drugs. This legislation would also require certain reports to be published and submitted to Congress.

Title I – Fees Relating to Animal Drugs

Sec 101. Short title; finding.

This section would outline the findings of Congress for this Title.

Sec 102. Definitions.

This section would provide the definitions for terminology used in this legislation.

Sec 103. Authority to assess and use animal drug fees.

This section would reauthorize and make changes to the fee revenue amounts. This section contains provisions that would account for adjustment to inflation. Additionally, this section contains provisions which would allow the Secretary of Health and Human Services to make adjustments to certain workload requirements, as determined by the Secretary. These adjustments would be required to be published in the Federal Register.

This section contains conditions which would allow for exemption of fee collection under this title.

This section would provide for procedure should collection of fees in excess of the authorized amount occur under this title.

Sec 104. Reauthorization; reporting requirements.

This section would reauthorize certain reporting requirements under this title.

Sec 105. Savings clause.

This section would provide that provisions of current law related to assessing and collecting any fee required for a fiscal year prior to FY 2019 shall continue for animal drug applications and supplemental animal drug applications that were accepted between October 1, 2013, and October 1, 2018.

Sec 106. Effective date.

This section would provide that the amendments made by this legislation would take effect on October 1, 2018, or on the date of enactment.

Sec 107. Sunset dates.

This section would provide that the authorization and reporting requirements would sunset under this title on October 1, 2023, and October 1, 2024, respectively.

Title II – Fees Relating to Generic Animal Drugs**Sec 201. Short title; finding.**

This section would outline the findings of Congress for this Title

Sec 202. Authority to assess and use generic new animal drug fees.

This section would provide for authority to assess and use generic new animal drug fees. Specifically, this section would provide the authorization for the the total revenue which would be able to be generated by such fees.

This section would provide provisions for inflation adjustment.

Additionally, this section contains provisions which would allow the Secretary of Health and Human Services to make adjustments to certain workload requirements, as determined by the Secretary.

This section contains conditions which would allow for exemption of fee collection under this title.

This section would provide for procedure should collection of fees in excess of the authorized amount occur under this title.

Sec 203. Reauthorization; reporting requirements.

This section would reauthorize certain reporting requirements under this title.

Sec 204. Savings clause.

This section would provide that provisions of current law related to assessing and collecting any fee required for a fiscal year prior to FY 2019 shall continue for abbreviated applications for new generic animal drug and supplemental abbreviated applications for a generic new animal drug that were accepted between October 1, 2013, and October 1, 2018.

Sec 205. Effective date.

This section would provide that the amendments made by this legislation would take effect on October 1, 2018, or on the date of enactment.

Sec 206. Sunset dates.

This section would provide that the authorization and reporting requirements would sunset under this title on October 1, 2023, and October 1, 2024, respectively.

Title III – Miscellaneous Provisions

Sec 301. Electronic submissions.

This section would require that beginning on October 1, 2018, all new animal drug applications and abbreviated applications for a generic new animal drug shall be submitted by electronic means.

Sec 302. Index of legally marketed unapproved new animal drugs for minor species.

This section would require that beginning on October 1, 2018, new animal drugs subject to an index listing to state on its labeling the applicable minor species index file number for the product, along with a disclaimer stating that “THIS PRODUCT IS INDEXED.”

Sec 303. Misbranded drugs and devices.

This section would make changes to what would be considered a misbranded drug or device.

Sec 304. Conditional approval of new animal drugs.

This section provides for the conditional approval of new animal drugs, and would provide the Secretary of Health and Human Services with regulatory authority to clarify the criteria for approval provided for in this section.

This section would require that conditional drugs maintain the same safety standard that would be applied to new animal drugs under existing law. Additionally, this section would specify that an application for conditional approval may not be submitted if that new animal drug contains an antimicrobial active ingredient.

The authority to grant conditional approval would sunset on October 1, 2028.

This section would require the Comptroller General of the United States to conduct a study on the effectiveness and overall impact of the conditional approval pathway. This report would need to be submitted to Congress not later than January 1, 2026. The report would need to contain: For each drug which conditional approval has been awarded since October 1, 2018: 1) which drugs were granted conditional approval; 2) whether the drug was dual labeled during its conditional approval; 3) the indications for which the drug was granted conditional approval under, and whether the drug was approved or not approved; 4) the number of years the drug was so conditionally approved and a description of the complexity of the investigation to demonstrate the drug's effectiveness; 5) whether, and to what extent, the conditional approval pathway impacted the sponsor's decision to develop the drug or seek approval; 6) whether, and to what extent, conditional approval addressed a serious or life-threatening condition; and 7) whether, and to what extent, conditional approval addressed an unmet animal or human health need, and whether before such conditional approval there were available therapies for the disease or condition involved.

Additionally, the report would need to contain an analysis of the conditional approval program, including: 1) the resources used by the FDA in reviewing applications for conditional approval of drugs pursuant to such program and renewal of such conditional approval, including the effects of the program on the FDAs review of animal drugs for which conditional approval is not used; 2) whether any improvements to the program are necessary to incentivize the development of animal drugs that would likely not otherwise be developed, or developed in a timely manner; 3) whether the conditional approval pathway has resulted in a greater number of animal drugs approved for serious or life-threatening conditions, or unmet animal or health needs that would have otherwise come to market.

Sec 305. Guidance addressing investigation designs.

This section would require the Secretary of Health and Human Services to issue guidance regarding investigations in the development and regulatory review of such new animal drugs. Before issuing regulation, the secretary would be required to meet with stakeholders, including representatives of the regulated industry, consumer groups, academia, veterinarians, and food producers, through a public meeting to be held no later than 1 year after the enactment of this act.

Sec 306. Food additives intended for use in animal food.

This section would provide the Secretary with instructions on the review of reports of investigations conducted in foreign countries relating to additives in animal food. The Secretary would also be required to post the findings online.

This section would require the Secretary to issue draft and final guidance relating to the voluntary pre-petition consultation process for food additives intended for use in animal food.

COMMITTEE ACTION:

The bill was introduced on April 18, 2018, and was referred to the House Committee on Energy and Commerce. A markup was held on April 25, 2018, and was reported favorably by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of the legislation: "Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 3 of the United States Constitution."

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