



**THE REPUBLICAN
STUDY COMMITTEE**

LIBERTY. OPPORTUNITY. SECURITY.
MARK WALKER, CHAIRMAN

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H.R. 1201 – the Equitable Access to Care and Health (EACH) Act (Rep. Davis, R-IL)

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

FLOOR SCHEDULE: July 24, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 1201](#) would expand religious conscience exemption from Obamacare’s individual mandate to exempt those whose religious beliefs are inconsistent with the acceptance of medical services.

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:

Obamacare generally required individuals to obtain health insurance coverage or else face a tax penalty known as the individual mandate. Although the individual mandate was repealed in the Tax Cuts and Jobs Act, the penalty still remains until 2019 and taxpayers will continue to face the penalty on their 2018 income tax filings. There is a limited religious conscience exemption under current law, but it only exempts those for whom accepting insurance would be inconsistent with their religious beliefs.

H.R. 1201 would expand the religious conscience exemption to include any individual “who relies solely on a religious method of healing, and for whom the acceptance of medical health services would be inconsistent with the religious beliefs of the individual.” This would primarily apply to members of the Christian Scientist religion.

COMMITTEE ACTION:

H.R. 1201 was introduced on February 17, 2017, and was referred to the House Committee on Ways and Means.

[Similar legislation](#) passed the House during the 114th Congress.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of the bill: "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 1 of the United States Constitution."

H.R. 1476 – Native American Health Savings Improvement Act (Rep. Moolenaar, R-MI)

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

FLOOR SCHEDULE: July 24, 2018, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 1476](#) would allow for individuals eligible for Indian Health Service assistance to qualify for health savings accounts.

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:

Under [current law](#), any individual who is eligible to receive medical care at an Indian Health Service (IHS) facility is [generally](#) not eligible to establish a Health Savings Account (HSA). A HSA is a tax-exempt account used to pay or reimburse certain medical expenses. To be eligible for an HSA, an individual must be covered by a high-deductible health care plan and have no other health care coverage.

This bill would create a special rule to allow individuals within the IHS to be eligible to establish HSAs.

COMMITTEE ACTION:

H.R. 1476 was introduced on March 9, 2017, and was referred to the House Committee on Ways and Means.

[Similar legislation](#) was passed during the 114th Congress.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of the bill: "Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

H.R. 519 – Water and Agriculture Tax Reform Act of 2018, as amended (Rep. Buck, R-CO)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 519](#), the Water and Agriculture Tax Reform Act of 2018, as amended, would modify the requirements for mutual ditch and irrigation companies to qualify for tax-exempt status by excluding certain types of income from the determination of whether the entity has too much nonmember income. It would also allow these entities to provide for pro rata voting on corporate governance matters when applicable state law allows.

COST:

The Joint Committee on Taxation [estimates](#) that enactment of the bill would reduce federal revenues by \$39 million over 2018 -2028. According to a Congressional Budget Office (CBO) cost [estimate](#), this is because “The bill excludes certain types of income when determining whether those companies qualify for a federal income tax exemption in a given year, potentially qualifying more of those companies for the exemption.”

CONSERVATIVE VIEWS:

- **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 current law, mutual ditch and irrigation companies are exempt from Federal income tax collection pursuant to [section 501\(c\)\(12\) of the Internal Revenue Code](#) so long as at least 85 percent of such an entity’s income is derived from member collections to be used for covering losses and expenses of the entity. If a mutual ditch or irrigation company does not meet this threshold (i.e., more than 15 percent of income is non-member) then the entity loses its tax-exempt status. Generally, a mutual ditch or irrigation company is a company formed expressly for the purpose of furnishing water to shareholders, not for profit or hire.

The bill would exclude from the determination of whether a mutual ditch or irrigation company has failed to meet the 85 percent member-collected income threshold income received or accrued from: (1) the sale lease or exchange of the entity’s real or personal property, including interests in water (so long as the transfer of the water interest is not to a nonmember outside of the entity’s river basin); (2) the sale or exchange of stock in the entity; or 3) an investment of income derived from the income-

generating sales, leases, or exchanges described in (1) or (2). Additionally, the bill would require, that in order for such income to be excluded, it would have to be spent on operational, maintenance, or capital improvements expenses. The bill clarifies that expenses (other than for operations, maintenance, and capital improvements) includes expenditures for the construction of conveyances designed to take water outside of the system of the entity.

Under current IRS standards, a mutual ditch or irrigation company, in order to retain its tax-exempt status, must provide each member shareholder with one vote on corporate governance matters regardless of the number of shares in the entity the shareholder may own. The bill would relieve mutual ditch or irrigation companies of the requirement where applicable state law provides that such an entity can provide for pro-rata voting based on the member's relative ownership share on matters of corporate governance.

COMMITTEE ACTION:

H.R. 519 was introduced on January 13, 2017, and was referred to the House Ways & Means Committee. The Ways & Means Committee held a mark-up session on June 21 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: The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

H.R. 3500 – Ensuring Integrity in the IRS Workforce Act of 2018, as amended (Rep. Noem, R-SD)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 3500](#), the Ensuring Integrity in the IRS Workforce Act of 2018, would prohibit the Internal Revenue Service (IRS) from re-hiring a former IRS employee that was fired for misconduct.

COST:

The Joint Committee on Taxation [estimates](#) that enactment of the bill would have a negligible effect on Federal fiscal year budget receipts for the period 2018-2028.

According to a Congressional Budget Office (CBO) cost [estimate](#) “implementing H.R. 3500 would not have a significant cost over the next five years because it would not change the agency’s current employment procedures...According to the IRS, H.R. 3500 largely would codify the agency’s current policies and practices. As recommended by the Treasury Inspector General for Tax Administration, the IRS now considers prior conduct and performance issues in the hiring process.”

CONSERVATIVE VIEWS:

- **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:

In addition to rules governing all federal employees and those rules of conduct that apply specifically to the Treasury Department and the Internal Revenue Service (IRS), IRS employees are also subject to general federal and specific Treasury ethical rules. The IRS Commissioner is also generally empowered under federal law to make hiring decisions as he or she deems proper. Furthermore, the IRS Restructuring and Reform Act of requires that IRS employees be terminated for certain actions ([26 U.S.C. 7804](#)). According to the [Committee Report](#), these include:

- (1) willful failure to obtain the required approval signatures on documents authorizing the seizure of a taxpayer’s home, personal belongings, or business assets;
- (2) providing a false statement under oath material to a matter involving a taxpayer;

- (3) with respect to a taxpayer, taxpayer representative, or other IRS employee, the violation of any right under the U.S. Constitution, or any civil right established under titles VI or VII of the Civil Rights Act of 1964, title IX of the Educational Amendments of 1972, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, sections 501 or 504 of the Rehabilitation Act of 1973 and title I of the Americans with Disabilities Act of 1990;
- (4) falsifying or destroying documents to conceal mistakes made by any employee with respect to a matter involving a taxpayer or a taxpayer representative;
- (5) assault or battery on a taxpayer or other IRS employee, but only if there is a criminal conviction or a final judgment by a court in a civil case, with respect to the assault or battery;
- (6) violations of the Internal Revenue Code, Treasury Regulations, or policies of the IRS (including the Internal Revenue Manual) for the purpose of retaliating against or harassing a taxpayer or other IRS employee;
- (7) willful misuse of section 6103 for the purpose of concealing data from a Congressional inquiry;
- (8) willful failure to file any tax return required under the Code on or before the due date (including extensions) unless failure is due to reasonable cause;
- (9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause; and
- (10) performing, delaying, or failing to perform (or threatening to perform, delay, or fail to perform) any official action (including any audit) with respect to a taxpayer for the purpose of extracting personal gain or benefit or for a political purpose.

The bill would require that any IRS employee removed for misconduct under the forgoing authorities be ineligible for rehire by the IRS.

COMMITTEE ACTION:

H.R. 3500 was introduced on July 27, 2017, and was referred to the House Ways & Means Committee. The Ways & Means Committee held a mark-up session on June 21, 2018, and the bill was ordered to be reported as amended 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 of the Constitution of the United States.”

H.R. 6084 – Improving Social Security’s Service to Victims of Identity Theft Act, as amended (Rep. Bishop, R-MI)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 6084](#), the Improving Social Security’s Service to Victims of Identity Theft Act, would direct the Social Security Administration to establish a single point of contact for individuals that are the victim of identity theft through misuse of the victim’s social security account number.

COST:

A Congressional Budget Office (CBO) estimate is not 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 VIEWS:

- **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 bill would require that Social Security Administration establish a single point of contact within the Administration for individuals whose Social Security account number has been misused. The bill would define “misuse” as fraudulently obtaining benefits in a manner that affects an individual’s record at the Administration or in a manner that prompts the individual to request a new number. The single point of contact should exist throughout the resolution of the individual’s case and track and be accountable for the case to completion. The point of contact would consist of a team or subset of trained employees with the ability to coordinate with other Administration units.

The [Committee Report](#) for the bill is available here.

COMMITTEE ACTION:

H.R. 6084 was introduced on June 18, 2018, and was referred to the House Ways & Means Committee. The Ways & Means Committee held a mark-up session on June 21, 2018, and the bill was ordered to be reported as amended 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: Clause 1 of section 8 of article I of the Constitution, to provide for the common defense and general welfare of the United States.”

H.R. 4952 – Improving Seniors Access to Quality Benefits Act (Rep. Kelly, R-PA)

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

FLOOR SCHEDULE: July 24, 2018, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 4952](#) would direct the Secretary of Health and Human Services to study and report to the Congress on how quality bonuses affect Medicare Advantage payment rates.

COST: According to the [Congressional Budget Office](#), H.R. 4952 would cost less than \$500,000, and that spending would be subject to the availability of appropriated funds.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 4952 would direct the Secretary of Health and Human Services to study and report to the Congress on how quality bonuses affect Medicare Advantage payment rates.

Specifically, this legislation would require the Secretary of Health and Human Services, in consultation with relevant stakeholders, to conduct a study and submit a report to Congress. The report would be on the effects of the inclusion of quality percentage increases in determination of blended benchmark amounts.

The study would include an analysis on: 1) The authority of the Secretary of remove such increases from the determination of such amounts; 2) the effects of including such increases in the determination of such amounts on Medicare Advantage organizations (including the effects of any contracts entered into by such organizations); 3) the financial impact of including such increases in the determination of such amounts by county; and 4) the effects of including such increases in the determination of such amounts on individuals enrolled in a plan under Medicare Part C.

COMMITTEE ACTION:

H.R. 4952 was introduced on February 6, 2018, and was referred to both the House Committee on Ways and Means, as well as the House Committee on Energy and Commerce. A markup was held by the House Committee on Ways and Means on June 21, 2018, and was reported by voice vote.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of this legislation: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the U.S. Constitution"

H.R. 6138 – Ambulatory Surgical Center Payment Transparency Act of 2018 (Rep. Nunes, R-CA)

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

FLOOR SCHEDULE: July 24, 2018, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 6138](#) would require that at least one Ambulatory Surgical Center representative be added to the Advisory Panel on Hospital Outpatient Payment.

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:

H.R. 6138 would require that at least one Ambulatory Surgical Center representative be added to the Advisory Panel on Hospital Outpatient Payment.

This legislation would also require that the Centers for Medicare and Medicaid Services provide more transparent and additional reasons for excluding additional procedures from Ambulatory Surgical Center approved lists.

COMMITTEE ACTION:

H.R. 6138 was introduced on June 19, 2018, and was referred to the House Committee on Ways and Means, as well as the House Committee on Energy and Commerce. A markup was held by the House Committee on Ways and Means on June 21, 2018, and was reported by voice vote.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of this legislation: “Congress has the power to enact this legislation pursuant to the following: Clause 1 of section 8 of article I of the Constitution of the United States”

H.R. 6124 – Tribal Social Security Fairness Act of 2018, as amended (Rep. Reichert, R-WA)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 6124](#), the Tribal Social Security Fairness Act of 2018, would allow federally recognized Indian tribes to opt into Social Security and Medicare and the payment of FICA taxes through agreements with the federal government.

COST:

According to a Joint Committee on Taxation (JCT) [estimate](#), enacting the bill would increase federal revenues by \$13 million over the FY 2018 – 2028 period. Additionally, according to a Congressional Budget Office (CBO) [estimate](#), the bill would increase direct spending by an insignificant amount over the 2019-2028 period.

CONSERVATIVE VIEWS:

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would expand eligibility to participate in a federal entitlement program.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Under current law, employees and employers pay Federal Insurance Contributions Act (FICA) taxes. These taxes pay for Social Security (retirement and disability insurance) and Medicare. Generally, FICA taxes are mandatory. For State and local government employees, they are not, however. According to the [Committee Report](#), this treatment stems from “concerns that the 10th Amendment prohibited the federal government from requiring states to join Social Security.” Similarly, tribal council members are not covered by Social Security and their earnings are not subject to FICA taxes. Under current law, state and local governments are allowed to enter into agreements with the Social Security Administration (SSA) for their employees to be covered under Social Security and Medicare and pay FICA taxes. No such voluntary agreement structure exists for federally recognized Indian tribes and paid members of their tribal council.

According to the Committee Report, tribal council members in the past have paid Social Security taxes erroneously under the belief that they would receive benefits.

The bill would allow a federally recognized Indian tribe to enter into an agreement with the SSA for its tribal council members to be covered by Social Security and Medicare, and they would be subject to FICA taxes. Under the bill, the term “tribal council” means the appointed or elected governing body of a Federally recognized Indian tribe. The term “member” means an individual who is appointed or elected to serve as a member or the head of the tribal council.

An agreement would be effective as to work performed after the effective date specified in the agreement. Additionally, the agreement can, at the request of the tribe, apply to work performed before the effective date so long as FICA taxes were paid at the time of the work under the good faith belief that the member was covered by Social Security and Medicare.

COMMITTEE ACTION:

H.R. 6124 was introduced on June 15, 2018, and was referred to the House Ways & Means Committee. The Ways & Means Committee held a mark-up session on June 21, 2018, and the bill was ordered to be reported as amended 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: Pursuant to Clause I of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).”

House Amendment to S. 1182 – the National Flood Insurance Program Extension Act of 2018 (Rep. MacArthur, R-NJ)

CONTACT: [Jennifer Weinhart](mailto:Jennifer.Weinhart@house.gov), 202-226-0706

FLOOR SCHEDULE:

Expected to be considered on July 24, 2018, under a suspension of the rules which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

The [House Amendment to S. 1182](#) would reauthorize the National Flood Insurance Program (NFIP) through November 30, 2018.

COST:

The Congressional Budget Office (CBO) estimate is not yet 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:

Some conservatives may be concerned that in reauthorizing the NFIP with only a date change, will further exasperate the financial difficulties of the NFIP. The NFIP is operating on a [\\$1.4 billion-plus](#) annual deficit. In September of 2017, the NFIP hit its borrowing cap of \$30.425 billion. Soon after, in the October [disaster supplemental](#), Congress voted to vacate \$16 billion in NFIP debt, without including structural reforms requested by the president and without offset. The [NFIP](#) then proceeded to borrow a further \$6.1 billion as of November 2017, currently leaving the program \$20.5 billion in debt. [Since](#) 2004, before Hurricane Katrina, when the program held no debt, the NFIP has borrowed over \$39 billion from tax payers, repaying only \$2.82 billion on that principle.

While many members have been supportive of flood insurance reform for some time, others had concerns based on specific geographical issues. Conservatives from all sides came together to pass [H.R. 2874, the 21st Century Flood Reform Act](#), on November 14, 2017, by a 237-139 [vote](#). H.R. 2874 would have provided for a five-year reauthorization of the NFIP, reformed the program to improve NFIP financial stability, improved flood risk estimates and flood maps, and increased the role of private markets in the flood insurance industry. While some conservatives believed the legislation was not perfect, as certain provisions of the bill had been scaled back, including provisions addressing the phase out of subsidies for multiple-loss properties, it represented a much greater step toward sound financial footing than another date-change reauthorization.

Some conservatives may be concerned that this bill will be the seventh date-change reauthorization vote since the expiration of the NFIP on September 30, 2017. Moreover, a number of Senators have indicated that they will not support a date-change only piece of legislation, so, without reforms, we are likely heading into the third lapse in authorization since September of 2017. [Moreover](#), of the 41 previous reauthorizations, 38 have been clean extensions with no reform.

Some conservatives may be concerned that reauthorizing the program without reforms will continue the debt spiral of the NFIP. Some conservatives may be concerned that this legislation does nothing to address the fact that the premiums charged are not actuarially sound and do not reflect an actual risk of flooding. While [multiple loss properties represent](#) under 2% of insured properties, they are responsible for roughly 24% of flood insurance claims and 1/3 of all claims filed. [Moreover](#), the practice of grandfathering and subsidizing certain policy holders prevents the NFIP from achieving fiscal solvency with full risk rates.

Taxpayers are paying over and over for houses that repeatedly flood – according to an [article](#) in The Hill, a house in Baton Rouge, Louisiana worth roughly \$56,000 has flooded 40 times, and has been paid roughly \$430,000 in flood claims. According to the same [article](#), a house in Houston, Texas worth just over \$72,000 has flooded multiple times and has received more than \$1 million in flood claim payouts. The same [article](#) states that of the roughly 30,000 repetitive loss properties, roughly 22,500 have taken no action to mitigate their flood vulnerability.

Some conservatives may be concerned that this legislation is yet another temporary band aid, doing nothing to build a robust private market, leaving the current government-run [monopoly](#) on flood insurance in place. While people have choices for other forms of property insurance, private insurers are essentially boxed out of the flood insurance market, leaving the NFIP as the only option for those in need. Some conservatives may be further concerned that this legislation does not do anything to move toward the creation of better Flood Insurance Rate Maps which inform the accuracy of premiums. It further does nothing to address the effective tax-payer subsidization of properties that are in the most severe flood zones.

Some conservatives may believe that by providing yet another clean extension of the program, there may be an opportunity to include reforms at some later date.

- **Expand the Size and Scope of the Federal Government?** No, the bill would provide for an extension of the NFIP with no reforms.
- **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 National Flood Insurance Program (NFIP) was established nearly 50 years ago as an effort of provide insurance to those at risk of damage from flooding. The program is set to expire on July 31, 2018, absent reauthorization.

The [House Amendment to S. 1182](#) would reauthorize the National Flood Insurance Program through November 30, 2018.

COMMITTEE ACTION:

S. 1182 was introduced as The American Legion 100th Anniversary Commemorative Coin Act on May 18, 2018, and was referred to the Senate Committee on Banking, Housing, and Urban Affairs. The Senate passed the bill with an amendment by voice vote on August 3, 2017.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available at this time on the House amendment to S. 1182.

Both [OMB Director Mulvaney](#) and the [Administration](#) have indicated that Congress needs to pass meaningful flood insurance reforms.

CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for Senate legislation.

H.R. 2409 — To allow servicemembers to terminate their cable, satellite television, and Internet access service contracts while deployed, as amended (Rep. Costello, R-PA)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 2409](#) would allow servicemembers to terminate their cable, satellite television, and Internet access service contracts while deployed.

COST:

The Congressional Budget Office (CBO) [estimates](#) that H.R. 2409 would have no effect on the federal budget. Enacting H.R. 2409 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 2409 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

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. 2409 would amend section 305A of the Servicemembers Civil Relief Act ([50 U.S.C. 3956](#)) to allow a servicemember to terminate a commercial mobile service, telephone exchange service, Internet access service, or multichannel video programming service contract at any time after the date the service member receives military orders to relocate for at least 90 days to a location that does not support such service contract. If a servicemember terminates a contract, the servicemember shall return any provider-owned consumer premises equipment to the service provider not later than 10 days after the date on which service is disconnected.

COMMITTEE ACTION:

H.R. 2409 was introduced on May 11, 2017, and was referred to the House Committee on Veterans' Affairs Commerce. The bill was ordered to be reported by voice vote on July 12, 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 of the U.S. Constitution." No enumerating clause was listed.

H.R. 2787 – Veterans-Specific Education for Tomorrow's Medical Doctors (VET MD) Act (Rep. Kaptur, D-OH)

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

FLOOR SCHEDULE: July 24, 2018, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 2787](#) would establish a one-year pilot program to provide certain students a clinical observation experience at medical centers of the Department of Veterans Affairs.

COST: The [Congressional Budget Office](#) estimates that H.R. 2787 would cost \$2 million over the 2019-2023 period. Any spending would be subject to the availability of appropriated funds.

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

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** This legislation would establish a new one-year pilot program.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 2787 would establish a one-year pilot program to provide certain students a clinical observation experience at medical centers of the Department of Veterans Affairs.

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

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

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

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

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

COMMITTEE ACTION:

H.R. 2787 was introduced on June 6, 2017, and was referred to the House Committee on Veterans' Affairs. A markup was held on June 27, 2018, and was reported by voice vote.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of this legislation: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, 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 of Office thereof."

H.R. 5538 – To amend title 38, United States Code, to provide for the inclusion of certain additional periods of active duty service for purposes of suspending charges to veterans' entitlement to educational assistance under the laws administered by the Secretary of Veterans Affairs during periods of suspended participation in vocational rehabilitation programs. (Rep. Peters, D-CA)

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

FLOOR SCHEDULE:

Expected to be considered July 25, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5538](#) would prevent uncompleted vocational rehabilitation education courses from counting towards a veteran's benefit limit under [Chapter 31 of title 38, U.S.C.](#), if the failure to complete the course was a result of being called to active duty under certain circumstances.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 5538 would have an insignificant effect on the budget. The bill would affect direct spending, so paygo would apply, but CBO estimates the effects to be insignificant for each year.

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:

[Chapter 31 of title 38, U.S.C.](#) allows veterans with certain disabilities that impede their ability to retain employment to receive vocational rehabilitation, including participation in education courses. Under current law, if a veteran failed to receive credit because they have been ordered to active duty in certain situations, the uncompleted course would not count towards their benefit limit.

H.R. 5538 would add veterans called to active duty under [10 U.S.C. 1204a](#), which relates to active duty in response to natural disasters, and [10 U.S.C. 1204b](#), which relates to active duty for preplanned

missions in support of the combatant commands, to the list of circumstances under which an uncompleted course would not count towards a veteran's benefit limit.

COMMITTEE ACTION:

H.R. 5538 was introduced on April 17, 2018, and referred to the House Committee on Veterans Affairs. A mark-up was held on July 12, 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. 5649 — Navy SEAL Chief Petty Officer William ‘Bill’ Mulder (Ret.) Transition Improvements Act of 2018, as amended (Rep. Arrington, R-TX)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5649](#) would extend a pilot program for off-base transition training for veterans and spouses, provide a series of grants for transition assistance to members of the Armed Forces after separation, retirement, or discharge, require a one-year independent assessment of the effectiveness of the Transition Assistance Program (TAP), and would provide and accelerate specified education assistance for certain flight training.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost \$16 million over the 2019-2023 period, assuming appropriation of the necessary amounts. Pay-as-you-go procedures apply because enacting H.R. 5649 would affect direct spending. The bill would not affect revenues. CBO estimates that enacting H.R. 5649 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

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. 5649 would amend section 453A(h) of the Social Security Act ([42 U.S.C. 653a\(h\)](#)) to allow access for the Secretaries of Labor and Veterans Affairs to the Federal directory of new hires, for the purpose of tracking employment of veterans. The bill would also extend a pilot program for off-base transition training for veterans and spouses for five years.

The bill would authorize the Secretary of Veterans Affairs to make grants to eligible organizations for the provision of transition assistance to members of the Armed Forces who are separated, retired, or discharged from the Armed Forces, and spouses of such members. A grant would be in an amount that does not exceed 50 percent of the amount required by the organization to provide the services. The bill would authorize \$10 million for the grant program.

The bill would require the Secretary of Veterans Affairs, in consultation with State entities that serve members of the Armed Forces who are retired, separated, or discharged from the Armed Forces, to enter into an agreement with an appropriate non-Federal entity to carry out a study to identify community-based programs that provide transition assistance to such members; and operated by nonprofit entities.

The bill would direct the Secretary of Veterans Affairs to enter into an agreement with an appropriate entity with experience in adult education to carry out a one-year independent assessment of TAP, including the effectiveness of the Transition Assistance Program (TAP) for members of each military department during the entire military life cycle; the appropriateness of the TAP career readiness standards; a review of information that is provided to the Department of Veterans Affairs under TAP, including mental health data; whether TAP effectively addresses the challenges veterans face entering the civilian workforce and in translating experience and skills from military service to the job market; as well as other factors, and report to Congress.

The bill would require the Secretary of Veterans Affairs, in consultation with the Secretaries of Defense and Labor and the Administrator of the Small Business Administration, to conduct a five-year longitudinal study regarding TAP on three separate cohorts of members of the Armed Forces who have separated from the Armed Forces.

The bill would mandate that an individual enrolled in a program of education pursued at a vocational school or institution of higher learning in which flight training is required to earn the degree being pursued may elect to receive accelerated payments of amounts for tuition and fees determined. The amount of each accelerated payment would be an amount equal to twice the amount for tuition and fee so determined under such subsection, but the total amount of such payments may not exceed the total amount of tuition and fees for the program of education.

An individual pursuing a course of education at an institution of higher education using educational assistance would be entitled to a monthly stipend during a school closure due to a natural disaster for up to four months confirmed by the Secretary of Veterans Affairs.

COMMITTEE ACTION:

H.R. 5649 was introduced on April 27, 2018, and was referred to the House Committee on Veterans' Affairs Commerce. The bill was ordered to be reported (amended) by voice vote on July 12, 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 1, Section 8 of the United States Constitution." No enumerating clause was listed.

H.R. 5882 — Gold Star Spouses Leasing Relief Act, as amended (Rep. Bustos, D-IL)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5882](#) would allow the spouse of a service member to terminate property leases previously entered into by the service member or lessee when the lessee dies while in military service.

COST:

The Congressional Budget Office (CBO) [estimates](#) that H.R. 5882 would have no effect on the federal budget. Enacting H.R. 5882 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 5882 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

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. 5882 would amend section 305(a) of the Servicemembers Civil Relief Act ([50 U.S.C. 3955](#)) by allowing the spouse of a lessee on a lease to terminate the lease during the one-year period beginning on the date of the death of the lessee, if the lessee dies while in military service or while performing full-time National Guard duty, active Guard and Reserve duty, or inactive-duty training.

COMMITTEE ACTION:

H.R. 5882 was introduced on May 18, 2018, and was referred to the House Committee on Veterans' Affairs Commerce. The bill was ordered to be reported by voice vote on July 12, 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: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 12, 13 and 18 of the United States Constitution."

H.R. 5864 – VA Hospitals Establishing Leadership Performance Act (Rep. Bost, R-IL)

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

FLOOR SCHEDULE: July 24, 2018, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 5864](#) would require the Secretary of Veterans Affairs to establish certain qualifications for each human resources position. This legislation would also require certain reports to Congress.

COST: The [Congressional Budget Office](#) estimates that implementing this bill would cost less than \$500,000 over the 2019-2023 period. Such spending would be subject to the availability of appropriated funds.

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

Enacting H.R. 5864 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 5864 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

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:

This legislation would require the Secretary of Veterans Affairs to: 1) establish qualifications for each human resources position within the Veterans Health Administration of the Department of Veterans Affairs; 2) establish standardized performance metrics for each such position; and 3) submit to Congress a report containing the qualifications and standardized performance metrics.

This legislation would require a report from the Comptroller General of the United States to Congress containing: 1) a description of the implementation of such qualifications and performance metrics; and 2) an assessment of the quality of such qualifications and performance metrics.

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

COMMITTEE ACTION:

H.R. 5864 was introduced on May 17, 2018, and was referred to the House Committee on Veterans' Affairs. A markup was held on June 27, 2018, and was reported by voice vote.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of this legislation: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1"

H.R. 5938 – Veterans Serving Veterans Act of 2018 (Rep. Gonzalez-Colon, R-PR)

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

FLOOR SCHEDULE: July 24, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 5938](#) would direct the Secretary of Veterans Affairs to establish a vacancy and recruitment database to facilitate the recruitment of certain members of the Armed Forces in order to satisfy the occupational needs of the Department of Veterans Affairs. Additionally, this legislation would establish an implement a training and certification program for intermediate care technicians for that department.

COST: The [Congressional Budget Office](#) estimates that including applicants from the Department of Defense in the VA's recruitment database would cost \$1 million over the 2019-2023 period. Such spending would be subject to the availability of appropriated funds.

Enacting H.R. 5938 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 5938 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

The bill would provide that no additional funds are authorized to be appropriated to carry out this act. This act would be carried out using amounts otherwise authorized.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** This legislation would establish a new intermediate care technician training program.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** This legislation would provide some discretionary authority to Secretary of Veterans Affairs regarding what could be considered an additional military occupational specialty.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 5938 would direct the Secretary of Veterans Affairs to establish a vacancy and recruitment database to facilitate the recruitment of certain members of the Armed Forces in order to satisfy the occupational needs of the Department of Veterans Affairs. Additionally, this legislation would establish an implement a training and certification program for intermediate care technicians for that department.

This legislation would specify what information would need to be included in the established in the database, including: 1) the name and contact information of the qualified member of the Armed

Forces; 2) the date on which the qualified member of the Armed Forces is expected to be discharged and released from active duty; and 3) each military occupational specialty currently or previously assigned to the qualified member of the Armed Forces.

This legislation would authorize the Secretary of Veterans Affairs with authority to provide a relocation bonus, in the amount determined by the Secretary, to any qualified member of the Armed forces who has accepted a position listed in the database.

This legislation would provide the definition of the term 'qualified member of the Armed Forces', but would also provide the Secretary, in consultation with the Secretary of Defense, the authority to add additional meaning to the term.

This legislation would require an implementation plan, not later than 180 days after the enactment of this legislation, to be sent to Congress.

This legislation would establish a program to train and certify covered veterans to work as intermediate care technicians in the Department of Veterans Affairs.

This legislation would provide that no additional funds are authorized to be appropriated to carry out this act. This act would be carried out using amounts otherwise authorized.

COMMITTEE ACTION:

H.R. 5938 was introduced on May 23, 2018, and was referred to the House Committee on Veterans' Affairs. A markup was held on June 27, 2018, and was reported by voice vote.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: The Congress enacts this bill pursuant to Clause 3 and Clause 18 of Section 8 of Article I of the United States Constitution."

H.R. 5974 – VA COST SAVINGS Enhancements Act (Rep. Denham, R-CA)

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

FLOOR SCHEDULE: July 24, 2018 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY: [H.R. 5974](#) would require the Department of Veterans Affairs to identify medical facilities that could reduce costs by using on-site equipment to dispose of medical waste and to purchase such equipment for those facilities.

COST: The [Congressional Budget Office](#) expects that most cases in which the model indicates that a five-year savings would result in costs over the first five years. However, because the costs of disposing of RMW vary based on state and local laws and regulations, CBO cannot project the outcome of VA's analysis. Thus, CBO is unable to estimate the magnitude of the cost of implementing H.R. 5974 at this time.

Enacting H.R. 5974 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 5974 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

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. 5974 would require the Department of Veterans Affairs to identify medical facilities that could reduce costs by using on-site equipment to dispose of medical waste and to purchase such equipment for those facilities.

This legislation would require that the Secretary develop a uniform regulated medical waste cost analysis model based on: 1) the cost of treating regulated medical waste at an off-site location under a contract with a non-Department entity, compared to 2) the cost of treating regulated medical waste on-site, based on the equipment specification of treatment system manufacturers, with capital costs amortized over a ten-year period.

This legislation would specify that any medical waste treatment system purchased would be purchased under the blanket purchase agreement known as the "[VHA Regulated Medical Waste On-Site Treatment Equipment Systems Blanket Purchase Agreement](#)"

This legislation would provide that no additional funds are authorized to be appropriated to carry out this act. This act would be carried out using amounts otherwise authorized.

COMMITTEE ACTION:

H.R. 5974 was introduced on May 25, 2018, and was referred to the House Committee on Veterans' Affairs. A markup was held on June 27, 2018, and was reported by voice vote.

ADMINISTRATION POSITION:

No stated Administration position available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor of this legislation: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 1 of the U.S. Constitution "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." Article IV, Section 3, Clause 2 of the U.S. Constitution "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular state."

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