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H.R. 2091—Child Support Assistance Act (Rep. Poliquin, R-ME)

CONTACT: Jennifer Weinhart, 202-226-0706

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 under a suspension of the rules which requires 2/3 majority for passage.

TOPLINE SUMMARY:

H.R. 2091 would assist state and local agencies in helping families collect child support payments by allowing more timely and accurate access to financial information of those required to pay support.

COST:

The Congressional Budget Office (CBO) estimates that an increase in direct spending for the Consumer Financial Protection Bureau (CFPB) would be insignificant. Further, implementing H.R. 2091 would not affect discretionary costs because the CFPB is permanently authorized to spend amounts transferred from the Federal Reserve System.

CONSERVATIVE CONCERNS:

There are no substantive 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:

In order to locate a delinquent parent and enforce a child support judgement, enforcement agencies use consumer reporting agencies (CRAs) to verify employment and obtain a credit rating. Currently, under the Fair Credit Reporting Act, CRAs are unable to release report information to a third party unless they have legal basis for doing so. The CRA is also presently required to notify a delinquent parent in advance of turning the credit report over to a third party, creating a costly burden for state agencies, and can allow for delinquent parents to manipulate their financial situations.

This legislation would amend the Fair Credit Reporting Act to eliminate the 10 day advance notification period required of state and local child support agencies to an obligor when determining an appropriate level of child support payments or for enforcing a child support judgement. It would also allow an enforcement agency to set an appropriate support amount, and to adjust this amount as necessary.

COMMITTEE ACTION:

H.R. 2091 was introduced on April 29, 2015 and was referred to the House Committee on Financial Services. It was reported by the yeas and nays, 56-2 on July 29, 2015

ADMINISTRATION POSITION:

No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY:

According to the 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 ``To regulate Commerce with

foreign Nations, and among the several States, and with the Indian Tribes:'' as enumerated in Article 1, Section 8 of the United States Constitution.

H.R. 1553—Small Bank Exam Cycle Reform Act (Rep. Tipton, R-CO)

CONTACT: Jennifer Weinhart, 202-226-0706

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 under a suspension of the rules which requires 2/3 majority for passage.

TOPLINE SUMMARY:

H.R. 1553 would amend the Federal Deposit Insurance Act to increase the maximum size of small insured depository institutions from $500 million to $1 billion. Small institutions are eligible for 18-month on-site examination cycles, rather than 12-month examination cycles.

COST:

The Congressional Budget Office (CBO) estimates that the net spending of H.R. 1553 would be insignificant.

CONSERVATIVE CONCERNS:

There are no substantive 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 Federal Deposit Insurance Act, established in 1950, created a comprehensive system to insure deposits held by banks and savings institutions.

This legislation would increase the asset size to $1 billion for small insured depository institutions that are eligible for 18-month on-site examination cycles. It would also change the qualifications for on-site examination cycles to institutions holding $200, up from $100 million, and a most recent examination finding requiring a condition of "good," changed from the previous requirement of "outstanding."

This legislation would also grant a federal banking agency the ability to increase their asset ceiling amount from $200 million to $1 billion, an increase from the current $100 million to $500 million threshold, if the greater asset size adheres to principles of safety and soundness.

COMMITTEE ACTION:

H.R. 1553 was introduced on March 23, 2015 and was referred to the House Committee on Financial Services. It was reported by the yeas and nays, 58-0 on July 29, 2015

ADMINISTRATION POSITION:

No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY:

According to the Sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3: ``The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

H.R. 1525—Disclosure Modernization and Simplification Act of 2015 (Rep. Garrett, R-NJ)

CONTACT: Jennifer Weinhart, 202-226-0706

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 under a suspension of the rules which requires 2/3 majority for passage.

TOPLINE SUMMARY:

H.R. 1525 would require the Securities and Exchange Commission (SEC) to revise regulation and disclosure requirements for securities issuers in order to reduce the burden on smaller companies and eliminate duplicative and unnecessary provisions.

COST:

The Congressional Budget Office (CBO) estimates that enacting this legislation would cost about $1 million over the 2016-2020 period to comply with the reporting and rulemaking requirements under the bill. Presently, the SEC is authorized to collect fees to offset its appropriation each year; therefore, the CBO estimates that the net cost to the SEC would be negligible.

CONSERVATIVE CONCERNS:

There are no substantive 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 JOBS Act, passed in 2012, requires the SEC to review its disclosure requirements and highlight ways to create a less burdensome disclosure process, aiding issuers and investors. The agency, however, has yet to act on this requirement.

H.R. 1525 would force the SEC to revise regulation and disclosure requirements within 180 days of enactment. It would require the SEC to eliminate outdated or duplicative disclosure requirements and to scale disclosures for small issuers. It would allow issuers to file a summary of their annual report, which would include information from their 10-K. H.R. 1525 would also require the SEC to implement a study on how to best use technology to improve the disclosure system. No later than 360 days after enactment, the SEC would be required to issue a proposed rule to implement the recommendations contained within the report.

COMMITTEE ACTION:

H.R. 2091 was introduced on May 20, 2015 and was referred to the House Committee on Financial Services. It was reported by the yeas and nays, 60-0 on July 29, 2015

ADMINISTRATION POSITION:

No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY:

According to the Sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clauses 1 (``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, Imposts and Excises shall be uniform throughout the United States''), 3 (``To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (``To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

H.R. 1839—Reforming Access for Investments in Startup Enterprises (RAISE) Act of 2015 (Rep. McHenry, R-NC)

CONTACT: Jennifer Weinhart, 202-226-0706

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 under a suspension of the rules which requires 2/3 majority for passage.

TOPLINE SUMMARY:

H.R. 1839 would amend the Securities Act of 1933 to exempt certain securities from statutory obligations requiring they be registered with the Securities and Exchange Commission (SEC) prior to being offered for sale.

COST:

The Congressional Budget Office (CBO) estimates that enacting H.R. 1839 would cost less than $500,000 over the 2016- 2020 period and that implementing the bill would have a negligible effect on net discretionary spending.

CONSERVATIVE CONCERNS:

There are no substantive 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:

Certain companies choosing to remain private for a long period of time may find it difficult to find liquidity prior to going public. Currently, federal law only provides state securities law preemption for private company share resales, if the seller complies with a holding period established under Rule 144.

This legislation would enact a framework for a secondary market of restricted securities, which would enhance the liquidity of privately held companies. This legislation would allow for an exemption of certain securities from statutory registration requirements and would give employees of private companies the ability to monetize some of their equity compensation.

In order to be eligible for exemption from the registration requirement, these securities may only be offered in private sale to accredited investors who have received certain information about the issuer of the security and about the security itself. The exemption provided would not be available for a transaction if the seller is: (1) an issuer, its subsidiaries or parent; (2) an underwriter acting on behalf of the issuer, its subsidiaries, or parent and will receive compensation from the issuer resulting from the sale; or (3) a dealer.

COMMITTEE ACTION:

H.R. 1839 was introduced on April 16, 2015 and was referred to the House Committee on Financial Services. It was reported by the yeas and nays, 58-0 on July 29, 2015

ADMINISTRATION POSITION:

No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY:

According to the Sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

H.R. 3102—Airport Access Control Security Improvement Act of 2015, as amended (Rep. Katko, R-NY)

CONTACT: Nicholas Rodman, 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

H.R. 3102 would require the Department of Homeland Security to establish a risk-based, intelligence-driven model for screening employees at airports in the United States.

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:

There are no substantive concerns regarding this bill.

- **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 the Department of Homeland Security to develop a program to screen employees at airports based on their level of access and employment positions in order to: (1) ensure that only those individuals authorized to have access to secure airport areas are permitted to do so; (2) ensure that an individual is immediately denied entry to a secure area when such individual's access authorization is withdrawn; and (3) provide a means to differentiate between individuals authorized to have access to an entire secure area and individuals authorized access to only a particular portion of a secure area.

Not later than 180 days after the bill's enactment, the Department of Homeland Security in consultation with the Federal Bureau of Investigation, the Aviation Security Advisory Committee, and labor organizations representing the aviation industry would be required to conduct an aviation security risk-based review of specified disqualifying criminal offenses to determine the appropriateness of denying an employee access to secure areas in airports. The department would additionally be required to establish a national database of employees who have had either their airport or aircraft operator-issued badge revoked for failure to comply with aviation security requirements.

COMMITTEE ACTION:

The bill was introduced on July 16, 2015 and was referred to the House Committee on Homeland Security. The bill was then ordered to be reported (amended) by voice vote by the committee on September 30, 2015.

ADMINISTRATION POSITION:

No statement of administration position is available at this time.

CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3-To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and Article I, Section 8, Clause 18-To make all Laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

H.R. 3510—Department of Homeland Security Cybersecurity Strategy Act of 2015, as amended of 2015 (Rep. Richmond, D-LA)

CONTACT: Nicholas Rodman, 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

H.R. 3510 would require the Department of Homeland Security to develop a department-wide strategy to carry out its cybersecurity responsibilities.

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:

There are no substantive concerns regarding this bill.

- **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 the Department of Homeland Security to develop a cybersecurity strategy to include: (1) strategic and operational goals and priorities to execute the full range of the Secretary of Homeland Security's cybersecurity responsibilities; and (2) information on the programs, policies, and activities that are required to successfully execute those cybersecurity responsibilities. Not later than 90 days after the development of the strategy, the Secretary would be required to issue an implementation plan that includes: strategic objectives and corresponding tasks; projected timelines and costs for such tasks; and metrics to evaluate the performance of such tasks. The bill would not authorize or permit the department to engage in monitoring, surveillance, exfiltration, or other collection activities to track an individual's personally identifiable information.

COMMITTEE ACTION:

The bill was introduced on September 15, 2015 and was referred to the House Committee on Homeland Security. The bill was then ordered to be reported (amended) by voice vote by the committee on September 30, 2015.

ADMINISTRATION POSITION:

No statement of administration position is available at this time.

CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18). Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

S. 1300—Adoptive Family Relief Act (Sen. Feinstein, D-CA)

CONTACT: Jennifer Weinhart, 202-226-0706

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 under a suspension of the rules which requires 2/3 majority for passage.

TOPLINE SUMMARY:

S. 1300 would amend the Immigration and Nationality Act to allow certain immigrant visa renewal fees to be waived if a country refuses to issue travel papers for a child to be adopted by a U.S. citizen.

COST:

A 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:

There are no substantive 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:

Since September of 2013, the Democratic Republic of the Congo has refused to issue exit permits to children adopted by American parents. Presently, if an immigrant visa for an adoptee has not been used within the allowed period, it must be renewed at a fee of $325 per renewal.

This legislation would amend the Immigration and Nationality Act to waive or refund fees for immigrant renewal or replacement visas issued on or after March 27, 2013 to children who have been or will be lawfully adopted by a U.S. citizen if the child was: unable to use the original immigrant visa document during its period of validity because of extraordinary circumstances, including the denial of an exit permit, and if this inability was due to factors beyond the control of the adopting parent or parents.

COMMITTEE ACTION:

S. 1300 was introduced in the Senate on May 12, 2015 and passed by Unanimous Consent on July 14, 2015.

ADMINISTRATION POSITION:

No statement of administration policy is available.

CONSTITUTIONAL AUTHORITY:

Senate bills do not require Constitutional Authority Statements.

S. 2078—United States Commission on International Religious Freedom Reauthorization Act of 2015 (Sen. Corker, R-TN)

CONTACT: Nicholas Rodman, 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

S. 2078 would reauthorize the United States Commission on International Religious Freedom until September 30, 2019.

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:

There are no substantive concerns regarding this bill.

- **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. 2078 would reauthorize the United States Commission on International Religious Freedom (USCIRF) until 2019. The bill authorizes $3,500,000 to be appropriated for each of the fiscal years 2016 to 2019 to carry out the bill's provisions, equal to the appropriation for USCIRF in FY15. The commission would be required to carry out a strategic policy and organizational review planning process that includes: (1) a review of the duties set forth the International Religious Freedom Act of 1998; (2) the preparation of a written description of prioritized actions that the commission is required to complete; (3) a review of the scope, content, and timing of the commission's annual report and any required changes; and (4) a review of the personnel policies set forth the International Religious Freedom Act of 1998 and any required changes to such policies.

According to the commission's mission statement, USCIRF is an independent, bipartisan U.S. federal government commission, "dedicated to defending the universal right to freedom of religion or belief abroad." "USCIRF reviews the facts and circumstances of religious freedom violations and makes policy recommendations to the President, the Secretary of State, and Congress." Its commissioners are appointed by the President and congressional leadership from both parties. More information on the commission can be found here.

COMMITTEE ACTION:

The bill was introduced on September 24, 2015 and was referred to the Senate Committee on Foreign Relations. On September 30, 2015, the bill was passed by the Senate without amendment by unanimous consent.

ADMINISTRATION POSITION:

No statement of administration position is available at this time.

CONSTITUTIONAL AUTHORITY:

Senate rules do not require the inclusion of a constitutional authority statement.

H.R. 2168—West Coast Dungeness Crab Management Act, as amended (Rep. Herrera Beutler, R-WA)

CONTACT: Nicholas Rodman, 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

H.R. 2168 would authorize the states of Washington, Oregon, and California to continue to manage commercial fishing for Dungeness crabs in federal waters adjacent to their states.

COST:

The Congressional Budget Office (CBO) estimates that implementing the bill would reduce the need for discretionary appropriations (and associated spending) by $1 million a year over the 2017-2020 period. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

- **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. 2168 would allow Washington, Oregon, and California to continue to manage commercial fishing for Dungeness crabs in federal waters. According to the committee report, the Pacific Fishery Management Council considered putting the Dungeness crab fishery under federal management. However "the states of Washington, California, and Oregon entered into a Memorandum of Understanding in 1980 to take "mutually supportive actions" to manage the fishery within their respective state waters (0–3 nautical miles from shore) as well as in the adjacent federal waters (3–200 nautical miles from shore)." The three states manage the commercial and recreational fishery under this tri-state process, which has been extended three times, the most recent being a ten year extension of the management authority in 2007. According to the report, "in light of the lengthy and successful state-led management of the crab fishery, H.R. 2168 [would amend] Public Law 105–384 by striking the sunset provision for the tri-state Dungeness crab management regime, making the management authority permanent." The House report accompanying H.R. 2168 (H. Rept. 114-274) can be found here.

COMMITTEE ACTION:

The bill was introduced on April 30, 2015 and was referred to the House Committee on Natural Resources. The bill was then reported out of committee on September 30, 2015.

ADMINISTRATION POSITION:

No statement of administration position is available at this time.

CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: The power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

S. 986—Albuquerque Indian School Land Transfer Act (Sen. Udall, D-NM)

CONTACT: Nicholas Rodman, 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on October 6, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

S. 986 would authorize the Secretary of the Interior to place into trust four parcels of federal land, totaling around 11 acres, for the benefit of 19 Indian Pueblos in New Mexico.

COST:

The Congressional Budget Office (CBO) estimates that implementing the legislation would have no significant effect on the federal budget. Discretionary spending for the administrative costs of the transfer would be negligible.

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

- **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 authorize the Secretary of Interior to place four parcels of federal land in New Mexico in trust for the benefit of 19 Indian Pueblos in accordance with the National Environmental Policy Act of 1969. The four tracts of land have a combined acreage of approximately 11.11 acres, and were historically part of the Albuquerque Indian School. The federal land taken into trust would be required to be used for the educational, health, cultural, business, and economic development of the 19 Pueblos, and would remain subject to any private or municipal encumbrance, restriction, or utility service agreement in effect on the date of the bill's enactment. Class I, II, and III gaming would be prohibited on the land.

The Senate report accompanying S. 986 (S. Rept. 114-114) can be found here. The corresponding House version of the bill (H.R. 1880) can be found here.

COMMITTEE ACTION:

S. 986 was introduced on April 16, 2015 and was referred to the Senate Committee on Indian Affairs. On September 22, 2015, the Senate passed the bill without amendment by unanimous consent.

ADMINISTRATION POSITION:

No statement of administration position is available at this time.

CONSTITUTIONAL AUTHORITY:

Senate rules do not require the inclusion of a constitutional authority statement.

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