



Legislative Bulletin.....June 9, 2014

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H. Res. 600 – Urging the Government of Afghanistan, following a successful first round of the presidential election on April 5, 2014, to pursue a transparent, credible, and inclusive run-off presidential election on June 14, 2014, while ensuring the safety of voters, candidates, poll workers, and election observers (*Rep. Grayson, D-FL*)

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: **H. Res. 600** urges the Government of Afghanistan to pursue a transparent, credible, and inclusive run-off presidential election scheduled on June 14th, 2014. The resolution commends the Government of Afghanistan for holding a successful first round of presidential election held on April 5th, 2014, and supports the mandate of Afghan electoral organizations like the Independent Election Commission (IEC) and the Electoral Complaints Commission (ECC) to administer, adjudicate, and manage polls, as well as oversee logistical and technical preparation in a transparent, fair, and credible manner. The resolution would also encourage Afghan electoral organizations to adopt measures to better mitigate fraud, improve electoral transparency of the polling and counting process, and communicate these measures clearly and consistently to the people of Afghanistan. H. Res. 600 urges the Afghanistan National Security Forces (ANSF)

to identify and provide adequate security for vulnerable areas of the country during the election, to ensure the safety of voters, candidates, poll workers, and election observers.

Additional Information: On April 5, 2014, the Government of Afghanistan held the first round of its presidential election. While the election was widely viewed as a success, with voter turnout being roughly over 60%, there have been numerous reports of voter and election monitor intimidation, as well as attempts to bribe members of Afghan electoral organizations. On the day of the election, 17 members of the Afghanistan National Security Forces (ANSF) were killed in Taliban and insurgent attacks while supporting the electoral security mission.

The results of the first round narrowed the candidate field to two, [Abdullah Abdullah](#), the former Afghan Foreign Minister, and [Ashraf Ghani Ahmadzai](#), the former Afghan Minister of Finance. The results of the second round of the elections will determine the next President of Afghanistan and will mark the first time in the history of the country that power has been peacefully and democratically transferred.

Committee Action: On, May 28 2014, the resolution was introduced by Congressman Grayson and was referred to the House Foreign Affairs Committee, in addition to the House Armed Services Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office cost estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: House Rules do not require constitutional authority statements for resolutions.

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**H.R. 4412 – The National Aeronautics and Space Administration
Authorization Act of 2014, as amended
(Palazzo, R-MS)**

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 4412](#) authorizes \$17.6 billion in appropriations for FY2014 for the National Aeronautics and Space Administration ([NASA](#)), consistent with the Appropriations Act of 2014. The legislation authorizes programs, studies and activities relating to human exploration of space, the [International Space Station \(ISS\)](#), the [Space Launch System](#), [Orion crew capsule](#), the commercial crew program, science, and aeronautics research, education, and many others.

Additional Information: House Committee on Science, Space, and Technology Chairman Smith's Statement on the legislation can be viewed [here](#).

Committee Action: The legislation was introduced on April 7, 2014, and referred to the House Committee on Science, Space, and Technology. On April 29, 2014, the Committee ordered the bill favorably reported by [voice vote](#), as amended.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to a preliminary, informal score by the CBO on the version of the bill being considered on the floor tonight, implementing this bill “would have no significant effect on direct spending or revenue.”

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

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; and Article I, Section 8, Clause 18: The Congress shall have power 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.” Congressman Palazzo's statement in the Congressional Record can be viewed [here](#).

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**H.R. 1254 – Harmful Algal Bloom and Hypoxia Research and Control
Amendments Act of 2013 (Sen. Nelson, D-FL)**

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [S. 1254](#) would reauthorize and modify the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. The legislation would authorize the appropriation of \$20.5 million annually through the 2018 period (below the last authorized level) for the National Oceanic and Atmospheric Administration ([NOAA](#)) to mitigate the effects of algal blooms (often referred to as “red tide”) and hypoxia (reduced oxygen level) in the Great Lakes and other bodies of water. It also requires that the [Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia](#) include a representative from the [Centers for Disease Control and Prevention \(CDC\)](#). The bill creates standards for increased cooperation across federal agencies and advanced research of the causes of algal blooms and ways to prevent them.

Additional Information: Algal blooms are often referred to as “red tide” deprive marine systems of the oxygen necessary to support life which results in large “dead zones” that is harmful to local industry. This legislation includes additional changes to ensure that the reauthorization does not expand the regulatory authority of any agency. House Committee on Science, Space, and Technology Chairman Smith’s Statement on the legislation can be viewed [here](#).

Committee Action: The legislation was introduced on June 27, 2013, and referred to the Senate Committee on Commerce, Science, and Transportation. On November 11, 2013, the Senate Committee on Commerce, Science, and Transportation favorably reported the bill. On February 12, 2014, the legislation passed the Senate with an amendment by Unanimous Consent. On February 18, 2014, the legislation was received in the House and referred to the House Committee on Science, Space, and Technology. On May 28, 2014, the House Committee on Science favorably passed the bill by [voice vote](#).

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to the Congressional Budget Office [cost estimate](#) “implementing the legislation would cost \$78 million over the 2015-2019 period and \$4 million after 2019.”

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: No statement of constitutional authority is available because Senate rules do not require such statements.

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H.R. 2072 - Demanding Accountability for Veterans Act, as amended— (Benishek-MI, R)

Order of Business: [H.R. 2072](#) is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: This bill increases the accountability of the Secretary to the Inspector General (IG) at the Department of Veterans Affairs (VA). In the event the IG determines the Secretary has not responded with significant progress to a report by the IG to the Secretary which contains recommended actions, the IG will contact the Committees on Veterans' Affairs in the House and Senate about the failure to respond, and then the Secretary will submit to the IG a list of names (not to be made public) of each responsible manager and their action plan. The Secretary will then notify each manager and direct them to resolve the identified issues as well as provide the manager with appropriate counseling and a mitigation plan. During a manager's performance review, it will be required to include an evaluation of whether the manager took appropriate actions to respond to the covered issue. A bonus or award may not be given if the manager failed to mitigate the identified issues.

In addition, this bill gives the Secretary the authority for a three year period, beginning on October 1, 2014, to enter into a contract or agreement with a certified medical foster home to pay for long-term care for certain veterans already eligible for VA-paid nursing home care. A medical foster home is a home designed to provide non-institutional, long-term care for veterans who are unable to live independently.

This bill amends the conditions of the per diem payments made for furnishing services to homeless veterans. It requires for a payment to be provided, the facility where the entity provides housing or services must be in compliance with codes relevant to the operations and level of care provided.

This bill also extends through October 1, 2018, [loan guaranty fees](#) for certain subsequent loans. These fees reduce the subsidy cost associated with VA's guaranty of mortgage loans and have typically been viewed as a reasonable cost to the benefit gained by having VA guarantee a mortgage loan. Such fees can also be rolled into the principal of the loan.

Finally, this bill extends the authority of the Secretary to obtain certain information, such as income verification, from the Secretary of the Treasury or the Commissioner of Social Security through May 31, 2017. This authority was set to expire on September 30, 2016.

Committee Action: H.R. 2072, the Demanding Accountability for Veterans Act of 2013, was introduced by Representative Benishek on May 21, 2013, and was referred to the House Committee on Veterans' Affairs. It was subsequently referred to the Subcommittee on Health where a mark-up was held and the bill passed by voice vote. On August 1, 2013, the full

committee held a [mark-up](#) and the bill passed, as amended, by voice vote. In addition to H.R. 2072, the amended version of the bill reflects the Committee's consideration of several bills introduced during the 113th Congress.

Read the committee report [here](#).

Administration Position: No statement of administrative policy is available at this time.

Cost to Taxpayers: We do not currently have an updated CBO score for the amended version of this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: H.R. 2072, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

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.” Read the statement [here](#).

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H. Con. Res. 100 – Authorizing the use of the rotunda of the Capitol for a ceremony to commemorate the 50th anniversary of the enactment of the Civil Rights Act (Rep. Fudge, D-OH)

Order of Business: The bill is scheduled to be considered on June 9, 2014, under suspension of the rules, which requires a two-thirds majority for passage.

Summary: [H. Con. Res 100](#) would authorize the use of the rotunda of the Capitol for a ceremony to commemorate the 50th anniversary of the enactment of the Civil Rights Act.

Additional Information: Similar resolutions routinely pass in the House without objection.

Committee Action: On May 22, 2014, the resolution was referred to the House Committee on House Administration.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office cost estimate is available.

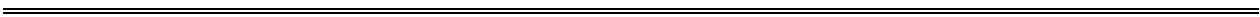
Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: House Concurrent Resolutions are not required to include a Constitutional Authority Statement.

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**S. Con. Res. 36 – A concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to the next of kin or personal representative of Raoul Wallenberg
(Sen. Gillibrand, D-NY)**

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [S. Con. Res. 36](#) would permit the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to the next of kin or personal representative of Raoul Wallenberg.

Additional Information: Raoul Wallenberg is honored for his humanitarian efforts in the Second World War; Wallenberg facilitated the rescue of tens of thousands of Jews in Nazi-occupied Hungary.

Committee Action: The resolution was introduced in the Senate on May 22, 2014, where it was submitted, considered, and agreed to without amendment by unanimous consent. On May 23, 2014, the resolution was referred to the House, and subsequently referred to the House Committee on House Administration.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office cost estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Senate Concurrent Resolutions are not required to include a Constitutional Authority Statement.

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H.R. 3211 – Mortgage Choice Act (Huizenga, R-MI)

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 3211](#) amends the Truth in Lending Act (TILA) to change what types of fees can be included in the calculation of an overall fee cap for incidental fees for Qualified Mortgages. The current definition of a Qualified Mortgage, as issued by the Consumer Financial Protection Bureau, set a cap on the points and fees associated with a mortgage to three percent of the loan. This bill excludes certain fees such as insurance and fees paid to affiliated companies from being considered as part of the calculation of the overall cap of three percent. The legislation requires the Consumer Financial Protection Bureau to issue new regulations regarding “Qualified Mortgages” to reflect these changes within 90 days after enactment of the Act.

Additional Information: The Consumer Financial Protection Bureau has created a definition of [Qualified Mortgage](#). Beginning on January 10, 2014, lenders are required to assess a borrower’s ability to repay a mortgage (the “[ability-to-repay rule](#)”). Lenders who issue Qualified Mortgages are provided safe harbor protections from liability under the ability-to-repay rule when they issue mortgages that fit within the parameters of the definition of Qualified Mortgage.

Committee Action: The legislation was introduced on September 28, 2013, and referred to the House Committee on Financial Services. On May 7, 2014, the Committee favorably reported the bill by [voice vote](#).

Outside Groups in Support:

- National Association of Realtors
- Community Mortgage Lenders Association
- Credit Union National Association
- Leading Builders of America
- The Mortgage Bankers Association

- National Association of Federal Credit Unions
- National Association of Homebuilders
- Real Estate Services Providers Council, Inc. (RESPRO)
- The Realty Alliance
- American Bankers Association

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to the Congressional Budget Office [cost estimate](#) the effect on direct spending “would be insignificant.”

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the sponsor, “Congress has the power to enact this legislation pursuant to the following: Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3.” Congressman Huizenga’s statement in the Congressional Record can be viewed [here](#).

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H.R. 1679 – To amend the Expedited Funds Availability Act to clarify the application of that Act to American Samoa, as amended (*Faleomavaega, D-American Samoa*)

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 1679](#) clarifies that the Expedited Funds Availability Act is applicable to American Samoa and the Northern Marian Islands.

Additional Information: Detailed information about the Expedited Funds Availability Act and Regulation CC can be found on the Federal Deposit Insurance Corporation’s (FDIC) website [here](#). Rep. Faleomavaega’s statement upon introduction of the bill is available [here](#) and below: “Mr. Speaker, I submit for introduction this legislation to amend the Expedited Funds Availability Act, more commonly known as Regulation CC, to clarify the application of Regulation CC to American Samoa. Enacted in 1987, Regulation CC standardized hold periods

on deposits made to commercial banks. It also excluded American Samoa from the definitions of ‘State’ and ‘United States.’ Banks in American Samoa were deemed ‘Pacific Island banks,’ and checks drawn on Pacific Island banks were thereafter called ‘Pacific Island checks. A crucial distinction between State banks and checks and Pacific Island banks and checks lies in the ‘hold time’ permitted by Regulation CC. For example, State banks must release funds from deposited checks immediately for in-state checks, and shortly thereafter for out-of-state checks. Pacific Island banks, however, can hold checks for an undetermined amount of time before releasing funds for access or use. Another distinction permits a delay in the return of Pacific Island checks that are overdrawn. However, State checks that are overdrawn must be returned ‘in an expeditious manner.’ Due to these distinctions, the people of American Samoa are subject to excessive hold times on funds that should be available in short order. This places a significant financial burden on my constituents. The legislation I have introduced today will amend Regulation CC to include American Samoa within the definition of ‘State’ and ‘United States.’ As a result, banks in my district will be required to treat local patrons with the same level of services offered in the rest of the states and other territories. In anticipation that this bill will be referred to the House Committee on Financial Services, I look forward to working closely with Chairman Jeb Hensarling and Ranking Member Maxine Waters to ensure that American Samoa is included within the provisions of Regulation CC.”

Committee Action: The legislation was introduced on April 23, 2013, and referred to the House Committee on Financial Services. No further Committee action was taken.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No Congressional Budget Office cost estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

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.” Congressman Faleomavaega’s statement in the Congressional Record can be viewed [here](#).

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H. R. 4228 – Department of Homeland Security Acquisition Accountability and Efficiency Act (Rep. Duncan, R-SC)

Order of Business: The bill is scheduled to be considered on June 9, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. R. 4228](#) directs the Department of Homeland Security (DHS) to improve the accountability, transparency, and efficiency of its major acquisition programs. The bill specifies procedures for the Department to follow if it fails to meet timelines, cost estimates, or other performance parameters for these programs. In addition, H.R. 4228 would require the Department of Homeland Security to prepare a comprehensive report each year on the status of its acquisition programs and would direct the Government Accountability Office (GAO) and the DHS Inspector General to review and report on certain issues related to departmental acquisition policies. The Committee Report (H. Rept. 113-436) to accompany H. R. 4228 can be found [here](#). According to the [House Committee on Homeland Security](#), the legislation would:

- Authorize the Department’s Chief Acquisition Officer, the Undersecretary for Management, to approve, halt, modify or cancel major acquisition programs as needed;
- Require that every major acquisition program have an approved Acquisition Program Baseline (APB) document;
- Codify the Acquisition Review Board and requiring the board to validate the documents, including the APB, and review the cost, schedule and performance objectives of major acquisitions;
- Require a Multiyear Acquisition Strategy be included in each Future Years Homeland Security Program;
- Authorize the Chief Procurement Officer to serve as the main liaison to industry and to oversee a certification and training program for DHS’s acquisition workforce;
- Compel the Department to submit to Congress major acquisition programs that fail to meet cost, schedule or performance metrics through quarterly status and accountability reports;
- Direct the Department to find ways to streamline the acquisition process and strategically address issues regarding bid protest without creating any new offices or programs; and
- Instruct the Department of Homeland Security to eliminate unnecessary duplication.

Additional Information: Since 2005, the Department of Homeland Security Acquisition Management activities have been on the Government Accountability Office's "[High-Risk List](#)" for programs that are highly susceptible to fraud, waste, abuse and mismanagement. Recently, the [DHS Inspector General](#) found the Department mismanaged a \$3 billion DHS-wide contract to modernize its radio systems and GAO reported that 21 of 68 Information Technology (IT) contracts totaling \$1 billion were not meeting cost and schedule obligations.

Of the 77 Department major acquisition programs in 2011, the Government Accountability Office identified 42 programs that experienced cost growth, schedule slips, or both. The Department reported that the magnitude of the cost growth for 16 of the 42 programs, which increased from almost \$20 billion to over \$50 billion in 2011, had an aggregate increase of 166 percent.

Committee Action: On, March 13 2014, the bill was introduced the bill by Congressman Duncan, and was referred to the House Committee on Homeland Security. The Committee held a mark-up of the bill and reported it as amended on May 6, 2014.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office [estimates](#) that implementing H.R. 4228 would cost \$1 million in 2015 and less than \$500,000 in each year thereafter, subject to the availability of appropriated funds. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 4228 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause I of the Constitution enumerates to Congress the power to "provide for the common defense and general welfare of the United States." This legislation sets out parameters reforming the way that the Department of Homeland Security purchases the equipment and services it needs to defend the homeland.

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