



H.R. 810 - National Aeronautics and Space Administration Authorization Act of 2015 (Palazzo, R-MS)

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FLOOR SCHEDULE: FEBRUARY 10, 2015 UNDER A MOTION TO SUSPEND THE RULES AND PASS THE BILL

TOPLINE SUMMARY: This bill would authorize \$18,010,200,000 for programs and projects at the National Aeronautics and Space Administration (NASA) for Fiscal Year 2015 (FY 15). This authorization is consistent with the funding appropriated for NASA in the Consolidated and Further Appropriations Act of 2015.

COST: A Congressional Budget Office (CBO) score for this bill is not currently available.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government? This bill would authorize several new program within NASA.
- **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. 4412, the National Aeronautics and Space Administration Authorization Act of 2014, passed the House on June 9, 2014, by a vote of [401-2](#). H.R. 810 included updated authorization levels for FY15; however, the remainder of the bill is the same as H.R. 4412.

Below is a breakdown of each title found in the [bill](#):

Title II: Human Space Flight

- This title establishes that exploration deeper into the solar system will be a core mission of NASA, with the goal of a crewed mission to the surface of Mars to begin human exploration.
- This title would direct the NASA administrator (the administrator) to develop a Human Exploration Roadmap to define the specific capabilities and technologies necessary to extend human presence to the surface of Mars.
- This title would reaffirm Congress' commitment to the development of a commercially developed launch and delivery station for the International Space Station (ISS) for crew missions.

Title III: Science

- This title would amend the current law's sense of Congress to state that a balanced and adequately funded set of activities contributes to a robust and productive science program that serves as a catalyst for innovation and discovery. This section states that unless otherwise directed by Congress, NASA will take into account the current [decadal surveys](#) from the National Academies when submitting the President's budget request to Congress.

- This title would direct the administrator to develop a science strategy for the study and exploration of extrasolar planets, which would include the use of the [James Webb Space Telescope](#). The James Webb Space Telescope is expected to launch in 2018.
- This title would direct the administrator to continue to detect, track, catalogue, and characterize the physical characteristics of near-Earth objects equal or greater than 140 meters in diameter in order to assess their threat to earth. In addition, the bill would encourage public-private partnerships in carrying out the Near-Earth Object Survey Program.

Title IV: Aeronautics

- This title would ensure that the administration maintains a strong aeronautics research portfolio ranging from fundamental research through integrated systems research.
- This title would direct the administrator, in consultation with the administrator of the Federal Aviation Administration and other federal agencies, to research the safe integration of unmanned aerial systems into the [National Airspace System](#).

Title V: Space Technology

- This title would establish a Space Technology Program, which would pursue the research and development of advanced space technologies that have the potential of delivering innovative solutions and supporting human exploration of the solar system or advanced space science.

Title VI: Education

- This title would direct the administration to continue its education and outreach efforts to increase student interest in science, technology, engineering, and mathematics (STEM) education.
- This title would direct the administrator to continue operation of the [National Space Grant College and Fellowship program](#). This program provides hands-on research, training, and education programs to enhance America's STEM workforce.

Title VII: Policy Provisions

- This title would provide the administrator the opportunity to develop a plan that has the goal of positioning NASA to have the facilities, laboratories, tools, and approaches necessary to address future requests such as research and development and testing needs and a strategy for maintenance, repairs and upgrades to equipment. In order to complete this plan, the administrator would establish a capital fund for the modernization of facilities and laboratories.
- The administrator is directed to develop a policy on the use of operational commercial reusable suborbital flight vehicles for carrying out scientific and engineering investigations.
- This title would provide for additional oversight and reporting on numerous programs found within NASA to provide for greater accountability and transparency.

COMMITTEE ACTION: This bill was introduced on February 9, 2015, by Representative Palazzo and referred to the House Committee on Science, Space, and Technology where it awaits further action.

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; 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."

H.R. 719—TSA Office of Inspection Accountability Act of 2015 (Rep. Katko, R-NY)

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FLOOR SCHEDULE: FEBRUARY 10, 2015 UNDER A MOTION TO SUSPEND THE RULES AND PASS THE BILL

TOPLINE SUMMARY: [H.R. 719](#) would direct the Inspector General of the Department of Homeland Security to analyze the data and methods that the Assistant Secretary of Homeland Security for Transportation Security uses to identify and classify Transportation Security Administration (TSA) law enforcement officers and criminal investigators.

COST: No Congressional Budget Office (CBO) estimate is available. The CBO estimate for H.R. 4803 can be found [here](#).

CONSERVATIVE CONCERNS: There are no major substantive concerns.

- **Expand 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: For law enforcement officers to qualify for premium pay as criminal investigators, the officers must, in general, spend on average at least 50 percent of their time investigating, apprehending, or detaining individuals suspected or convicted of offenses against the criminal laws of the United States. According to the Inspector General of the Department of Homeland Security, the TSA does not ensure that its cadre of criminal investigators in the Office of Inspection are meeting this requirement.

Section 4 of the bill would require the inspector general to provide these findings to the TSA, including whether or not the data and methodology are adequate and valid. If the inspector general deems the TSA's data and methodology invalid, TSA may not hire any new employee to work in TSA's Office of Inspection until:

- The TSA makes a new certification to the Committee on Homeland Security of the House and the Committee on Commerce Science and Transportation of the Senate; and
- The inspector general submits a finding to those committees within 30 days of the Assistant Secretary making the certification, that the Assistant Secretary utilized adequate and valid data and methods to make such certifications.

Section 5 of the bill would require the TSA to reclassify criminal investigator positions in the Office of Inspection as noncriminal investigator positions or non-law enforcement positions if the individuals in those positions do not, or are not expected to, spend an average of at least 50 percent of their time performing criminal investigative duties. Section 5 would also require the TSA to estimate the total long-term cost savings to the federal government resulting from such reclassification.

Section 6 would require the TSA to submit any materials related to the Office of Inspection's review of inappropriate uses of a Federal Firearms License by Federal Air Marshal Service officials to obtain discounted or free firearms for personal use. The section would also require the TSA to submit information on specific actions that will be taken to prevent Federal Air Marshal Service officials from using their office positions, or exploiting, in any way, the service's relationships with private vendors to obtain discounted or free firearms for personal use.

According to the CBO, the Office of Inspection in the TSA is responsible for ensuring the effectiveness and efficiency of the TSA's operations and identifying vulnerabilities in the agency's security systems. In carrying out its mission, the office conducts internal inspections, investigations, and covert tests to assess the integrity of the agency's activities and its staff. Under current law, roughly half of the office's employees are classified as criminal investigators and are eligible for certain statutory employment benefits because they are considered law enforcement officers. In particular, such individuals qualify for additional compensation (known as Law Enforcement Availability Pay) and enhanced retirement benefits. A Department of Homeland Security Inspector General [report](#) from September 2013 included 11 recommendations improve the operations of the Transportation Security Administration's Office of Inspection. A similar bill ([H.R. 4803](#)) was introduced in the 113th Congress and passed in the House on July 22, 2014 by voice vote. The RSC's legislative bulletin for H.R. 4803 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on February 4, 2015 and was referred to the House Committee on Homeland Security.

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 1 of the Constitution of the United States."

H.R. 720—Gerardo Hernandez Airport Security Act of 2015 (Rep. Katko, R-NY)

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FLOOR SCHEDULE: FEBRUARY 10, 2015 UNDER A MOTION TO SUSPEND THE RULES AND PASS THE BILL

TOPLINE SUMMARY: [H.R. 720](#) would direct the Assistant Secretary of Homeland Security for Transportation Security to conduct outreach to all airports at which the Transportation Security Administration (TSA) performs or oversees the performance of security measures and provides technical assistance for security incidents response plans.

COST: No Congressional Budget Office (CBO) estimate is available. The CBO estimate for H.R. 4802 can be found [here](#).

CONSERVATIVE CONCERNS: There are no major substantive concerns.

- **Expand 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:

- Section 3 would mandate that the Assistant Secretary submit a report to Congress on the current level of preparedness at airports to deal with an active shooter scenario or other security incident;
- Section 4 would require the Assistant Secretary to identify and share best practices for security incident planning, management, and training with airports nationwide;
- Section 5 would require the Assistant Secretary to certify annually to specified congressional committees that all screening personnel have participated in practical training exercises for active shooter scenarios;
- Section 6 would mandate that the Assistant Secretary report to Congress on how the TSA can increase available funding for the reimbursement of law enforcement support at screening checkpoints over the next five years, using savings achieved through efficiencies; and
- Section 8 would require the Assistant Secretary to conduct a review of the interoperable communications capabilities of the law enforcement, fire, and medical personnel responsible for responding to a security incident at all airports in the United States at which the TSA performs security.

The legislation would strengthen security measures at U.S. airports in the wake of the November 1, 2013 shooting rampage which left [Transportation Security Officer Gerardo Hernandez](#) dead and three other individuals wounded at Los Angeles International Airport. An identical bill ([H.R. 4802](#)) was introduced in the 113th Congress and passed in the House on July 22, 2014 by voice vote. The RSC's legislative bulletin for H.R. 4802 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on February 4, 2015 and was referred to the House Committee on Homeland Security.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the Constitution of the United States."

H.R. 710—Essential Transportation Worker Identification Credential Assessment Act (Rep. Jackson Lee, D-TX)

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FLOOR SCHEDULE: FEBRUARY 10, 2015 UNDER A MOTION TO SUSPEND THE RULES AND PASS THE BILL

TOPLINE SUMMARY: [H.R. 710](#) would require the Secretary of Homeland Security to prepare a comprehensive security assessment of the Transportation Worker Identification Credential ([TWIC](#)) program.

COST: No Congressional Budget Office (CBO) estimate is available. The CBO estimate for H.R. 3202 can be found [here](#).

CONSERVATIVE CONCERNS: There are no major substantive concerns.

- **Expand 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: Section 2 would direct the Secretary of Homeland Security to submit to Congress and to the Comptroller General of the United States a comprehensive assessment of the effectiveness of the transportation security card program at enhancing security and reducing security risks for facilities and vessels. The assessment would include:

- An evaluation of the extent to which the program, as implemented, addresses known or likely security risks in the maritime environment;
- An evaluation of the extent to which deficiencies identified by the Comptroller General have been addressed; and
- A cost-benefit analysis of the program, as implemented.

The bill would also direct the Secretary of Homeland Security to submit a corrective action plan that responds to the findings of the cost-benefit analysis of the transportation security card program, including an implementation plan with benchmarks, programmatic reforms, revisions to regulations, or proposals for legislation. The bill would direct the Comptroller General of the United States to review the implementation plan and to determine the extent to which certain Government Accountability Office (GAO) [recommendations](#) have been implemented.

H.R. 710 would prohibit the Secretary of Homeland Security from issuing a final rule requiring the use of transportation security card readers until:

- The comptroller general informs Congress that the submission is responsive to the GAO recommendations; and
- The Secretary of Homeland Security issues an updated list of transportation security card readers that are compatible with active transportation security cards.

Paragraph 1 of the bill would not apply to any final rule issued pursuant to the notice of proposed rulemaking on [Transportation Worker Identification Credential](#) (TWIC)-Reader Requirements published by the Coast Guard on

March 22, 2013. H.R. 710 would direct the Comptroller General of the United States to report to Congress regarding implementation of the Department of Homeland Security corrective action plan.

Section 3 would mandate that no additional funds are authorized to be appropriated to carry out H. R. 710. The Transportation Worker Identification Credential ([TWIC](#)) program was established by the [Maritime Transportation Security Act of 2002](#) to ensure secure access control to port facilities and vessels by capturing biometric information of all transportation workers with unescorted access to secure areas. An identical bill ([H.R. 3202](#)) was introduced in the 113th Congress and passed in the House on July 28, 2014 by the Yeas and Nays ([400–0](#)). The RSC’s legislative bulletin for H.R. 3202 can be found [here](#).

COMMITTEE ACTION: This bill was introduced on February 4, 2015 and was referred to the House Committee on Homeland Security.

ADMINISTRATION POSITION: No statement of administration policy is available at this time.

CONSTITUTIONAL AUTHORITY: “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 1, 3, and 18 of the United States Constitution.”

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