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# H.R. 756 — Streamlining Energy Efficiency for Schools Act of 2015 (Rep. Cartwright, D-PA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 756](#) would direct the Department of Energy's Office of Energy and Renewable Energy to establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

## COST:

No Congressional Budget Office (CBO) estimate is available.

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

## CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

H.R. 756 would amend section 392 of the Energy Policy and Conservation Act ([42 U.S.C. 6371a](#)) by directing the Department of Energy's Office of Energy and Renewable Energy (EERE) to establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools. The Secretary of Energy would be required to: (1) consult with appropriate federal agencies to develop a list of federal programs and financing mechanisms that may be used for the purposes of disseminating information; and (2) coordinate with appropriate federal agencies to develop a collaborative education and outreach effort to streamline communications and promote available federal programs and financing mechanisms, which may include the development and maintenance of a single online resource that includes contact information for relevant technical assistance in the Office of Energy Efficiency and Renewable Energy that States, local education agencies, and schools may use to effectively access and use such federal programs and financing mechanisms.

Many conservatives have traditionally opposed the underlying programs within the EERE office that would be covered by information included in the clearinghouse. Several amendments have been offered on appropriations measures since 2011 to eliminate funding for such programs.

## COMMITTEE ACTION:

H.R. 756 was introduced on February 5, 2015 and was referred to the House Committee on Energy and Commerce.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 (relating to the power of Congress 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.)"

# H.R. 6375 — Power And Security Systems (Rep. Pompeo, R-KS)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 6375](#) would extend to 2021 the time period in which the Secretary of Energy must publish a rule to determine whether standards on battery chargers and external power supplies then in effect should be amended. The bill would extend the rule's application to products manufactured on or after July 1, 2023, thereby exempting products manufactured prior to that date.

## COST:

No Congressional Budget Office (CBO) estimate is available.

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

## CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

H.R. 6375 would amend section 325(u)(3)(D)(ii) of the Energy Policy and Conservation Act ([42 U.S.C. 6295\(u\)\(3\)\(D\)\(ii\)](#)) by extending to 2021 the time period by the end of which the Secretary of Energy is required to publish a rule to determine whether standards on battery chargers and external power supplies, as well as No-Load Mode energy efficiency standards, that apply to certain security or life safety alarm or surveillance systems should be amended. The bill would extend the rules' application to products manufactured on or after July 1, 2023, thereby exempting products manufactured prior to that date. The Secretary of Energy would be authorized to treat some or all external power supplies designed to be connected to a security or life safety alarm or surveillance system as a separate product class.

## COMMITTEE ACTION:

H.R. 6375 was introduced on November 17, 2016 and was referred to the House Committee on Energy and Commerce.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3."

# H.R.3381: Childhood Cancer STAR Act, as amended (McCaul, R-TX)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

## FLOOR SCHEDULE:

Scheduled for consideration December 5, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 3381](#) would encourage the National Institutes of Health (NIH) to focus research and increase available data on childhood cancers as well as research survivorship care to improve the child's quality of life past childhood.

### COST:

A Congressional Budget Office (CBO) 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.

However, according to the Majority Leader's office, the Congressional Budget Office's (CBO) preliminary judgment is that enacting the bill would not affect direct spending or revenues.

### 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:

### Title I: Maximizing Research through Discovery

This title would direct the Director of the NIH to make awards to entities to build upon existing initiatives to collect biospecimens and clinical and demographic information on the majority of all children with selected cancer subtypes with the goal of collecting information for which treatments are least effective and to achieve a better understanding of the cause of such cancers and the effects of treatment. No child would be required to contribute a specimen. All entities receiving funds would be required to ensure all information collected is in accordance with state and federal law, and adheres to strict confidentiality to protect the identity and privacy of patients. All information must be electronically searchable and made available in a standard dataset for researchers and qualified health professionals to search. No funds can be used to acquire a biospecimen from a patient if that activity is already covered by funds available at the NIH.

The secretary could make awards to state cancer registries to enhance and expand infrastructure to track the epidemiology of cancer.

The National Cancer Board within the National Cancer Institute would be amended to add at least one member knowledgeable in pediatric oncology.

The Director of the NIH would be responsible for the oversight of any newly appropriated Pediatric Research Initiative funds and annually report to Congress on the childhood cancer research projects conducted or supported by the NIH.

## **Title II: Maximizing Delivery: Care, Quality of Life, Survivorship, and Caregiver Support**

A pilot program would be established to develop, study, or evaluate model systems for monitoring and caring for childhood cancer survivors throughout their lifespan. Entities eligible to carry out this program would include medical schools, children's hospitals, cancer centers, and other entities with expertise in treating cancer survivors.

The secretary would also establish a Workforce Development Collaborative on Medical and Psychosocial Care for Pediatric Cancer Survivors to act as a cross-specialty group composed of educators, family advocates and providers of psychosocial and biomedical health services. This group would submit a report on medical and psychosocial workforce development.

The director could conduct, in coordination with other ongoing research activities, pediatric cancer survivorship research. This would include the needs of pediatric cancer survivors and barriers faced in receiving follow-up care to survivors with minority or other medically underserved populations. This research must address both the physical and psychological needs of survivors.

The secretary would establish a task force to develop and test standards, outcomes, and metrics for high-quality childhood cancer survivorship care.

A three-year demonstration project would be established to improve the quality and efficiency of care provided to childhood cancer survivors throughout their lifespan, through improved care coordination as survivors transition to adult care.

The Comptroller General would be required to submit recommendations to Congress on existing barriers to obtaining and paying for adequate medical care for survivors of childhood cancer.

### **COMMITTEE ACTION:**

This bill was introduced by Representative McCaul on July 29, 2015, and referred to the House Committee on Energy and Commerce where it awaits further action.

### **ADMINISTRATION POSITION:**

No Statement of Administration Policy is available at this time.

### **CONSTITUTIONAL AUTHORITY:**

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8. No enumerating clause was cited.

# S.2873: ECHO Act (Hatch, R-UT)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

## FLOOR SCHEDULE:

Scheduled for consideration December 5, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[S. 2873](#) would require a study and report on the opportunities for, and the use of, technology-enabled collaborative learning and capacity building models to improve programs at the Department of Health and Human Services (HHS).

### COST:

A Congressional Budget Office (CBO) 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.

However, according to the Majority Leader's office, the Congressional Budget Office (CBO) estimates this bill would not affect direct spending.

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

The secretary would be directed to study distance health education models that connect specialists with multiple other health care professionals through simultaneous, interactive video conferencing for the purposes of facilitating case-based learning, and best practices. This study would examine its impact on addressing mental and substance abuse, the implementation of public health programs, and the delivery of health care services in rural areas.

The secretary would be required to submit a report on the use of this technology and the impact of the models on the patient and physician community as well as recommendations on how to reduce barriers for using and integrating models such as these.

## COMMITTEE ACTION:

This bill was introduced by Senator Hatch and passed the Senate by a vote of 97-0 on November, 29, 2016. It was then sent to the House and referred the House Committee on Energy and Commerce where it awaits further action.

## ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

## CONSTITUTIONAL AUTHORITY:

Legislation introduced in the Senate is not required to have a Constitutional authority statement.

# H.R. 6394 – Improving Broadband Access for Veterans Act of 2016 (Rep. McNerney, D-CA)

CONTACT: [Jennifer Weinhart](#), 202-226-0706

## FLOOR SCHEDULE:

Expected to be considered on

### TOPLINE SUMMARY:

[H.R. 6394](#) would require the Federal Communications Commission to submit a report to Congress detailing how to improve broadband internet access services for veterans, particularly low-income veterans and veterans in rural areas.

### 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 it is not the proper role of the federal government to determine how to provide private, commercial services to target populations, and that such activities are more appropriately left to the private sector.

- **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 its report, the FCC would be required to examine ways to promote broadband internet access and provide recommendations to Congress on how to do so. The Commission would also be required to provide the public with an opportunity for notice and comment.

### COMMITTEE ACTION:

H.R. 6394 was introduced on November 29, 2016, and was referred to the House Committee on Energy and Commerce.

### CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution. A specific enumerating clause was not provided.

# H. Res. — Expressing the sense of the House of Representatives that all students should have access to the digital tools necessary to further their education and compete in the 21st century (Rep. Welch, D-VT)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H. Res.](#) would express the sense of the House of Representatives that all students should have access to the digital tools necessary to further their education and compete in the 21st century economy.

## COST:

No Congressional Budget Office (CBO) estimate is available.

## 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. Res. would express the sense of the House of Representatives that all students should have access to the digital tools necessary to further their education and compete in the 21st century economy.

## COMMITTEE ACTION:

H. Res. was introduced on November 29, 2016 and was referred to the House Committee on Energy and Commerce.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

No constitutional authority statement is available.

# H. Res. 932 — Expressing the sense of the House of Representatives with respect to third-party charges on consumer telephone bills (Rep. Schakowsky, D-IL)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H. Res. 932](#) would express the sense of the House of Representatives that protections against cramming should be improved and consumers should be empowered to stop unwanted third-party charges on their telephone bills.

## COST:

No Congressional Budget Office (CBO) estimate is available.

## 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. Res. 932 would express the sense of the House of Representatives that protections against cramming should be improved and consumers should be empowered to stop unwanted third-party charges on their telephone bills. According to the resolution's findings, "cramming" is the act of placing unauthorized charges on a wireline, wireless, or bundled services telephone bill of a consumer.

Some conservatives may believe that, while the expression of this sense of the House effects no legal change, such sentiments may distract from a more appropriate focus on allowing private parties to determine the appropriate protections included in a phone service contract and to seek alternative services if such terms are unsatisfactory.

## COMMITTEE ACTION:

H. Res. 932 was introduced on November 29, 2016 and was referred to the House Committee on Energy and Commerce.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

No constitutional authority statement is available.

# H.R. 4680 — The National Park Service Centennial Act, as amended (Rep. Bishop, R-UT)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 4680](#) would establish a National Park Centennial Challenge Fund, and a Second Century Endowment for the National Park Service (NPS) to commemorate the centennial of the National Park Service, and would authorize appropriations for several NPS programs and the [National Park Foundation](#) (NPF).

## COST:

The Congressional Budget Office (CBO) has not provided an estimate for the bill as amended and scheduled for consideration.

CBO [estimated](#) that implementing the bill as reported by the Committee on Natural Resources would cost \$140 million over the FY 2017-2021 period, and an additional \$65 million after 2021, assuming appropriation of the specified amounts. CBO estimates that enacting the legislation would increase both offsetting receipts from the sale of National Park Service (NPS) passes and lodging fees and direct spending of the proceeds. In addition, the bill would establish the Centennial Challenge Fund to accept donations to the NPS. The NPS could spend any donated amounts without further appropriations. CBO estimates that enacting the legislation would result in a small net increase in receipts of about \$2 million over the 2017-2026 period, because spending of the proceeds would lag behind collections over the next 10 years. Because H.R. 4680 would affect direct spending, pay-as-you-go procedures apply. Enacting the legislation would not affect revenues.

## CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** The bill would allow the NPS to obligate funds within the Centennial Challenge Fund, as well as other funds derived from collected fees, without specific appropriation by Congress.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

### New Funds and Fee Increases

H.R. 4680 would establish in the Treasury an account known as the National Park Centennial Challenge Fund. All amounts received by the United States each fiscal year from sales by the National Park Service of National Parks and Federal Recreational Lands passes in excess of \$10,000,000 would be deposited into the National Park Centennial Challenge Fund as offsetting collections and would remain available to the Secretary of the Interior until expended. Funds would only be used for projects or programs approved by the secretary to further the mission of the National Park Service and to enhance the visitor experience in system units; would not be used to acquire lands or interest in lands; and would only be used if matched, on at least a 1-to-1 basis, by non-federal donations to the NPS for signature projects or programs. The Secretary of the Interior would be required to: (1) develop a list of signature projects and programs eligible

for funding from the National Park Centennial Challenge Fund; (2) submit the list to Congress; and (3) prioritize deferred maintenance projects, physical improvements to visitor services facilities, and trail maintenance.

The bill would require the Department of the Interior and the Department of Agriculture to make the National Parks and Federal Lands Pass available to any U.S. citizen 62 years of age or older for a period of 12 months from the date of issuance at a cost of \$20; and the lifetime of the passholder at a cost (currently at a cost of \$10) equal to the cost of the "[America the Beautiful](#)" Pass, which currently costs \$80.

H.R. 4680 would establish direct the National Park Foundation to establish a special account known as the Second Century Endowment for the National Park Service. \$10 million would be deposited into the endowment from amounts received by the United States each fiscal year from sales by the National Park Service of Federal recreational lands passes. The Endowment would additionally consist of any gifts, devises, or bequests that are provided to the National Park Foundation. The National Park Foundation would be directed to deposit any funds received for the endowment in a federally insured interest-bearing account or may invest funds in appropriate security obligations. Any accrued interest or dividends earned on funds received for the endowment would be added to the principal and form a part of the endowment. Funds in the endowment would be available to the National Park Foundation as offsetting collections for approved projects and activities that further NPS' mission and purposes. No Federal funds received for the endowment would be used by the National Park Foundation for administrative expenses of the foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

### **Interpretation Programming**

The Secretary of the Interior would be directed to ensure that management of system units and related areas is enhanced by the availability and use of a broad program of the highest quality interpretation and education. The Secretary of the Interior would additionally be authorized to undertake a program of regular evaluation of interpretation and education programs to ensure that they: (1) adjust to how people learn and engage with the natural world and shared heritage as embodied in the system; (2) reflect different cultural backgrounds, ages, education, gender, abilities, ethnicity, and needs; (3) demonstrate innovative approaches to management and appropriately incorporate emerging learning and communications technology; and (4) reflect current scientific and academic research, content, methods, and audience analysis. The secretary would also be authorized to (1) coordinate with park partners and volunteers in the delivery of quality programs and services to supplement those provided by the service as part of a park's Long Range Interpretive Plan; (2) support interpretive partners by providing opportunities to participate in interpretive training; and (3) collaborate with other federal and non-federal public or private agencies for the purposes of developing, promoting, and making available educational opportunities related to NPS system resources and programs.

### **Public Lands Corps**

H.R. 4680 would amend the [Public Lands Corps Act of 1993](#) by increasing the age limit from 25 to 30 for Public Lands Corps participants, and extending the period during which noncompetitive hiring status may be given to a former corps participant from 120 days to 2 years. The bill would further increase funding for the Volunteers-In-Parks Program from \$7 million to not more than \$9 million.

### **National Park Foundation Reauthorization**

H.R. 4680 would state that the National Park Foundation would consist of a board having no fewer than 6 private citizens of the United States appointed by the Secretary of the Interior as members. H.R. 4680 would reauthorize the National Park Foundation for \$5 million for each of fiscal years 2017 through 2023. Such funds would: (1) be advanced each fiscal year to the National Park Foundation in a lump sum without regard to when expenses are incurred; be provided to the National Park Foundation for use to match contributions made to the foundation; not be used by the National Park Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead

expenses; and (4) not be deposited by the National Park Foundation into any fund that will be invested or earn interest in any way.

### **Miscellaneous Provisions**

H.R. 4680 would add the General Chairman of the [National Association of Tribal Historic Preservation Officers](#) as a member of the [Advisory Council on Historic Preservation](#). The bill would subject the Chairman of the Advisory Council on Historic Preservation after January 20, 2017 to being appointed by the president, serve at the president's will, and serve full time for a term of 4 years (subject to one more appointment). The secretary of the Interior would be allowed to amend the applicable terms of an existing concessions contract to provide new and additional services where the Secretary determines the services are necessary and appropriate for public use and enjoyment of the NPS unit in which they are located and are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the unit. Any new and additional services would not represent a material change to the required and authorized services as set forth in the applicable prospectus or contract.

The legislation would additionally make several technical and conforming corrections to National Park and program laws. H.R. 4680 would authorize the secretary to award and administer commercial services contracts, through a competitive selection process, for the operation and expansion of commercial visitor facilities and visitor services programs in NPS units, if the Secretary determines that the contract meets the objectives of expanding, modernizing, and improving the condition of commercial visitor facilities and the services provided to visitor. A commercial services contract would be awarded not exceeding 10 years.

H.R. 4680 would establish a revolving fund that would be available to the Secretary of the Interior without fiscal year limitation for: (1) expenses necessary for the management, improvement, enhancement, operation, construction, and maintenance of commercial visitor services and facilities, and (2) payment of possessory interest and leasehold surrender interest. This authority would sunset after 7 years. The bill would further reauthorize the Historic Preservation Fund to 2023. The bill would amend [title 54 of the United States Code](#) by modifying the conditions for how the Secretary of the Interior accepts nominations for [National Register of Historic Places](#).

The House report (H. Rept. 114-576) accompanying H.R. 4680 can be found [here](#).

A fact sheet on H.R. 4680 provided by the House Committee on Natural Resources can be found [here](#).

### **COMMITTEE ACTION:**

H.R. 4680 was introduced on March 3, 2016 and was referred to the House Committee on Natural Resources. On May 19, 2016, the bill was ordered to be reported by the committee.

### **ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

### **CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3; Article I, Section 8."

# H.R. 1219 — Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2016 (Rep. Cole, R-OK)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 1219](#) would authorize the Secretary of the Interior to convey certain federal property to the Arbuckle Master Conservancy District, located in Murray County, Oklahoma.

## COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting the legislation would have no significant effect on the federal budget. The properties that would be transferred generate no income for the government and are not expected to be sold in the next several years. Because enacting the legislation would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

## 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. 1219 would authorize the Secretary of the Interior to convey certain federal property to the Arbuckle Master Conservancy District, located in Murray County, Oklahoma, and would convey all U.S. interest in the Maintenance Complex and District Office, Arbuckle Project, Oklahoma, consistent with an agreement between the United States and the Arbuckle Master Conservancy District. The Maintenance Complex and District Office would not be considered to be a part of a federal reclamation project; and such water district would not be eligible to receive any benefits with respect to any facility comprising that Maintenance Complex and District Office, except benefits that would be available to a similarly situated person with respect to such a facility that is not part of a federal reclamation project. If the Secretary of the Interior has not completed the conveyance within 12 months, the Secretary would be directed to submit to Congress a letter with sufficient detail that explains the reasons the conveyance has not been completed and stating the date by which the conveyance will be completed.

Testimony from the manager of the Arbuckle Master Conservancy District before the U.S. House of Representatives Committee on Resources Subcommittee on Water and Power on H.R. 1219 can be found [here](#). The House report (H. Rept. 114-834) accompanying H.R. 1219 can be found [here](#).

## COMMITTEE ACTION:

H.R. 1219 was introduced on March 3, 2015 and was referred to the House Committee on Natural Resources. On November 29, 2016, the bill was ordered to be reported (as amended).

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

### **CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact to enact this legislation pursuant to the following: This bill is enacted pursuant to Article I, Section 8 which allows Congress to regulate trade amongst the Indian Tribes. This bill is enacted pursuant to the power granted to Congress under Article IV, Section 3, Clause 2 which grants Congress the power to make all needful Rules and Regulations respecting . . . Property belonging to the United States."

# H.R. 6401 — Northern Mariana Islands Economic Expansion Act (Rep. Sablan, D-MP)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 6401](#) would make changes to the foreign worker permit process for the Northern Mariana Islands, allowing no more than 15,000 to be issued during 2017 and prohibiting any new permits for construction workers, except as a renewal of a permit issued prior to October 1, 2015.

## COST:

No Congressional Budget Office (CBO) estimate.

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. 6401 would amend Public Law 94-241 ([48 U.S.C. 1806](#)) by requiring the Secretary of Homeland Security to raise an annual supplemental education fee of \$200, instead of \$150, per nonimmigrant worker to each prospective employer who is issued a permit for foreign workers. These fees are used to fund vocational education and training programs as part of an ongoing effort to reduce the dependence of the territory on foreign workers.

The bill would provide that a permit for construction occupations would only be issued to extend a permit issued before October 1, 2015.

The underlying current law provides for a reduction in the allocation of permits for foreign workers on an annual basis to zero, during a period not to extend beyond December 31, 2019. HR 6401 would provide that for fiscal year 2017, the number of permits issued shall not exceed 15,000.

A press release from the bill's sponsor can be found [here](#).

## COMMITTEE ACTION:

H.R. 6401 was introduced on November 29, 2016 and was referred to the House Committee on Natural Resources.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Under Article I, Section 8, Clauses 1, 3, 4, and Article IV, Section 3, Clause 2 of the Constitution of the United States."

# S. 817 — A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon (Rep. Wyden, D-OR)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[S. 817](#) would authorize the Department of the Interior to take certain lands into trust for the Confederated Tribes of Siletz Indians of Oregon and would slightly modify how the department evaluates land to be taken into trust for the tribe.

## COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 817 would have no significant effect on the federal budget. CBO estimates that any change in the department's administrative costs under the bill, which would be subject to appropriation, would not exceed \$500,000 in any year. Enacting S. 817 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

## CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

S. 817 would amend the [Siletz Tribe Indian Restoration Act](#) to authorize the Secretary of the Interior to take into trust for the Siletz Tribe additional lands located within the boundaries of the original 1855 Siletz Coast Reservation in Oregon, if that real property is conveyed or otherwise transferred to the United States by or on behalf of the tribe. All real property that is taken into trust would be considered and evaluated as an on reservation acquisition and become part of the reservation of the tribe. Any real property taken into trust would not be eligible, or used, for any gaming activity.

## COMMITTEE ACTION:

S. 817 was introduced on March 19, 2015 and was referred to the Senate Committee on Indian Affairs. On July 14, 2016, the bill passed the Senate without amendment by unanimous consent.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

# S. 818 — A bill to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes (Rep. Wyden, D-OR)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[S. 818](#) would authorize the Department of the Interior to take certain lands into trust for the Confederated Tribes of the Grand Ronde Community of Oregon, and would slightly modify how the department evaluates land to be taken into trust for the tribe.

## COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 818 would have no significant effect on the federal budget. CBO estimates that any change in the department's administrative costs under the bill, which would be subject to appropriation, would not exceed \$500,000 in any year. Enacting S. 818 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

## CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

S. 818 would amend the [Grand Ronde Reservation Act](#) to authorize the Secretary of the Interior to take into trust for Confederated Tribes of the Grand Ronde Community of Oregon, additional lands located within the boundaries of the original 1857 reservation of the tribes, if that real property is conveyed or otherwise transferred to the United States by or on behalf of the tribe. An application to take land into trust within the boundaries of the original 1857 reservation of the tribes shall be treated by the Secretary as an on-reservation trust acquisition. Any real property taken into trust would not be eligible, or used, for any gaming activity, except to any real property located within 2 miles of the gaming facility in existence located on State Highway 18 in the Grand Ronde community, Oregon.

## COMMITTEE ACTION:

S. 818 was introduced on March 19, 2015 and was referred to the Senate Committee on Indian Affairs. On July 14, 2016, the bill passed the Senate with an amendment by unanimous consent.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

# S. 3028 —Daniel J. Evans Olympic National Park Wilderness Act (Rep. Cantwell, D-WA)

CONTACT: [Noelani Bonifacio](#), 202-226-0707

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[S. 3028](#) would rename the [Olympic Wilderness](#) as the "[Daniel J. Evans](#) Wilderness" in Washington.

## COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting S. 3028, which would rename the Olympic Wilderness, would have no significant effect on the federal budget and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

## CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

S. 3028 would designate the Olympic Wilderness as the Daniel J. Evans Wilderness. The House report (H. Rept. 114-822) accompanying S. 3028 can be found [here](#).

[Daniel J. Evans](#) served as a Republican member of the Washington State House of Representatives from 1956 to 1965. He was elected Governor of Washington in 1965 and served three terms before leaving office. He was appointed to the U.S. Senate in 1983 after the death of Senator Henry M. "Scoop" Jackson. He was elected to serve the remainder of the term and retired from the Senate in 1989.

During his time as Senator, Evans led the passage of the [1984 Washington Wilderness Act and the Washington Park Wilderness Act in 1988](#). The Olympic Wilderness encompasses 877,000 acres of Olympic National Park.

## COMMITTEE ACTION:

S. 3028 was introduced on June 7, 2016 and was referred to the Senate Committee on Energy and Natural Resources. On July 14, 2016, the bill passed the Senate without amendment by unanimous consent. The bill was then referred to the House Committee on Natural Resources and reported by the committee on November 14, 2016.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

# H.R. 875 — Cross-Border Trade Enhancement Act of 2016, as amended (Rep. Cuellar, D-TX)

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

## FLOOR SCHEDULE:

Scheduled for consideration on December 6, 2016 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 875](#) would authorize the Customs and Border Protection (CBP) to accept donations of real and personal property, including monetary donations, from federal or nonfederal entities for certain services and the construction and maintenance of infrastructure at land border ports of entry. This allows for private and local government partners to fund increased customs processing and border security in areas that would benefit from services not otherwise able to be provided by existing federal resources.

## COST:

No Congressional Budget Office (CBO) estimate is available. The CBO estimate for the Senate version of the bill (S. 461) can be found [here](#).

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. 875 would authorize the Commissioner of U.S. Customs and Border Protection (CBP), upon the request of any entity, may enter into a fee agreement with the entity which: (1) CBP would provide services at a United States port of entry or any other facility at which CBP provides services; (2) the entity would remit a fee to CBP imposed in an amount equal to the full costs that are incurred or will be incurred in providing such services; and (3) if space is provided by such entity, each facility at which CBP services are performed would be maintained and equipped by the entity, without cost to the federal government, in accordance with CBP specifications. The services would include providing customs, agricultural processing, border security, or inspection-related immigration services at a land border port of entry. The CBP would only be authorized to enter into such a fee agreement only for services that will increase or enhance the CBP's operational capacity based on available staffing and workload.

A fee agreement for U.S. Customs and Border Protection services at an air port of entry may only provide for the payment of overtime costs of CBP officers and salaries and expenses of CBP employees to support officers in performing services. The bill would also clarify procedures for the CBP Commissioner to deny a proposal for a fee agreement and clarify that such decisions would not be subject to judicial review. Funds collected pursuant to any agreement would be deposited as offsetting collections; would remain available until expended without fiscal year limitation; and be credited to the applicable appropriation, account, or fund for the amount paid out of such appropriation, account, or fund for any expenses incurred or to be

incurred by CBP in providing services under any such agreement. The CBP Commissioner would return any unused funds collected and deposited into the account if a fee agreement entered into is terminated for any reason or the terms of such fee agreement change by mutual agreement to cause a reduction of services. No interest would be owed upon the return of any such unused funds. The bill would further clarify procedures for how the CBP Commissioner can terminate an agreement due to an entity's failure to pay the fee and require annual CBP reporting to Congress.

H.R. 875 would authorize the CBP Commissioner and the Administrator of General Services (GSA) to enter into an agreement with any entity to accept a donation of personal property, , real property, money, or nonpersonal services only with respect to: (1) a new or existing sea or air port of entry; (2) an existing federal government-owned land port of entry; (3) A new federal government-owned land port of entry if the fair market value of the donation is \$50,000,000 or less. Any monetary donation accepted would not be used to pay the salaries of CBP employees performing inspection services. The CBP authority would sunset after 4 years. The bill would direct the CBP Commissioner to establish procedures and criteria for evaluating a proposal to enter into an agreement. Real property donations to GSA at a GSA-owned land port of entry may be used in addition to any other funding for such purpose, including appropriated funds, property, or services. CBP and GSA would be prohibited from obligating or expending amounts in excess of amounts that have been appropriated pursuant to any appropriations Act for specified purposes. The bill would further modify specified existing reporting requirements to Congress and would authorize the CBP Commissioner to waive polygraph examination requirements under specified conditions for certain law enforcement applicants.

**COMMITTEE ACTION:**

H.R. 875 was introduced on February 11, 2015 and was referred to the House Committee on Ways and Means.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS 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.6416: Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016 (Roe, R-TN)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

## FLOOR SCHEDULE:

Scheduled for consideration December 5, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 6416](#) would make numerous changes at the Department of Veterans Affairs that impact disability compensation, education benefits, health care benefits, and homeless veteran benefits.

## COST:

A Congressional Budget Office (CBO) 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?** Yes, this bill would expand the definition of veteran for the purposes of obtaining certain homeless veteran benefits.
- **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:

### Title I: Disability and Compensation Measures

This title would allow for the secretary to pay benefits to the survivor of a veteran who has not yet files a formal claim if the secretary determines that the record contains sufficient evidence to establish the entitlement of the benefits.

The secretary would be required to make publicly available the average length of time to adjudicate an early-filed appeal and the average length to adjudicate a later- filed appeal. An early-filed appeal would be one for which the notice of disagreement was filed less than 180 days after the initial determination. A report must be submitted by the secretary that examines if the publication of such data affected the number of early-filed appeals.

The Comptroller General would be required to complete a review of Veterans Benefits Administration regional offices with the goal of achieving a more consistent performance in the processing of claims for disability compensation. This review would identify best practices and other factors that contribute to high performing offices. In addition, a report would be compiled on appropriate staffing levels at regional offices.

The secretary would be required to report on the implementation progress of the Veterans Benefits Management System.

This title would prevent the secretary from requiring a medical examination by VA physicians to support a veteran's claim for disability compensation if there was an exam provided by a private physician that was deemed to be sufficiently complete. Similar language was included in H.R. 677, which passed the House by voice vote.

## **Title II: United States Court of Appeals for Veterans Claims**

This title would extend through January 1, 2021 a temporary increase in the number of judges on the U.S. Court of Appeals for Veterans Claims. A report would be submitted by the chief judge that would include an assessment of the effect the extension had on ensuring appeals are handled in a timely manner, and a recommendation on whether the number of judges should be adjusted at the end of the temporary period.

This title would [amend](#) survivor annuities for judges in the U.S. Court of Appeals for Veterans Claims to allow for the purchase, in three-month increments, up to an additional year of service credit for each year of federal judicial service completed.

## **Title III: Burial Benefits and Other Matters**

This title would expand the eligibility for headstones, markers, and medals furnished by the Secretary of Veterans Affairs to those who are buried in private cemeteries and served in the Armed Forces on or after April 6, 1917. Currently, the secretary does not have the authority to provide special markers to those who are buried in private cemeteries. In addition, it would expand eligibility the Presidential Memorial Certificate Program to all service members eligible for inurement in a national cemetery. This program sends a certificate that expresses the nation's recognition of and gratitude for military service to the family of a deceased service member. This language is similar to H.R. 4757 which passed the House by a vote of [401-0](#).

The secretary would conduct a study on the feasibility and need for providing increased interments in veterans' cemeteries on Saturdays and Sundays to meet the needs for surviving family members to properly honor the deceased.

Finally, this title would allow for certain individuals who served in the reserve components of the armed forces to be honored as a veteran. This honor does not mean they are entitled to any benefit.

## **Title IV: Educational Assistance and Vocational Rehabilitation and New Facility Authorization**

Similar language to that in this title was passed in H.R. 3016, which passed the House.

This title would amend Marine Gunnery Sergeant John David Fry Scholarship, which provides Post-9/11 G.I. Bill benefits to the children and surviving spouses of servicemembers who die in the line of duty while on active duty after September 10, 2001. It would deem that, for purposes of this benefit, any member of the Armed Forces who died between September 11, 2001 and December 31, 2005, effectively died on January 1, 2006. This would ensure that all eligible surviving spouses are able to receive 100 percent of the Fry Scholarship.

This title would re-codify section 5003(c) of the Post-9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252) and include a new section that would allow the secretary to make an alternate election for Post-9/11 G.I. Bill benefits if VA believes the veteran's original choice was not in the veteran's best interests. Under this Section, if VA makes this election, VA must notify the veteran within seven days and the veteran would be given thirty days in which he/she could change VA's decision.

This title would reauthorize the work-study allowance through June 30, 2022. This program allows certain veterans and dependents enrolled in school through a VA educational program to perform a certain number of hours of work in exchange for compensation through VA's work study program.

The secretary would be required to conduct an annual compliance survey of educational institutions and training establishments.

This title would direct the counselors at the Department of Veterans Affairs who provide educational or vocational counseling services to provide eligible individuals information about the articulation agreements of each institution of higher learning. When a veteran receives a certification of eligibility for educational assistance, the secretary would also be required to include information on educational assistance. An articulation agreement is a formal agreement between educational institutions setting out the process and policies for transferring academic credit. Similar language was passed by the House in H.R. 5047.

The secretary would be directed to carry out a study to evaluate programs to assist veterans in their transition to civilian life.

This title would allow the secretary, with advance written request, to modify the hours of employment for a physician to be more or less than 80- hours in a biweekly pay period. For the purposes of determining pay, a physician would be deemed to have a biweekly schedule of 80 hours of employment. For physicians with an irregular work schedule, they would be obligated to account for at least 2,080 hours of employments in a calendar year. This language is similar to H.R. 4150, which is also on the calendar for this week.

This title would authorize major medical facility projects in Reno, Nevada and Long Beach, California. \$531,100,000 would be authorized to be appropriated for these projects.

#### **Title V: Small Business and Employment Matters**

This bill would amend the treatment of a veteran business after the death of the owner. It would allow the surviving spouse of a veteran with a service-connected disability rated as 100 percent who dies as a result of their disability 10 years for the continuation of the business to be considered controlled by veterans for the purposes of and preferences in contracting. If the disability was rated at less than 100 percent, the surviving spouse would be allowed a three-year continuation rather than 10.

This title would direct the secretary to conduct a longitudinal study of veterans who receive employment services and use the results to improve job training and placement.

The secretary would be prohibited from placing any individual on administrative leave or any other type of paid non-duty status for more than 14 days in any 365-day period.

#### **Title VI: Health Care**

This title would create a new requirement for advance appropriations for the medical community care account. Currently there are [six other listed](#) accounts that receive the same advance appropriations status. This account was previously part of another account and has now been separated. This separation was previously included in the president's budget request as well as the FY 2017 MilCon/VA House conference bill. In addition, it was included in the [FY 2017 House budget resolution](#).

This title would give priority to Medal of Honor recipients in managing the provision of hospital care and medical services as well as extended care services at the VA.

The secretary would establish standards to ensure that each eligible veteran may access mental health care in a manner that fully accommodates the obligation of the veteran to not improperly disclose classified information.

This title would ensure veterans in a VA hospital emergency department who request examination and treatment for a medical condition are provided with appropriate medical screenings to determine whether an emergency medical condition exists. If it is determined that an emergency medical condition exists, the veteran would be provided further medical examination and treatment or be transferred to another VA or non-department medical facility. If a veteran refuses further treatment or a transfer to another hospital, all reasonable steps would be taken to secure the written consent of the veteran. Veterans could not be transferred if they were not first stabilized unless the veteran requests, in writing, a transfer, or it is determined the medical benefits of the transfer outweigh the risks. VA and non-VA hospitals would be barred from delaying appropriate medical screenings in order to inquire about the method of payment or insurance status of a veteran. Similar language included in H.R. 3216, which passed the House by voice vote.

This title would require the secretary to submit a report on the furnishing of hospital care, medical services, and nursing home. The report would examine the effectiveness of increasing access to care, and an evaluation of the quality of health care provided.

The secretary would be directed to enter into an agreement with the National Academy of Medicine, or an alternate organization if an agreement can't be reached, to conduct a scientific review of the scientific literature regarding toxicological and epidemiological research on descendants of individuals with toxic exposure. An advisory board would be established in conjunction with this effort.

#### **Title VII: Homeless Matters**

This title would make a number of changes that would increase the number of veterans eligible for certain benefits for homeless veterans. It would expand the definition of veteran to include homeless veterans with discharges or releases under other than honorable conditions, and waive the minimum period of continuous active duty.

The secretary would be directed to carry out a program for case management services to improve the retention of housing by veterans who were previously homeless and are transitioning to permanent housing and veterans who are at risk of becoming homeless.

The secretary would establish and operate a National Center on Homelessness Among Veterans to carry out and promote research into the causes of veteran homelessness and to assess the effectiveness of VA programs.

#### **Title VIII: Other Matters**

This bill would require the secretary to use industry standards, standard designs, and best practices in carrying out the construction of medical facilities. Similar language was included in H.R. 3106 which passed the House by voice vote.

#### **COMMITTEE ACTION:**

This bill was introduced by Representative Roe and was referred to the Veterans' Affairs Committee, the Committee on the Budget, and the Armed Services Committee, where it awaits further action.

#### **ADMINISTRATION POSITION:**

No Statement of Administration Policy is available at this time.

**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 cited.

# H.R. 5399: Ethical Patient Care for Veterans Act (Roe, R-TN)

CONCT: [Rebekah Armstrong](#), 202-226-0678

## FLOOR SCHEDULE:

November 29, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 5399](#) would require the Department of Veterans Affairs to ensure that each VA physician is informed of their duty to report any impaired, incompetent, and unethical health care activity to the appropriate state licensing authority.

### COST:

The [Congressional Budget Office](#) (CBO) estimates that enacting H.R. 5399 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

### 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 bill would require the Department of Veterans Affairs to ensure that each VA physician is informed of their duty to report any impaired, incompetent, and unethical health care activity to the state licensing authority. Any report to the state authority should be made no more than five days after the unethical or incompetent activity.

### COMMITTEE ACTION:

This bill was introduced by Representative Roe on June 7, 2016 and referred to the House Committee on Veterans Affairs. The committee held a mark-up on September 21, 2016, and the bill was reported out by voice vote.

### ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

### 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 specific enumerating clause was included.

# H.R. 4150: Department of Veterans Affairs Emergency Medical Staffing Recruitment and Retention Act, as amended (Ruiz, D-CA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

## FLOOR SCHEDULE:

Scheduled for consideration December 5, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 4150](#) would allow the Secretary of Veterans Affairs to modify the hours of employment of physicians on a full-time basis.

## COST:

A Congressional Budget Office (CBO) 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.

However, according to the Majority Leader's office, the Congressional Budget Office's (CBO) preliminary judgment is that enacting the bill would not affect direct spending or revenues.

## 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 bill would allow the secretary, with advance written request, to modify the hours of employment for a physician to be more or less than 80 hours in a biweekly pay period. For the purposes of determining pay, a physician would be deemed to have a biweekly schedule of 80 hours of employment. For physicians with an irregular work schedule, they would be obligated to account for at least 2,080 hours of employments in a calendar year.

According to the [committee report](#), the current 40-hour per week schedule pay structure at the Veterans Health Administration (VHA) is too rigid and inhibits their ability to maximize its providers' time. With the current provider shortage, this bill will help to maximize the current providers' time to help fill staffing gaps.

## COMMITTEE ACTION:

This bill was introduced by Representative Ruiz on December 1, 2015, and referred to the House Committee Veterans Affairs where it was ordered to be reported out, as amended, by voice vote on September 21, 2016.

## ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

# H.R. 4352 — Faster Care for Veterans Act of 2016 (Rep. Moulton, D-MA)

CONTACT: [Noelani Bonifacio](#), 202-226-0707

## FLOOR SCHEDULE:

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

## TOPLINE SUMMARY:

[H.R. 4352](#) would direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system.

## 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:

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 a 2014 audit, the Department of Veterans' Affairs discovered that over 120,000 vets either never received a requested medical appointment or had to wait more than 90 days to receive a medical appointment. Despite efforts to address these findings, in 2015 reports indicated that vets waiting over 30 days for medical care increased by half. In addition, within the Department of Veterans' affairs, about 18 percent of cancelled appointments slots are not refilled.

H.R. 4352 would require the VA to commence a pilot program allowing patients to schedule and confirm medical appointments online through a website or mobile application.

The 18-month pilot program would be established within 120 days and would be carried out in at least three Veterans Integrated Services networks. The self-scheduling system would be contracted out and the Secretary of Veterans' affairs must choose a contractor that has already created a website or mobile application that allows patients to self-schedule and change appointments, updates in real time, and is available 24 hours a day, seven days a week.

Should the pilot program website reduce wait times and fill more appointment times, it may be extended or expanded. The Secretary of Veterans' affairs must appoint a not-for-profit, non-governmental organization to verify the website or mobile app has met all the requirements listed in this bill. This verification must be completed within 60 days after the start of the pilot program. The Comptroller General then must evaluate the verification and submit a report to the House and Senate Committees on Veterans' Affairs and Appropriations.

The Secretary also must certify by December 31, 2017 to the House and Senate Committees on Veterans' Affairs that all requirements of the pilot program have been met.

Finally, this bill does not authorize additional funds to be appropriated for the creation of this pilot program. The pilot program must be carried out using funds that are otherwise authorized.

**COMMITTEE ACTION:**

H.R. 4352 was introduced on January 8, 2016 and referred to the House Committee on Veterans' Affairs.

**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 United States Constitution. No specific enumerating clause was cited.

# H.R. 5428 — Military Residency Choice Act (Rep. Forbes, R-VA)

CONTACT: [Noelani Bonifacio](#), 202-226-0707

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 5428](#) would authorize spouses of servicemembers to elect to use the same residences as the servicemembers.

### COST:

According to an initial Congressional Budget Office (CBO) [cost estimate](#), this bill would have no effect on the federal budget and would not increase on-budget deficits or net direct spending in any of the four 10-year periods beginning 2027.

CBO considers this bill to be a preemption of state and local government's taxing authority and believes some military spouses will select residency in states with lower income taxes. As a result, CBO estimates the net effect to vary, but to be below the \$77 million annual threshold of the Unfunded Mandates Reform Act (UMRA). H.R. 5428 is subject to this threshold, as according to the UMRA, it contains an intergovernmental mandate.

### CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** The bill would preempt states from imposing taxes on income earned within their borders.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

The Servicemember Civil Relief Act allows certain military spouses to claim the same residence as the servicemember for tax, residency, and voting purposes. Under [50 USC 4001](#), servicemembers may claim residency within any state they have resided as long as their presence or absence within a state is a result of military orders. However, should a servicemember claim residency in a state the servicemember served in prior to getting married, the spouse may not also claim residency in that state. Since the spouse may only claim residency within the same state as the servicemember, but this is only effective after the date of marriage, the spouse must transfer residency after each move. The same situation can arise in regards to residency for voting purposes under [50 USC 4025](#).

Section 2 of the bill would amend [50 USC 4001](#) to allow military spouses to claim the same residence as the servicemember for tax purposes, regardless of the date on which the marriage occurred. This amendment would apply to the tax year in which this law takes effect.

Section 3 would amend [50 USC 4025](#) to allow military spouses to claim the same residence as the servicemember for voting purposes regardless of the date on which the marriage occurred. The bill also makes technical and conforming amendments to [50 USC 4025](#). The effective date of Section 3 is 90 days after the date of enactment.

**COMMITTEE ACTION:**

H.R. 5428 was introduced on June 9, 2016 and referred to the House Committee on Veterans' Affairs where a Mark-Up was held on September 21 and the bill was reported by voice vote.

Read the Committee Report [here](#).

**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, Clauses 1 and 18. No additional, specific enumerating clause was cited.

# **S. 3492 — To designate the Department of Veterans Affairs community-based outpatient clinic in Traverse City, Michigan, as the "Colonel Demas T. Craw VA Clinic" (Rep. Peters, D-MI)**

CONTACT: [Noelani Bonifacio](#), 202-226-0707

## **FLOOR SCHEDULE:**

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

## **TOPLINE SUMMARY:**

[S. 3492](#) would designate the Department of Veterans Affairs community-based outpatient clinic in Traverse City, Michigan, as the "Colonel Demas T. Craw VA Clinic".

## **COST:**

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

## **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:**

[Colonel Demas Craw](#) joined the U.S. Army in 1926. In 1942 near Port Lyautey, French Morocco, Col. Craw volunteered to deliver a message to the French commander with the help of an officer and soldier. To deliver the message, they had to pass through enemy fire. Col. Craw was killed by machine gun fire while riding in a truck near Port Lyautey. He was awarded the Congressional Medal of Honor in 1943.

This bill would designate the Department of Veterans Affairs community-based outpatient clinic in Traverse City, Michigan, as the "Colonel Demas T. Craw VA Clinic".

## **COMMITTEE ACTION:**

S. 3942 was introduced in the Senate by Senator Gary Peters and passed by Unanimous Consent on December 1, 2016. The bill was received by the House on December 2, 2016 and referred to the House committee on Veterans' Affairs.

## **ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

## **CONSTITUTIONAL AUTHORITY:**

Bills that originate in the Senate do not require a constitutional authority statement.

# S. 3076 — Charles Duncan Buried with Honor Act of 2016 (Sen. Cotton, R-AR)

CONTACT: [Noelani Bonifacio](#), 202-226-0707

## FLOOR SCHEDULE:

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

## TOPLINE SUMMARY:

[S. 3076](#) would allow the Secretary of Veterans Affairs to furnish caskets and urns for burial in State and tribal cemeteries of veterans without next of kin or sufficient funds to provide for caskets or urns.

## 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:

S. 3076 is named for [Charles Duncan](#), a veteran of the U.S. Navy veteran who was buried over 150 miles from his home in Little Rock, Arkansas. His family relied on the Department of Veterans' Affairs to provide for his casket and burial fees. The closest national cemetery was located in Fort Smith, Arkansas. The Duncan family was unable to afford a burial closer to home and as a result, Duncan's daughter and wife were unable to attend his funeral.

S. 3076 would amend [38 USC 2306](#) by allowing the Secretary of Veterans' Affairs to furnish caskets and urns for veterans buried in a State or tribal cemetery that received a grant from the Department of Veterans' Affairs. Current law only provides caskets and urns for veterans buried in national cemeteries.

## COMMITTEE ACTION:

S. 3076 was introduced in the Senate on June 20, 2016 and passed with Unanimous Consent on September 20. It was received in the House on September 21 and was referred to the House Committee on Veterans' Affairs.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

Bills that originate in the Senate do not require a constitutional authority statement.

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