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H. Res. 810 — Expressing the sense of the House of Representatives regarding the life and work of Elie Wiesel in promoting human rights, peace, and Holocaust remembrance (Rep. Israel, D-NY)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H. Res. 810](#) would express the sense of the House of Representatives regarding the life and work of [Elie Wiesel](#) in promoting human rights, peace, and Holocaust remembrance.

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. 810 would express the sense of the House of Representatives that: (1) honors the life, work, and legacy of Elie Wiesel; (2) extends its deepest sympathies to the members of Elie Wiesel's family; and (3) reaffirms Elie Wiesel's efforts to preserve the memory of those who perished and prevent the recurrence of another Holocaust, to combat hate and intolerance in any manifestation, and to never forget and also learn from the lessons of history. As stated in the resolution, on July 2, 2016, at the age of 87, Elie Wiesel passed away, leaving behind a legacy of ensuring a voice for the voiceless, promotion of peace and tolerance, and combating indifference, intolerance, and genocide.

COMMITTEE ACTION:

H. Res. 810 was introduced on July 7, 2016 and was referred to the House Committee on Foreign Affairs. On July 14, 2016, the bill was ordered to be reported (amended) by voice vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

No constitutional authority statement is available.

S. Con. Res. 46 — A concurrent resolution expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs. (Sen. Nelson, D-FL)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[S. Con Res. 46](#) would express a sense of Congress that supports the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

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:

S. Con Res. 46 would express a sense of Congress that: (1) acknowledges the financial and moral commitment of the Federal Republic of Germany over the past seven decades to provide a measure of justice for Holocaust victims; and (2) supports the goal of ensuring that all Holocaust victims in the United States and around the world are able to live with dignity, comfort, and security in their remaining years.

On June 7, 2016, the House passed a similar resolution (H. Con. Res. 129) by the yeas and nays: (2/3 required): [363-0](#). The RSC's legislative bulletin for H. Con. Res. 129 can be found [here](#).

COMMITTEE ACTION:

S. Con. Res. 46 was introduced on July 12, 2016 and was referred to the Senate Committee on Foreign Relations. On July 14, 2016, the resolution passed the Senate without amendment and with a preamble by

unanimous consent. On July 18, 2016, the resolution was referred to the House Committee on Foreign Affairs.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

Constitutional Authority Statements are not required for Senate legislation.

H. Res. 729 — Expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel (Rep. Ros-Lehtinen, R-FL)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H. Res. 729](#) would express a sense of the House of Representatives reaffirming Israel as a major strategic partner of the United States, and supporting a robust and long-term Memorandum of Understanding negotiated between the United States and Israel regarding military assistance.

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. 729 would express a sense of the House of Representatives that: (1) reaffirms that Israel is a major strategic partner of the United States; (2) reaffirms that it is the policy and law of the United States to ensure that Israel maintains its qualitative military edge and has the capacity and capability to defend itself from all threats; (3) reaffirms United States support of a robust Israeli tiered missile defense program; (4) supports continued discussions between the United States and Israel for a robust and long-term Memorandum of Understanding on United States military assistance to Israel; (5) urges the expeditious finalization of a new Memorandum of Understanding between the government of the United States and the government of Israel; and (6) supports a robust and long-term Memorandum of Understanding negotiated between the United States and Israel regarding military assistance which increases the amount of aid from previous agreements and significantly enhances Israel's military capabilities.

COMMITTEE ACTION:

H. Res. 729 was introduced on May 13, 2016 and was referred to the House Committee on Foreign Affairs. On July 14, 2016, the bill was ordered to be reported by voice vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

No constitutional authority statement is available.

H. Res. 728 — Supporting human rights, democracy, and the rule of law in Cambodia (Rep. Lowenthal, D-CA)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H. Res. 728](#) would express a sense of the House of Representatives supporting human rights, democracy and the rule of law in Cambodia.

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. 728 would express a sense of the House of Representatives that: (1) reaffirms the commitment of the United States to promoting democracy, human rights, and the rule of law in Cambodia; (2) condemns all forms of political violence in Cambodia and urges the cessation of ongoing human rights violations; (3) calls on the Government of Cambodia to respect freedom of the press and the rights of its citizens to freely assemble, protest, and speak out against the government; (4) supports electoral reform efforts in Cambodia and free and fair elections in 2018 monitored by international observers; and (5) urges Prime Minister Hun Sen and the Cambodian People's Party to end all harassment and intimidation of Cambodia's opposition; drop all politically motivated charges against opposition lawmakers; allow them to return to Cambodia and freely participate in the political process; and foster an environment where democracy can thrive and flourish. According to the findings of the bill, Cambodian security forces violently cracked down on protests of garment workers, killing people in Phnom Penh on January 3, 2014. On October 26, 2015, opposition lawmakers, including dual United States citizen Nhay Chamreoun, were violently attacked by pro-government protestors in front of the National Assembly.

COMMITTEE ACTION:

H. Res. 728 was introduced on May 12, 2016 and was referred to the House Committee on Foreign Affairs. On July 14, 2016, the bill was ordered to be reported in the nature of a substitute (amended) by voice vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

No constitutional authority statement is available.

H.R. 5484 — State Sponsors of Terrorism Review Enhancement Act (Rep. Yoho, R-FL)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5484](#) would double the amount of time the Congress would have to review the president's decision to remove a country's designation as a state sponsor of terrorism from 45 days to 90 days. The legislation would further increase the amount of time a country must refrain from supporting terrorism before the president could remove such a designation from a 6-month period to a 24-month period.

COST:

The Congressional Budget Office (CBO) [estimates](#) that providing the notifications and briefings required by the bill would cost less than \$500,000 over the 2017-2021 period; such spending would be subject to the availability of appropriated funds. Pay-as-you-go procedures do not apply because enacting H.R. 5484 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:

H.R. 5484 would amend [section 620A of the Foreign Assistance Act of 1961](#) by doubling the amount of time the Congress would have to review president's decision to remove a country's designation as a state sponsor of terrorism from 45 days to 90 days. H.R. 5484 would additionally increase the amount of time a country must refrain from supporting terrorism before the president could remove such a designation from a 6-month period to a 24-month period. No rescission of a determination with respect to the government of a country may be made if the Congress, within 90 days after receipt of a report from the president, enacts a joint resolution in opposition to the removal of the designation under [subsection \(f\)\(2\) of section 40 of the Arms Export Control Act](#).

The bill would require the president, acting through the Secretary of State, to notify Congress not later than ten days after initiating a review of the activities of the government of the country concerned within the 24-month period. The Secretary of State would be required to brief Congress not later than 20 days after the commencement of a review of a country's designation.

COMMITTEE ACTION:

H.R. 5484 was introduced on June 15, 2016 and was referred to the House Committee on Foreign Affairs. On June 16, 2016, the bill was ordered to be reported by unanimous consent.

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 of the Constitution." No enumerating clause was listed.

H.R. 5936 — Veterans Care Agreement and West Los Angeles Leasing Act of 2016, as amended (Rep. Miller, R-FL)

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

FLOOR SCHEDULE:

Scheduled for consideration September 12, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5936](#) would authorize the Secretary of Veterans Affairs to enter into Veterans Care Agreements to provide health care services outside the VA health care system, and to give the Secretary the authority to enter into leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California.

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:

This bill would allow the secretary to establish Veterans Care Agreements with eligible health care providers to furnish medical services to eligible veterans outside of the VA system in instances where the nature of the veteran's care is impractical or inadvisable to be handled by the VA. The secretary would determine provider eligibility, certification process, and terms of agreements for entering into Veterans Care Agreements. The negotiated rates paid to providers would not exceed Medicare rates, except in specified instances such as care provide in highly rural locations. Providers participating in Veterans Care Agreements would not be treated as federal contractors or subcontractors. Currently, providers outside the VA system with VA patients are treated as a federal contractor and subject to reporting rules under the Service Contract Act (SCA). This change would align providers in Veteran Care Agreements with Medicare providers who are not considered federal contractors. The ability for the secretary to enter into Veterans Care Agreements would sunset on September 30, 2017.

This new program would be in addition to current law, which allows the VA to contract with non-department facilities when a VA facility is not capable for providing the care or services needed for a veteran. Congress was [forced to provide \\$3.35 billion](#) in emergency funding for this program, which was reprogrammed from the VA Choice program, in July 2015, when the VA informed Congress of a massive budget shortfall only shortly prior to facing a need to deny care.

In addition, this bill would allow the secretary to enter into leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California. These leases would include: (1) enhanced-use lease of real property for providing supportive housing for veterans and their families; (2) leases to not exceed 50 years to a third party that provides benefits to benefit veterans and their families through education, vocational training, and family support services, and; (3) a lease to The Regents of the University of California for no more than 10 years on behalf of its University of California, Los Angeles (UCLA) campus. Any revenue from the leases at the West Los Angeles Campus would be credited to the applicable VA medical facilities account and would be available for the renovation and maintenance of the land and facilities at the campus. The secretary would be prohibited from selling any real property at the West Los Angeles Campus. In order for the secretary to enter into leases, the VA must be in compliance with all federal laws relating to leases and land use at the Campus. In addition, a Community Veterans Engagement Board would be established to identify the goals of the community and improve services for veterans and their families.

Similar language was included H.R. 5286, VA Construction and Lease Authorization, Health, Benefits Enhancement Act. Read the RSC legislative bulletin, [here](#)

COMMITTEE ACTION:

This bill was introduced by Representative Miller and referred to the House Committee on Veterans' Affairs 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 specific enumerating clause was included.

H.R. 3471 — Veterans Mobility Safety Act of 2015, as amended (Rep. Walorski, R-IN)

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

FLOOR SCHEDULE:

Scheduled for consideration September 12, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3471](#) would create a new comprehensive policy for the automobile adaptive equipment program at the Department of Veterans Affairs (VA). In addition, the bill would authorize the VA to include hearing aid specialists as a health care provider in the Veterans Health Administration (VHA).

COST:

The [Congressional Budget Office](#) (CBO) estimates that implementing H.R. 3471 would cost less than \$500,000 over the 2017-2021 period; that spending would be subject to appropriation of the necessary amounts. Enacting H.R. 3471 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?** This bill expands the scope of the government by creating a new authorized health provider within the Veterans Health Administration.
- **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 Secretary of Veterans Affairs to modify the [automobile adaptive equipment program](#) for veterans to develop a comprehensive policy regarding quality standards. This policy would include the development and consistent application of standards for safety and quality of equipment and the installation of equipment; the certification of a provider by a third party organization if the provider has been deemed to meet or exceed standards; departmental training on the program, and; flexibility for veterans to receive modifications to their equipment at a location of their choice. The secretary would develop this policy in coordination with veterans service organizations, the National Highway Transportation Administration, and industry representatives. The secretary would be required to submit a report to Congress on the new policy and the effectiveness of its implementation.

This bill would also include hearing aid specialist to a [comprehensive](#) list of medical providers in the Veterans Health Administration. The hearing aid specialist's scope of practice would be limited to their state licensure and related to the practice of fitting and dispensing hearing aids. The secretary would be required to submit a report to Congress on the a veteran's ability to have timely access to hearing services at the VA and contracting policies related to providing hearing services in facilities outside the VA.

COMMITTEE ACTION:

This bill was introduced by Representative Walorski and referred to the House Committee on Veterans' Affairs. A mark-up was held on September 6, 2016, and was reported, as amended, 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 I, Section 8, Clause 18. No enumerating clause was included.

H.R. 5937 — To amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France, as amended (Rep. Miller, R-FL)

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

FLOOR SCHEDULE:

Scheduled for consideration September 12, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 5937](#) would allow the [American Battle Monuments Commission](#) to enter into an agreement with the [Lafayette Escadrille Memorial Foundation](#) to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France.

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:

Established by Congress in 1923, the American Battle Monuments Commission is responsible for maintaining and operating permanent American cemeteries and memorials in foreign countries. This bill would allow the American Battle Monuments Commission to enter into an agreement with the Lafayette Escadrille Memorial Foundation to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France. This memorial honors the American pilots who flew with the French military prior to the United States' entry into WWI.

COMMITTEE ACTION:

This bill was introduced by Representative Miller and referred to the Committee on Foreign Affairs, and the Committee on Veterans' Affairs 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 specific enumerating clause was included.

H.R. 4576 — Ensuring Access to Pacific Fisheries Act (Rep. Radewagen, R-AS)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4576](#) would authorize the National Oceanic and Atmospheric Administration (NOAA) to promulgate regulations to allow the United States to participate in the Conventions on the Conservation and Management of High Seas Fisheries Resources in the [North](#) and [South](#) Pacific Ocean, which the Senate ratified in April 2014.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 4576 would cost \$2.5 million over the 2017-2021 period for annual dues, staff time, travel, and programmatic activities. Such spending would be subject to the availability of appropriated funds. Enacting this legislation could increase revenues and associated direct spending; therefore, pay-as-you-go procedures apply. CBO estimates that enacting the bill would have a negligible net effect on the deficit. 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:

H.R. 4576 would authorize the United States to participate in the North Pacific Fisheries Convention and be represented on the Commission by 5 United States Commissioners based on specified criteria. The Secretary of State would be authorized to: (1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the commission; (2) act upon, or refer to another appropriate authority, any communication; (3) object to the decisions of the commission; and (4) request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other federal departments and agencies, foreign governments or agencies, or international intergovernmental organizations, in the conduct of scientific research.

The Secretary of Commerce, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, would be authorized to promulgate regulations to carry out the United States international obligations under the North Pacific Fisheries Convention, including recommendations and decisions adopted by the commission. Regulations would only apply to a person or a fishing vessel that is or has engaged in fishing activities, or fisheries resources covered by the North Pacific Fisheries Convention.

The Secretary of Commerce and the Secretary of the department in which the Coast Guard is operating are directed to: (1) administer and enforce any regulations in the legislation; and (2) authorized to request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities

of other federal departments and agencies. The Secretary of Commerce and Coast Guard would be authorized to prevent any person from violating the legislation with respect to fishing activities or the conservation of fisheries resources in the Convention Area in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the [Magnuson-Stevens Fishery Conservation and Management Act](#).

The district courts of the United States would have jurisdiction over any case or controversy arising from provisions in the legislation. Each violation shall be a separate offense and the offense is deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law.

H.R. 4576 would prohibit any person from: (1) violating the legislation or any regulation or permit issued under the bill;(2) using any fishing vessel to engage in fishing activities without, or after the revocation or during the period of suspension of, an applicable permit; (3) refusing to permit any officer authorized to enforce this title to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the bill's enforcement or any regulation, permit, or the North Pacific Fisheries Convention; (4) assaulting, resisting, opposing, impeding, intimidating, or interfering with any authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of the bill or any regulation, permit, or the North Pacific Fisheries Convention; (5) resisting a lawful arrest for any act prohibited by H.R. 4576 or any regulation promulgated or permit issued under the bill; (6) shipping, transporting, selling, purchasing, importing, exporting, or having custody of any fisheries resources taken or retained in violation of the bill; (7) interfering with, delaying, or preventing, by any means, the apprehension or arrest of another person, knowing that such other person has committed any prohibited act, as well as other prohibitions.

The Secretary of Commerce would be authorized to cooperate with any federal agency, any public or private institution or organization within the United States or abroad, and, through the Secretary of State, a duly authorized official of the government of any party to the North Pacific Fisheries Convention. Masters of commercial fishing vessels of countries fishing under the management authority of the North Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities would be required, prior to or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

H.R. 4576 would authorize the United States to participate in the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean and be represented on the Commission by 3 United States Commissioners based on specified criteria. The Secretary of State and Secretary of Commerce would be granted similar authorities as with the North Pacific Fisheries Convention. NOAA and the U.S. Coast Guard would additionally be required to administer and enforce regulations stemming from the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean. The legislation would further impose similar prohibitions on fishing vessels and person as with the North Pacific convention.

H.R. 4576 would amend the [Western and Central Pacific Fisheries Convention Implementation Act](#) to include commercial fishing as practical experience the president should consider when selecting a commissioner for the [Western and Central Pacific Fisheries Commission](#). No later than 30 days before each annual meeting of the commission, its advisory committee would be mandated to transmit to the United States Commissioners recommendations relating to the agenda of the annual meeting, agreed to by a majority of the advisory committee members. The United States Commissioners would be directed to consider such recommendations, along with additional views transmitted by Advisory Committee members, in the formulation of the U.S. position for the commission meeting and during the negotiations at that meeting.

The Secretary of Commerce would be directed to: (1) minimize any disadvantage to U.S. fishermen in relation to other members of the Commission; (2) maximize the opportunities for U.S. fishing vessels to harvest fish stocks on the high seas in the convention area, recognizing that such harvests may be restricted if the commission, based on the best available scientific information provided by the Scientific Committee, determines it is necessary to achieve the conservation objective; (3) prevent any requirement for the transfer to other nations or foreign entities of the fishing capacity, fishing capacity rights, or fishing vessels of the United States or its territories, unless any such requirement is voluntary and market-based; and (4) ensure that conservation and management measures take into consideration traditional fishing patterns of U.S. fishing vessels and the operating requirements of the fisheries covered by the Western and Central Pacific Convention.

H.R. 4576 would implement an amendment to the [Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries](#), which governs the Northwest Atlantic Fisheries Organization (NAFO) which would clarify the duties of all parties to that Convention related to inspections, reports, compliance, and enforcement. The bill would repeal section 213 ([16 U.S.C. 5612](#)) regarding the Secretary of Commerce's quota allocation practice.

COMMITTEE ACTION:

H.R. 4576 was introduced on February 12, 2016 and was referred to the House Committee on Natural Resources. On September 6, 2016, the bill was ordered to be reported (amended) 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 1, Section 8, Clause 3--The Congress shall have power ... to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes."

H.R. 295 — To reauthorize the Historically Black Colleges and Universities Historic Preservation Program (Rep. Clyburn, D-SC)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 295](#) would amend the Omnibus Parks and Public Lands Management Act of 1996 to reauthorize Historic Preservation Fund activities that pertain to the preservation and restoration of historic structures and buildings on the campuses of Historically Black Colleges and Universities (HBCUs).

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 295 would “cost about \$3 million a year and \$12 million over the 2017-2021 period, assuming appropriation of the estimated amounts.” H.R. 295 would authorize appropriations of \$10 million annually from 2017 through 2023.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** The bill would renew the authorization for the HBCU grant program under the Historic Preservation Fund, which expired in 2008. Appropriations have not been made for the program since the authorization expired and renewing the authorization would make program eligible for appropriations without violating clause 2(a) of Rule 21 of the Rules of the house.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The National Park Service established the HBCU Preservation Program in 1988, which awarded grants to preserve and document historic structures on campuses. The program has awarded more than \$60 million in grants to repair historic buildings at HBCUs. According to the [Committee Report](#), appropriations have not been made for HBCUs since FY2008.

COMMITTEE ACTION:

H.R. 295 was introduced on January 13, 2015 and was referred to the House Committee on Natural Resources, where it was reported, amended, by unanimous consent on March 16, 2016.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

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

House Amendment to S. 246 — Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act (Sen. Heitkamp, D-ND)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[House Amendment to S. 246](#) would establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children in the Office of Tribal Justice in the Department of Justice, to complete a study of federal and nonfederal programs that serve Native American children.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the legislation would cost about \$2 million over the 2017-2020 period, subject to appropriation of the necessary amounts. Enacting S. 246 would affect direct spending because it would authorize the new commission to accept and spend gifts; therefore, pay-as-you-go procedures apply. However, CBO estimates that the net effect of that provision on direct spending would be insignificant. Enacting S. 246 would not affect revenues. CBO estimates that enacting S. 246 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:

House Amendment to S. 246 would establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children in the Office of Tribal Justice in the Department of Justice, comprised of 11 members appointed by the president, the Attorney General, various cabinet secretaries, and leaders of the Senate and House of Representatives. Each member would be appointed for the life of the commission. The commission would be required to establish a Native Advisory Committee comprised of 1 representative of Indian tribes from each region of the Bureau of Indian Affairs who is 25 years of age or older; and 1 Native Hawaiian who is 25 years of age or older. The committee would serve as an advisory body to the commission, and provide to the commission advice and recommendations.

The Alyce Spotted Bear and Walter Soboleff Commission on Native Children would be required to conduct a comprehensive study of federal, state, local, and tribal programs that serve Native children, including an evaluation of: (1) the impact of concurrent jurisdiction on child welfare systems; (2) the barriers Indian tribes and Native Hawaiians face in applying, reporting on, and using existing public and private grant resources, including identification of any federal cost-sharing requirements; (3) the obstacles to nongovernmental financial support, such as from private foundations and corporate charities, for programs benefitting Native children; (4) the issues relating to data collection, such as small sample sizes, large margins of error, or other issues related to the validity and statistical significance of data on Native children; (5) the barriers to the development of sustainable, multidisciplinary programs designed to assist high-risk Native

children and families of those high-risk Native children; (6) cultural or socioeconomic challenges in communities of Native children; (7) any examples of successful program models and use of best practices in programs that serve children and families; (8) the barriers to interagency coordination on programs benefitting Native children; and (9) the use of memoranda of agreement or interagency agreements to facilitate or improve agency coordination, including the effects of existing memoranda or interagency agreements on program service delivery and efficiency. The commission would be directed to: (1) develop recommendations for goals, and plans for achieving those goals, for federal policy relating to Native children in the short-, mid-, and long-term, which shall be informed by the development of accurate child well-being measures; (2) make recommendations on necessary modifications and improvements to programs that serve Native children at the federal, state, and tribal levels, on the condition that the recommendations recognize the diversity in cultural values, integrate the cultural strengths of the communities of the Native children; (3) make recommendations for improving data collection methods that consider the adoption of standard definitions and compatible systems platforms to allow for greater linkage of data sets across federal agencies; and (4) identify models of successful federal, state, and tribal programs in the areas studied by the commission.

The legislation would require the commission to report to the President, Congress, and the White House Council on Native American Affairs to include a detailed statement of the findings, conclusions, and the recommendations of the commission for legislative and administrative actions. The commission would additionally be authorized to hold hearings. The commission would terminate 90 days after the report is submitted. The [Federal Advisory Committee Act](#) (5 U.S.C. App.) would not apply to the commission, the Native Advisory Committee, or the Native Children Subcommittee. This bill would not be construed to recognize or establish a government-to-government relationship with any entity not recognized by the federal government, or any entity not included in the list authorized pursuant to the [Federally Recognized Indian Tribe List Act of 1994](#).

COMMITTEE ACTION:

S. 246 was introduced on January 22, 2015 and was referred to the Senate Committee on Indian Affairs. On June 1, 2015, the bill passed the Senate with an amendment by unanimous consent. On June 1, 2015, the bill was referred to the House Committee on Natural Resources which reported it (amended) on September 6, 2016.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

Constitutional Authority Statements are not required for Senate legislation.

S. 1579 — NATIVE Act (Sen. Schatz, D-HI)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[S. 1579](#) would encourage and enhance native tourism through the coordination of federal agencies with tourism programs.

COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting S. 1579 would not significantly affect the federal budget.

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 authorize the Department of Commerce, the Department of the Interior and other federal agencies that have tourism functions, to make updates to their tourism initiatives so that they include Indian tribes, tribal organizations, and Native Hawaiian organizations. The updated plans would be required to include proposals to improve tourism data collection, provide easier to use federal websites, support tourism goals, include bilingual signage and local heritage, develop visitor portals, identify programs to represent the diversity of Native Americans, and improve access to transportation programs so tourism and trade within the Native American community can expand.

It would also require the Department of Interior and the Department of Commerce to work with a facilitator to provide technical assistance to those involved. It would require federal agencies to support native cultures as they showcase their distinctive features and history, providing visitors with authentic and respectful experiences, assist in interpreting the connections with Native Americans and American national identity, encourage and support efforts to understand cultural diversity in the United States, and ensure a welcoming environment at ports of entry and airports so that the diversity of Native American communities is respected. Relevant federal agencies would be required to submit a report to Congress on their efforts to include native cultures in their management plans and the efforts to develop tourism plans.

S. 1579 would provide for grants pertaining to recreation and tourism, which could be used by Native Hawaiian organizations, tribal organizations, and Indian tribes to support their efforts to share their cultures, to encourage the development of the arts and humanities in Native American communities, and to carry out this legislation. It would require the participation of the Smithsonian Institution to share relevant collections and conduct joint research. A Senate report can be found [here](#).

Rep. Mullin (R-OK) introduced an identical companion bill, [H.R. 3477](#), on September 10, 2015.

COMMITTEE ACTION:

S. 1579 was introduced on June 16, 2015 and passed the Senate, amended, under unanimous consent on April 25, 2016.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

Constitutional Authority Statements are not required for Senate legislation.

H.R. 5104 — Better On-line Ticket Sales Act of 2016 (Rep. Blackburn, R-TN)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5104](#) would make unlawful the sale of or use of software to circumvent control measures used by Internet ticket sellers to control access to tickets for any given event.

COST:

The Congressional Budget Office (CBO) [estimates](#) that increased costs related to monitoring and enforcing the new prohibitions established by H.R. 5104 would total less than \$500,000 per year; such spending would be subject to the availability of appropriated funds. In addition, CBO estimates that enacting H.R. 5104 would increase federal revenues from civil penalties imposed to enforce the new prohibition; therefore, pay-as-you-go procedures apply. However, CBO estimates that those collections would be insignificant because of the small number of cases that the agency would probably pursue. Enacting the bill would not affect direct spending. CBO estimates that enacting H.R. 5104 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?** The bill would expand the authority of the FTC and State attorneys general to engage in civil actions in response to the unlawful acts created under the bill.
- **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. 5104 would prohibit the sale of any computer software that: (1) is primarily designed or produced for the purpose of circumventing a technological measure that limits purchases made via a computerized event ticketing system; (2) has only limited commercially significant purpose or use other than to circumvent a technological measure that limits purchases made via a computerized event ticketing system; or (3) is marketed by that person for use in circumventing a technological measure that limits purchases made via a computerized event ticketing system.

The bill would further prohibit any person from using any computer software to purchase or resell any event ticket via a computerized event ticketing system in violation of the system operator's posted limits on the sequence or number of transactions, frequency of transactions, or quantity of tickets purchased by a single user of the system, or on the geographic location of any transactions. This prohibition would apply only if the potential violator was involved in the use of the unlawful software or knew, or should have known, that the ticket in question was purchased with such software.

H.R. 5104 would direct the Federal Trade Commission (FTC) to treat violations of the prohibitions as an unfair and deceptive act. The bill would further stipulate that in any case in which the attorney general of a state has reason to believe that an interest of residents of the state has been or is threatened or adversely

affected by a violation, the attorney general would be authorized to bring a civil action on behalf of the residents in an appropriate district court of the United States to obtain appropriate relief. The attorney general of the state would be required to notify the FTC before bringing civil action. The FTC would be allowed to intervene in any civil action brought by the attorney general of a state and upon intervening, be heard on all matters arising in the civil action, and file petitions for appeal of a decision. If the FTC institutes a civil action or an administrative action, the attorney general of a state would not, during the pendency of such action, bring a civil action against any defendant named in the FTC complaint for the violation.

COMMITTEE ACTION:

H.R. 5104 was introduced on April 28, 2016 and was referred to the House Committee on Energy and Commerce. On July 13, 2016, the bill was ordered to be reported by voice vote.

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 "necessary and proper" clause of Article I Section 8." No specific enumerating clause was provided.

H.R. 5111 — Consumer Review Fairness Act (Rep. Lance, R-NJ)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5111](#) would void provisions in certain form contracts that restrict or penalize one party's review of the performance of another party under the contract. These contracts have sometimes been used in the course of selling or leasing goods and services.

COST:

The Congressional Budget Office (CBO) [estimates](#) that the cost of implementing H.R. 5111 would be insignificant because the Federal Trade Commission (FTC) enforces similar prohibitions and provides compliance assistance under its existing general authorities. CBO estimates that enacting H.R. 5111 would increase federal revenues from the new authority to collect civil penalties; therefore, pay-as-you-go procedures apply. However, CBO estimates those collections would be insignificant because of the small number of cases that the agency would probably pursue. CBO estimates that enacting the bill would not affect direct spending. CBO estimates that enacting H.R. 5111 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:

H.R. 5111 would void provisions in certain form contracts that: (1) prohibits or restricts the ability of an individual who is a party to the form contract to engage in a covered communication; (2) impose a penalty or fee against an individual who is a party to the form contract for engaging in a covered communication; or (3) transfer or require an individual who is a party to the form contract to transfer to any person any intellectual property rights in review or feedback content, with the exception of a nonexclusive license to use the content, that the individual may have in any otherwise lawful covered communication about such person or the goods or services provided by such person.

Nothing in the legislation would apply to: an employer-employee or independent contractor contract; any duty of confidentiality imposed by law (including agency guidance); any civil cause of action for defamation, libel, or slander, or any similar cause of action; any party's right to remove or refuse to display publicly on an Internet website or webpage owned, operated, or otherwise controlled by such party any content of a specified covered communication; and a party's right to establish terms and conditions with respect to the creation of photographs or video of such party's property when those photographs or video are created by an employee or independent contractor of a commercial entity and solely intended for commercial purposes by that entity.

H.R. 5111 would not apply to provisions if they prohibit the disclosure or submission of, or reserves the right of a person or business that hosts online consumer reviews or comments to remove, certain: (1) trade secrets

or commercial or financial information; (2) personnel and medical files; (3) law enforcement records; (4) content that is unlawful or that a party has a right to remove or refuse to display; or (5) computer viruses or other potentially damaging computer code, processes, applications, or files.

H.R. 5111 would prohibit a person from offering form contracts containing a provision that is considered void. The bill would further authorize the Federal Trade Commission to enforce provisions mandated by the legislation. A state's attorney general would be authorized to bring a civil action on behalf of the residents of the state in an appropriate U.S. district court to obtain appropriate relief, if in any case in which the attorney general has reason to believe that an interest of the residents has been or is threatened or adversely affected by the engagement of any person in a practice that violates the bill's provisions.

Nothing in the bill would be construed to prevent the attorney general of a state from exercising the powers conferred on the attorney general by the laws of the state to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence. If the FTC institutes a civil action or an administrative action, the attorney general of a state would not bring a civil action, during the pendency of such action, against any defendant named in the FTC complaint.

The bill would further require the FTC to commence conducting education and outreach that provides businesses with non-binding best practices for compliance.

COMMITTEE ACTION:

H.R. 5111 was introduced on April 28, 2016 and was referred to the House Committee on Energy and Commerce. On July 13, 2016, the bill was ordered to be reported (amended) by voice vote.

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, Sec. 8, Clause 1, of the United States Constitution. This states that "Congress shall have the power... 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. Res. 847 — Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment (Rep. Lance, R-NJ)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H. Res. 847](#) would express a sense of the House of Representatives that the United States should develop a national strategy to encourage the development of the [Internet of Things](#) in a way that maximizes the promise connected technologies hold to empower consumers, foster future economic growth, and improve the nation's collective social well-being.

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. 847 would express a sense of the House of Representatives that: (1) the United States should develop a national strategy to encourage the development of the Internet of Things in a way that maximizes the promise connected technologies hold to empower consumers, foster future economic growth, and improve the Nation's collective social well-being; (2) the United States should prioritize accelerating the development and deployment of the Internet of Things in a way that recognizes its benefits, allows for future innovation, and responsibly protects against misuse; (3) the United States should recognize the important role that businesses play in the future development of the Internet of Things and engage in inclusive dialogue with industry and work cooperatively wherever possible; (4) the United States Government should determine if using the Internet of Things can improve government efficiency and effectiveness and cut waste, fraud, and abuse; and (5) using the Internet of Things, innovators in the United States should commit to improving the quality of life for future generations by developing safe, new technologies aimed at tackling the most challenging societal issues facing the world.

COMMITTEE ACTION:

H. Res. 847 was introduced on September 7, 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. 835 — Expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment (Rep. Kinzinger, R-IL)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H. Res. 835](#) would express the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment.

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. 835 would express the sense of the House of Representatives that: (1) the United States should develop a national policy to encourage the development of tools for consumers to learn and protect their assets in a way that maximizes the promise customized, connected devices hold to empower consumers, foster future economic growth, create new commerce and new markets; (2) the United States should prioritize accelerating the development of alternative technologies that support transparency, security, and authentication in a way that recognizes their benefits, allows for future innovation, and responsibly protects consumers' personal information; (3) the United States should recognize that technology experts can play an important role in the future development of consumer-facing technology applications for manufacturing, automobiles, telecommunications, tourism, health care, energy, and general commerce; (4) the United States should support further innovation, and economic growth, and ensure cybersecurity, and the protection of consumer privacy; and (5) innovators in technology, manufacturing, automobiles, telecommunications, tourism, health care, and energy industries should commit to improving the quality of life for future generations by developing safe and consumer protective, new technology aimed at improving consumers' access to commerce.

COMMITTEE ACTION:

H. Res. 835 was introduced on July 14, 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. 1301 — Amateur Radio Parity Act (Rep. Kinzinger, R-IL)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1301](#) would require the Federal Communications Commission (FCC) to amend certain regulations on the dimensions of certain antenna structures regarding amateur radio service.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1301 would cost less than \$500,000 to update agency rules. Moreover, the agency is authorized to collect fees sufficient to offset its regulatory costs each year; therefore, CBO estimates that the net discretionary cost would be negligible, assuming appropriation actions consistent with that authority. Enacting H.R. 1301 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:

H.R. 5104 would direct the FCC to prohibit the application of [certain regulations](#) to amateur stations of any private land use restriction. The FCC would be directed to: (1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna; (2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and (3) permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

The FCC would be prohibited from changing section [97.15\(b\) of title 47, Code of Federal Regulations](#), governing the installation of antennas, which would remain applicable to state and local land use regulation of amateur service communications.

COMMITTEE ACTION:

H.R. 5104 was introduced on March 4, 2015 and was referred to the House Committee on Energy and Commerce. On July 13, 2016, the bill was ordered to be reported (amended) by voice vote.

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 Fourteenth Amendment, Section 1 [Rights Guaranteed]; ... the means employed to effect its exercise may

be neither arbitrary nor oppressive but must bear a real and substantial relation to an end that is public, specifically, the public health, safety, or morals, or some other aspect of the general welfare.”

H.R. 921 — Sports Medicine Licensure Clarity Act (Rep. Guthrie, R-KY)

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

FLOOR SCHEDULE:

Scheduled for consideration September 12, 2016 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 921](#) would provide certain current medical liability protections for covered sports medical professionals practicing outside their primary state.

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:

Though the legislation does allow for insurance premium increases to offset incurred costs and risks, some conservatives may be concerned that the bill would impose mandatory coverage requirements on insures to cover out-of-state practice.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** This bill would allow sports medicine professionals to practice in a secondary state under the licensure of their home state. The bill would also require insures to provide coverage out of state, regardless of state insurance regulations
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Currently, athletic trainers and sports medicine professionals who travel outside their home state – such as trainers with a sports team – are not provided legal protections through their medical liability insurance as they are outside the state in which they are licensed to practice. This bill would ensure covered sports medicine professionals, such as physicians or athletic trainers, who are actively carrying medical liability insurance for their primary state of practice, would be granted reciprocal protections in a secondary state and require medical malpractice insurance policies to cover such practice as though it were in the professional's home state. The covered professional would be deemed to have satisfied the licensure requirements of the secondary state when providing services to the individual or team they have accompanied.

COMMITTEE ACTION:

This bill was introduced by Representative Guthrie and referred to the House Committee on Energy and Commerce, and the Committee on the Judiciary. A mark-up was held on July 12, 2016, and was reported, as amended, by voice vote.

OUTSIDE GROUPS SUPPORT:

- [National Athletic Trainers Association](#)

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 specific enumerating clause was included.

H.R. 4979 — Advanced Nuclear Technology Development Act of 2016, as amended (Rep. Latta, R-OH)

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

FLOOR SCHEDULE:

Scheduled for consideration on September 12, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4979](#) would direct the Nuclear Regulatory Commission (NRC) and the Department of Energy to enter into a memorandum of understanding regarding the department and the agency's need for sufficient technical expertise, modeling and simulation, and facilities. The bill would further require the agency to report to Congress on existing federal activities related to testing and demonstrating advanced reactors, and submit to Congress a plan for establishing a framework for licensing such reactors.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 4979 would cost about \$1 million in 2017; such spending would be subject to the availability of appropriated funds. That estimate does not include additional costs that the NRC might incur to develop a licensing framework for advanced reactors pursuant to the plan required under the bill, which CBO estimates could range between \$5 million and \$10 million annually over several years. H.R. 4979 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:

H.R. 4979 would direct the NRC and the Department of Energy to enter into a memorandum of understanding regarding the department and the agency's: (1) need for sufficient technical expertise to support the civilian nuclear industry's timely research, development, demonstration, and commercial application of safe, innovative advanced reactor technology; (2) use of computers and software codes to calculate the behavior and performance of advanced reactors based on mathematical models of their physical behavior; and (3) development of facilities to enable the civilian nuclear industry's timely research, development, demonstration, and commercial application of safe, innovative reactor technology and ensuring that the NRC has access to such facilities, as needed.

The bill would further require the department in consultation with the National Laboratories, to report to Congress assessing the capabilities of the Department to authorize, host, and oversee privately proposed and funded experimental reactors.

H.R. 4979 would require the NRC to transmit to Congress a plan for developing an efficient, risk-informed, technology-neutral framework for advanced reactor licensing. The plan would evaluate the unique aspects of advanced reactor licensing and any associated legal, regulatory, and policy issues the NRC will need to address to develop a framework for licensing advanced reactors consistent with the NRC's role in protecting

public health and safety and common defense and security, as well as other specified factors. The plan would include proposed cost estimates, budgets, and specific milestones for implementing the advanced reactor regulatory framework by September 30, 2019.

The NRC would be directed to provide the status of performance metrics and milestone schedules after the acceptance of any design certification application for an advanced nuclear reactor, and annually thereafter.

H.R. 4979, by amending [section 6101\(c\)\(2\)\(A\) of the Omnibus Budget Reconciliation Act of 1990](#), would specify that any funding provided to the NRC prior to fiscal year 2021 to develop a regulatory framework for advanced reactors would be excluded from the portion of its budget that is offset by fees.

COMMITTEE ACTION:

H.R. 4979 was introduced on April 18, 2016 and was referred to the House Committee on Energy and Commerce. On May 18, 2016, the bill was ordered to be reported (amended) by voice vote.

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 To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

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