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H.R. 381 — To designate a mountain in the John Muir Wilderness of the Sierra National Forest as “Sky Point” (Rep. McClintock, R-CA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 381](#) would designate mountain in the John Muir Wilderness of the Sierra National Forest in California as “Sky Point.”

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.

CBO [estimated](#) that implementing H.R. 979, passed in the 114th Congress and identical to H.R. 381, would have no significant effect on the federal budget.

CONSERVATIVE CONCERNS:

There are no major substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS:

The bill would stipulate that any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain would be considered to be a reference to “Sky Point.” The point would be named after Staff Sergeant [Sky Mote](#), USMC. Staff Sergeant Mote grew up in El Dorado, California and was posthumously awarded the Navy Cross, a Purple Heart, and the Navy-Marine Corps Commendation Medal.

H.R. 381 contains identical language to [H.R. 979](#), which passed the House in the 114th Congress by voice-vote on June 2, 2015. The RSC’s legislative bulletin for H.R. 979 can be found [here](#).

COMMITTEE ACTION:

H.R. 381 was introduced in the House on January 9, 2017 and 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: Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States."

H.R. 339 — Northern Mariana Islands Economic Expansion Act (Rep. Sablan, D-MP)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 339](#) 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:

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:

H.R. 339 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. H.R. 339 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](#).

H.R. 339 contains identical language to [H.R. 6401](#), which passed the House in the 114th Congress by voice-vote on December 6, 2016. The RSC's legislative bulletin for H.R. 6401 can be found [here](#).

COMMITTEE ACTION:

H.R. 339 was introduced on January 5, 2017. It was referred to the Committee on Natural Resources and the Committee on the Judiciary.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: " Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement ins submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution. Congress has the power to enact this legislation pursuant to the following: Under Article I, Section 8, Clauses 1, 3 and 4 and Article IV, Section 3, Clause 2 of the Constitution of the United States."

H.R. 46 — To authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York (Rep. Katko, R-NY)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 46](#) would require the Secretary of the Interior to conduct a special resource study of Fort Ontario in Oswego, New York.

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.

The Congressional Budget Office (CBO) [estimated](#) that implementing H.R. 4202, passed in the 114th Congress and identical to H.R. 46, that implementing the legislation would cost about \$250,000; such spending would be subject to the availability of appropriated funds. Enacting H.R. 4202 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. 46 would require the Secretary of the Interior to conduct a special resource study of Fort Ontario in Oswego, New York. The secretary would be required to: (1) evaluate the national significance of the site; (2) determine the suitability and feasibility of designating the site as a unit of the National Park System (NPS); (3) consider other alternatives for preservation, protection, and interpretation of the lands by federal, state, or local governmental entities, or private and nonprofit organizations; (4) consult with interested federal, state, or local governmental entities, private and nonprofit organizations or any other interested individuals; (5) determine the effect of the designation of the site as a unit of NPS on existing commercial and recreational uses and the effect on state and local governments to manage those activities; (6) identify any authorities, including condemnation, that may compel or allow the secretary to influence or participate in local land use decisions (such as zoning) or place restrictions on non-federal land if the site is designated a unit of the NPS; and (7) identify cost estimates for any federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives. The secretary would be required to report the findings of the evaluation to Congress.

H.R. 46 contains identical language to [H.R. 4202](#), which passed the House in the 114th Congress by voice-vote on September 6, 2016. The RSC's legislative bulletin for H.R. 4202 can be found [here](#).

COMMITTEE ACTION:

H.R. 46 was introduced in the House on January 3, 2017 and 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: "Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or any particular State."

H.R. 374 — To remove the sunset provision of section 203 of Public Law 105-384 (Rep. Herrera Beutler, R-WA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 374](#) would authorize the states of Washington, Oregon, and California to continue to manage commercial fishing for Dungeness crabs in federal waters adjacent to their states.

COST:

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.

The Congressional Budget Office (CBO) [estimated](#) that implementing H.R. 2168, the West Coast Dungeness Crab Management Act, passed in the 114th Congress and identical to H.R. 374, would reduce the need for discretionary appropriations (and associated spending) by \$1 million a year over the 2017-2020 period. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 374 would allow Washington, Oregon, and California to continue to manage commercial fishing for Dungeness crabs in federal waters. According to the committee report on the identical provisions of H.R. 2168 in the 114th Congress, the [Pacific Fishery Management Council](#) considered putting the Dungeness crab fishery under federal management. However “the states of Washington, California, and Oregon entered into a Memorandum of Understanding in 1980 to take “mutually supportive actions” to manage the fishery within their respective state waters (0–3 nautical miles from shore) as well as in the adjacent federal waters (3–200 nautical miles from shore).” The three states manage the commercial and recreational fishery under this tri-state process, which has been extended three times, the most recent being a ten year extension of the management authority in 2007. According to the report, “in light of the lengthy and successful state-led management of the crab fishery, H.R. 374 [would amend] [Public Law 105-384](#) by striking the sunset provision for the tri-state Dungeness crab management regime, making the management authority permanent.”

H.R. 374 contains identical language to [H.R. 2168](#), the West Coast Dungeness Crab Management Act, which passed the House in the 114th Congress by voice-vote on October 6, 2016. The RSC's legislative bulletin for H.R. 2168 can be found [here](#).

COMMITTEE ACTION:

H.R. 374 was introduced in the House on January 9, 2017 and 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: "The power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution."

H.R. 538 — To redesignate the Ocmulgee National Monument in the State of Georgia and revise its boundary, as amended (Rep. S. Bishop, D-GA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 538](#) would redesignate the [Ocmulgee National Monument](#) in Georgia as the Ocmulgee Mounds National Historical Park and would adjust the boundary of the park by approximately 2,100 acres, with the additional land being acquired through donation or exchange only.

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.

The Congressional Budget Office (CBO) [estimated](#) that implementing H.R. 482, passed in the 114th Congress and identical to H.R. 538, would have an insignificant cost; such spending would depend on the availability of appropriated funds. Because enacting H.R. 482 would not affect direct spending or revenues, pay-as-you-go procedures do not apply. CBO estimated that enacting H.R. 482 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 increase the size of federal land holdings by the amount of any donations exceeded land exchanges conducted under the authority provided.
- **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. 538 would redesignate the Ocmulgee National Monument in Georgia as the Ocmulgee Mounds National Historical Park. The boundary of the Historical Park would be revised to include approximately 2,100 acres.

The Department of the Interior would be authorized to acquire lands and interests within the boundaries of the park by donation or exchange only. In the case of an exchange, no payment would be allowed to be made by the Secretary of the Interior to any landowner. The department would not be authorized to acquire any land or interest within the boundaries by condemnation. No private property or non-federal public property would be included within the boundaries of the park without the owner's written consent. Nothing in the bill would be construed to create buffer zones outside of the park.

The Department of the Interior would be required to administer any acquired land as part of the historical park. The Secretary of the Interior would additionally be required to conduct a special resource study of the Ocmulgee River corridor between the cities of Macon, Georgia, and Hawkinsville, Georgia to determine: (1) the national significance of the study area; (2) the suitability and feasibility of adding lands in the study area to the National Park System; and, (3) the methods and means for the protection and interpretation of the study area by the National Park Service, other government entities.

H.R. 538 contains identical language to [H.R. 482](#), which passed the House in the 114th Congress by voice-vote on March 22, 2016. The RSC's legislative bulletin for H.R. 482 can be found [here](#).

COMMITTEE ACTION:

H.R. 538 was introduced in the House on January 13, 2017 and 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: Art. I, Section 8, clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

H.R. 558 — To adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill (Rep. Loudermilk, R-GA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 558](#) would adjust the boundary of the [Kennesaw Mountain National Battlefield Park](#) to include the Wallis House and Harriston Hill, allowing the National Park Service (NPS) to acquire about 8 acres of land.

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.

The Congressional Budget Office (CBO) [estimated](#) that implementing H.R. 3371, passed in the 114th Congress and identical to H.R. 558, would cost \$2 million over the 2017-2021 period to develop and operate the new property authorized to be acquired in the bill. Because enacting H.R. 3371 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

There are no major 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:

H.R. 3371 would modify the boundary of the Kennesaw Mountain National Battlefield Park to include the approximately 8 acres identified as “Wallis House and Harriston Hill”. The Secretary of the Interior would be authorized to acquire, from willing owners only, land or interests in land by donation or exchange.

The secretary would additionally be directed to administer the land as part of the Kennesaw Mountain National Battlefield Park in accordance with applicable laws and regulations. No non-federal property would be included in the Kennesaw Mountain National Battlefield Park without the written consent of the owner, nor would the secretary be authorized to acquire land by condemnation for the purposes of the bill. No buffer zones outside the park would be established.

H.R. 558 contains identical language to [H.R. 3371](#), which passed the House in the 114th Congress by voice-vote on February 24, 2016. The RSC’s legislative bulletin for H.R. 3371 can be found [here](#).

COMMITTEE ACTION:

H.R. 558 was introduced in the House on January 13, 2017 and 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: "Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

H.R. 560 — To amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area (Rep. Marino, R-PA)

CONTACT: [Noelani Bonifacio](#), 202-226-9719

FLOOR SCHEDULE:

Scheduled for consideration on January 30, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 560](#) would permit certain commercial vehicles to pass through the [Delaware Water Gap National Recreation Area](#) and allow the Department of Interior (DOI) to collect an annual fee up to \$200 from the vehicle users until September 30, 2020.

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.

The Congressional Budget Office (CBO) [estimated](#) that implementing H.R. 3620, passed in the 114th Congress and identical to H.R. 560, would increase offsetting receipts from permit fees and associated direct spending; therefore, pay-as-you-go procedures apply. However, based on information from the National Park Service (NPS), CBO estimated that the net effect on direct spending would be insignificant and enacting the bill 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 Secretary to establish a new fee, the receipts from which would be available for expenditure without further appropriation from Congress.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 560 would close Highway 209, a federally owned road within the boundaries of the recreation area, to all commercial vehicles, with the exception of commercial vehicles that have four or fewer axles and are owned and operated by a business physically located in the recreation area or adjacent municipalities and that are necessary to provide services to businesses or persons located in the area. The Secretary of the Interior would be authorized to establish a fee (not exceeding \$200 per vehicle) and permit program for commercial vehicles using Highway 209. All fees received under the program would be set aside in a special account and be available, without further appropriation, to the secretary for the administration and enforcement of the program. The fee and permit would be waived for local school buses, emergency vehicles, and commercial vehicles using a specific route.

H.R. 560 contains identical language to [H.R. 3620](#), which passed the House in the 114th Congress by voice-vote on February 24, 2016. The RSC's legislative bulletin for H.R. 3620 can be found [here](#).

COMMITTEE ACTION:

H.R. 560 was introduced in the House on January 13, 2017 and 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: "Article I, Section 8, Clause 18, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." No specific enumeration clause was included.

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*