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H.R. 497 — Santa Ana River Wash Plan Land Exchange Act (Cook, R-CA)

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

FLOOR SCHEDULE:

Expected to be considered on June 27, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 497](#) would authorize a land exchange between the San Bernardino Valley Water Conservation District and the Bureau of Land Management.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 497 would affect direct spending, so pay-as-you-go procedures would apply, however it is estimated that any net effect on direct spending would be negligible. The bill would not affect revenues, increase direct spending or on budget deficits in any of the consecutive 10-year periods beginning in 2028.

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 exchange of 327 acres of federal land administered by the Bureau of Land Management for 310 acres of land owned by the San Bernardino Valley Water Conservation District (SBVWCD) in California. According to the [committee report](#), the land exchange would allow SBVWCD to expand local mining, which is not currently allowed by BLM on the federal land. The land received by BLM would be used to enhance water storage and conservation in over 75 water basins and to protect the habitat of endangered species.

Under H.R. 497 the land exchange must occur within 2 years of enactment if SBVWCD offers to exchange the land.

Each entity has additional land available to exchange in order to equalize fair market value, if needed. If the additional land is not sufficient to equalize fair market value, and the value of the federal land exceeds the value of the SBVWCD's land, the bill allows an equalization payment from SBVWCD. However if the value of the SBVWCD's land still exceeds the value of the federal land, the Secretary of the Interior must order the exchange without an equalization payment by the U.S.

H.R. 497 requires the land to be appraised by at least one appraiser who is qualified and independent. The appraisals must be conducted within nationally recognized appraisal standards. The secretary is instructed to finalize a map that must be available for public inspection as soon as practicable after enactment.

The costs of conveyance must be paid by SBVWCD. SBVWCD would have continuing rights on the land given to the federal government to maintain, operate, construct, relocate or expand groundwater recharge facilities, to accommodate Bunker Hill Basin groundwater recharge. These activities may not conflict the Habitat Management Plan or the Habitat Conservation plan of the lands.

Unless stated otherwise within the bill, the exchange would be subject to the Federal Land Policy and Management Act of 1976 ([43 U.S.C. 1701 et seq.](#)).

The House Report accompanying H.R. 220 (H. Rept. 115-155) can be found [here](#).

COMMITTEE ACTION:

This bill was introduced by on January 12, 2017 and referred to the House Committee on Natural Resources. A mark-up was held and the bill was reported by unanimous consent.

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 cited.

H.R. 220 — To authorize the expansion of an existing hydroelectric project (Young, R-AK)

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

FLOOR SCHEDULE:

Expected to be considered on June 27, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 220](#) would authorize the expansion of the [Terror Lake Hydroelectric Project](#) on Kodiak Island, Alaska.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 220 would not significantly affect the federal budget. The bill could have had a minor impact on the agency's workload, however because the agency's costs are recovered through user fees there would be no net change in federal spending. Enacting the bill would not have affected direct spending or revenues, so pay-as-you go procedures would 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. 220 would authorize the expansion of the Terror Lake hydroelectric project on Kodiak Island, Alaska.

The bill authorizes up to 20 acres of federal land to be used for the construction, operation and maintenance of the Terror Lake hydroelectric project. The expansion does not require a further authorization of the Secretary of the Interior of under the Alaska National Interest Lands Conservation Act ([16 U.S.C. 3101 et seq.](#)). The project would be subject to the Federal Power Act ([16 U.S.C. 791a et seq.](#)) and require and environmental review under the National Environmental Policy Act of 1969 ([42 U.S.C. 4321 et seq.](#)).

The House Report accompanying H.R. 220 (H. Rept. 115-154) can be found [here](#).

COMMITTEE ACTION:

This bill was introduced on January 3, 2017 and referred to the House Committee on Natural Resources. A mark-up was held and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: "Article 1, Section 8, Clause I & Article I, Section 8, Clause 3.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;”

H.R. 1073 — To authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial (Beyer, D-VA)

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

FLOOR SCHEDULE:

Expected to be considered on June 27, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1073](#) would authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost about \$1 million over the 2017-2021 period. Such spending would be subject to the availability of appropriated funds. Enacting H.R. 497 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

There are no substantive concerns

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 1073 would authorize the National Park Service (NPS) to construct a structure for visitor services, to include a public restroom facility, on the Arlington Ridge tract in the area of the U.S. Marine Corps War Memorial. The original authorization for the memorial did not include authority to construct any such auxiliary structures.

The House Report accompanying H.R. 1073 (H. Rept. 115-113) can be found [here](#).

H.R. 1073 contains identical language to H.R. 4789, which passed the House in the 114th Congress by voice-vote on September 6, 2016. The RSC's legislative bulletin for H.R. 4789 can be found [here](#).

COMMITTEE ACTION:

H.R. 1073 was introduced on February 15, 2017 where it was referred to the Committee on Natural Resources. A mark-up was held and the bill was 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 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States".

H.R. 1135 — To reauthorize the Historically Black Colleges and Universities Historic Preservation program (Clyburn, D-SC)

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

FLOOR SCHEDULE:

Expected to be considered on June 27, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1135](#) 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. 1135 would “cost about \$3 million a year and \$16 million over the 2018-2022 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.

H.R. 1135 contains identical language to H.R. 295, which passed the House in the 114th Congress by unanimous consent on September 12, 2016. The RSC’s legislative bulletin for H.R. 295 can be found [here](#).

COMMITTEE ACTION:

This bill was introduced on February 16, 2017 and referred to the House Committee Natural Resources. A mark-up was held and the bill was reported by unanimous consent.

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 of the United States Constitution.” No specific enumerating clause was cited.

H.R. 1500 — Robert Emmet Park Act of 2017 (Crowley, D-NY)

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

FLOOR SCHEDULE:

Expected to be considered on June 27, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1500](#) would re-designate the small triangular property located in Washington, DC, and designated by the National Park Service as reservation 302, as “Robert Emmet Park”

COST:

The Congressional Budget Office (CBO) [estimates](#) that the cost for the National Park Service to update signage for the park would be insignificant; such spending would be subject to the availability of appropriated funds. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 1500 would re-designate the small triangular property located in Washington, DC, and designated by the National Park Service as reservation 302, as “Robert Emmet Park”. The bill would authorize the Secretary of the Interior to post signs on or near Robert Emmet Park that include: (1) information on Robert Emmet, his contribution to Irish Independence, and his respect for the United States and the American Revolution; and, (2) information on the history of the statue of Robert Emmet located in Robert Emmet Park.

According to the findings of the bill, “[Robert Emmet](#) was one of Ireland’s most prominent historical figures, having led an effort to secure Irish independence in 1803.”

H.R. 1500 contains identical language to H.R. 4564, which passed the House in the 114th Congress by voice-vote on September 22, 2016. The RSC’s legislative bulletin for H.R. 4564 can be found [here](#).

COMMITTEE ACTION:

H.R. 1500 was introduced on March 10, 2017 where it was referred to the Committee on Natural Resources. A mark-up was held and the bill was 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 I Section VIII". No specific enumerating clause was cited. Appropriate authority may be found in Article 1, Section 4, clause 3.

H.R. 1967 — Bureau of Reclamation Pumped Storage Hydropower Development Act (Lamborn, R-CO)

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

FLOOR SCHEDULE:

Expected to be considered on June 27, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1967](#) would clarify that the Bureau of Reclamation (BOR) is the lead agency overseeing pumped storage hydropower development at BOR reservoirs.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1967 not result in a net change in discretionary spending. The bill would require additional staff hours to be allocated by the Bureau of Reclamation, however the costs would be insignificant and subject to appropriation. The costs associated from licensing responsibilities that would be transferred to the Federal Energy Regulatory Commission would be recovered through user fees.

The bill would not affect direct spending or revenues, so pay-as-you-go procedures would not apply.

CONSERVATIVE CONCERNS:

There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the Reclamation Project Act of 1939 ([43 U.S.C. 485h\(c\)\(1\)](#)) to clarify that the Bureau of Reclamation (BOR) is the lead agency overseeing pumped storage hydropower development at BOR reservoirs. Under current law it is not clear which agency has oversight of pumped storage hydropower development projects. In some cases both BOR and the Federal Energy Regulatory Commission could have authority over these projects. According to the [committee report](#), this has caused confusion, delays, and additional costs to these projects.

The House Report accompanying H.R. 1967 (H. Rept. 115-158) can be found [here](#).

COMMITTEE ACTION:

This bill was introduced by on April 6, 2017 and referred to the House Committee on Natural Resources. A mark-up was held and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: "Article 1 Section 8, Clause 18".

H.Res. 397 – Reaffirm U.S. Commitment to Article 5 of the NATO Treaty (Ryan, R-WI)

CONTACT: [Brittan Specht](#), 202-226-9143

FLOOR SCHEDULE:

Expected to be considered on June 27 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.Res. 397](#) would express the sense of the House reaffirming the commitment of the United States to the collective defense provisions of Article 5 of the NATO treaty, supporting the decision of NATO members to spend at least two percent of gross domestic product on defense, condemning any threat to the territorial integrity or sovereignty of a NATO member, welcoming Montenegro as the alliance's 29th member.

COST:

Congressional Budget Office (CBO) estimates are not required for House resolutions.

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 397 would express the sense of the House reaffirming the commitment of the United States to the collective defense provisions of Article 5 of the NATO treaty. Article 5 states that alliance members will treat an attack on one member as an attack on all. This provision has only been invoked once, by the United States after the September 11, 2001 attacks.

The resolution further expresses the sense of the House supporting the commitment made by treaty members at the Wales Summit in 2014 to spend at least 2% of GDP on defense. The majority of treaty members [fail to meet this target](#).

The resolution would condemn any threat to the sovereignty, territorial integrity, freedom and democracy of any NATO ally.

Finally, the resolution would welcome the Republic of Montenegro as the 29th NATO member.

COMMITTEE ACTION:

This resolution was introduced on June 21, 2017 and referred to the House Committee on Foreign Affairs.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for House resolutions.

H.Res. 351 – Condemn Violence and Persecution Against Gay Men in Chechnya (Ros-Lehtinen, R-FL)

CONTACT: [Brittan Specht](#), 202-226-9143

FLOOR SCHEDULE:

Expected to be considered on June 27 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.Res. 351](#) would express the sense of the House condemning violence in Chechnya against individuals based on their actual or perceived sexual orientations, calling on the government of Russia to protect the rights of its citizens, calling on the administration to continue to condemn violence in Chechnya and identify individuals subject to sanctions under existing law, and affirming that the rights to assembly, association, and expression are universal human rights.

COST:

Congressional Budget Office (CBO) estimates are not required for House resolutions.

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 351 would express the sense of the House condemning violence in Chechnya against individuals based on their perceived or actual sexual orientation. The resolution identifies multiple instances of reported abductions, abuse, and murder of individuals based on such characteristics, as well as contemptible denials of the treatment or existence of such individuals in Chechnya. The resolution would further call on Russia, of which Chechnya is a constituent state, to seek to protect the rights of all of its citizens and condemn such violence in Chechnya.

Additionally, the resolution would call on the U.S. government to continue to condemn this violence, and to identify individuals who may be subject to sanction under the Sergei Magnitsky Rule of Law Accountability Act of 2012 or the Global Magnitsky Human Rights Accountability Act based on their involvement in such violence.

Finally, the resolution would affirm that the rights to freedom of assembly, association, and expression and freedom from extrajudicial detention and violence are universal human rights.

COMMITTEE ACTION:

This resolution was introduced on May 23, 2017 and referred to the House Committee on Foreign Affairs. The committee marked up and order the bill reported, as amended, on May 25 by voice vote.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for House resolutions.

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.*