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H.R. 1809 — Juvenile Justice Reform Act of 2017 (Lewis, R-MN)

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

FLOOR SCHEDULE:

Scheduled for consideration on May 22, 2017, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1809](#) would reauthorize and amend the Juvenile Justice and Delinquency Prevention Act, which funds state juvenile justice programs. The bill also would also reauthorize grant programs funding state and local homeless youth and runaway programs.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1809 would cost about \$1.1 billion over the 2018-2022 period, assuming appropriation of the authorized amounts. The remaining \$500 million would be spent after 2022.

Pay-as-you-go procedures do not apply to this legislation because enacting it would not affect direct spending or revenues.

CONSERVATIVE CONCERNS:

Some conservatives may believe that juvenile justice and delinquency programs would be better addressed at the state and local level. Further, some conservatives may be concerned that the bill would subsidize purely local justice activities beyond the appropriate scope of the federal government with federal tax dollars. This is also true of the bills funding for local homeless youth and runaway grants.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** Yes. The bill would provide funding for state JJDP programs in addition to the new competitive grant program. Both funding streams fund state and local programs and contain terms and conditions that dictate or restrict state and local policy.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The purpose of the Juvenile Justice and Delinquency Prevention Act is to support state and local programs that aim to prevent juvenile involvement in delinquent behavior and address juvenile crime. States carry out federally supported programs that are designed to meet the needs of at-risk-youth.

H.R. 1908 contains similar language to [H.R. 5963](#), which was passed the House in the 114th Congress by a vote of [382-29](#) on September 20, 2016. The RSC's legislative bulletin for H.R. 5963 can be found [here](#). H.R. 1809 contains additional provisions related to homeless youth and runaways that are detailed further [below](#) the title-by-title analysis.

Title II

Title II of the bill would refocus federal effort on developing priorities and long-term plans to improve the juvenile justice system based on scientific knowledge related to adolescent development and the effect delinquency prevention programs have on adolescents.

This title would amend the requirements of the state plans that must be submitted by a state to be eligible for a grant. It would require states to include in their plan how the programs implemented would take into account scientific knowledge regarding adolescent development and behavior, and the effects of delinquency prevention programs and the juvenile justice interventions on adolescents. In addition, the advisory group responsible for creating the state plan would be required to include a specialist on adolescent development. The bill would also include persons with expertise in preventing and addressing mental health and substance abuse needs, and representatives of victim or witness advocacy groups with expertise in addressing the challenges of trauma to the list of representatives that could be included in the state plan advisory group.

The administrator of the state plans would be directed to provide an analysis of juvenile delinquency needs within a state and provide alternatives to detention, such as specialized courts, diversion to home-based services, for status offenders (a juvenile who has committed or charged with an offense that would not be criminal if committed by an adult, such as truancy), survivors of commercial sexual exploitation, and others, where appropriate, or treatment for youth in need of mental health or substance abuse disorders. This analysis would also contain a plan to reduce the number of children in secure detention facilities, plans to engage family members in the delivery of prevention services, and a plan to promote evidence-based practices.

At least 75 percent of the funds available to states must be used for community-based alternatives (including home-based alternatives) to incarceration and institutionalization, including for youth who are active or former gang members. This bill would also require these funds to be used to ensure youth have access to appropriate legal representation. This bill would also prevent status offenders from being placed in a secure detention facility.

The bill would require the administrator to annually publish and identify the purposes and goals of funds used for research and evaluation of issues in juvenile justice. It would direct new research to be conducted on the prevalence and duration of behavioral health needs among juveniles both pre-placement and post-placement in the juvenile justice system. It would also include new research on numerous areas including training efforts that reduce the use of dangerous practices, methods to improve the identification and response to victims of domestic child sex trafficking, and evaluating the impact of the prosecution and sentencing of juveniles as adults.

This bill would update the requirement that the administrator provide training and technical assistance to help entities meet the requirements of this act.

This bill would repeal the Juvenile Delinquency Prevention Block Grant Program.

The bill would update a number of annual reporting requirements. This would include: accounting for the number and rate at which juveniles are taken into custody; reporting on the use of restraints and isolation used on juveniles held in correctional facilities, juveniles released from custody and the type of living arrangement to which they are released; and, reporting the number of juveniles whose offense originated on school grounds. In addition, the report would require an analysis and evaluation of the total amount of payments made to grantees that were found to be in violation of policies and procedures of the Office of Justice and Delinquency Prevention grant programs.

To fund the preceding requirements this bill (found in title two), the bill would authorize for appropriation:

- \$76,125,000 for FY2018;
- \$76,125,000 for FY2019;
- \$77,266,875 for FY2020;
- \$78,425,878 for FY2021; and,
- \$79,602,266 for FY2022.

These activities were last authorized in 2007 for such sums as were necessary.

Title III

Title III of the bill would provide federal assistance to local communities to address the unmet needs of youth who are involved in, or at risk for, juvenile delinquency or gang activity. States would apply for grants and submit an application, but must ensure the grant will supplement not supplant local and state efforts to prevent delinquency and ensure the application was prepared in consultation with local governments and organizations that carry out programs to prevent juvenile delinquency. States receiving a grant could award sub-grants to entities that demonstrate ability in providing innovative ways to involve the private nonprofit and business sector in delinquency prevention and potential savings and efficiencies associated with successful implementation of the plan. Eligible entities would have to agree to provide a 50 percent match of the amount of the sub-grant.

To fund these grants, the bill would authorize for appropriation:

- \$91,857,500 for FY2018;
- \$91,857,500 for FY2019;
- \$93,235,362 for FY2020;
- \$94,633,892 for FY2021; and,
- \$96,053,401 for FY2022.

Title IV

Title IV of the bill would require the GAO to conduct a comprehensive analysis and evaluation of the performance of the Office of Juvenile Justice and Delinquency Prevention and its functions, programs and grants, in addition to a comprehensive audit and evaluation of grantees.

This title would also direct the Director of the Office of Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice to conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention to determine if states and Indian tribes receiving grants are following the requirements of the agency grant programs and what actions the agency has taken to recover any grant funds that were expended in violation of the grant requirements. Before the Attorney General awards a grant under this act, it must be determined if it duplicative of a grant awarded for the same purpose.

The bill also contains a sense of Congress that in order to ensure at-risk youth and youth who come into contact with the juvenile justice system or the criminal justice system are treated fairly and that the outcome of that contact is beneficial to the nation.

Additions to Previously Passed Legislation (H.R. 5963 in the 114th Congress)

H.R. 1809 authorizes appropriations to carry out grants related to runaway and homeless youth, including the Basic Center Grant Program, the Transitional Living Grant Program, grants for a national communications system, grants for technical assistance and training, research and service projects and grants for demonstration projects to provide services to youth in rural locations. The bill authorizes \$101.98 million for fiscal years 2018 through 2022 for these grant programs. In addition, the bill authorizes \$17.141 for fiscal years 2018-2022 for grants related to sexual abuse prevention. These authorizations

were last authorized in 2008, but were allowed to expire at the end of fiscal year 2013. The previous authorization levels were at \$140 million and \$25 million, respectively. The bill states that the amendments made by H.R. 1809 will not apply to funds that have been appropriated prior to the bill's enactment.

H.R. 1809 also requires performance audits to be administered under the Inspector General of the Department of Justice (DOJ) every three years. These audits must be available on the DOJ's website. Should a grantee have an unresolved audit finding, the grantee will be ineligible to receive grant funds for the next 2 fiscal years and, should the grantee be still be awarded funds, the funds must be reimbursed.

COMMITTEE ACTION:

H.R. 1809 was introduced on March 30, 2017. It was referred to the Committee on Education and the Workforce where a mark-up session was held and it was reported by voice-vote.

The House report (115-111) accompanying H.R. 1809 can be found [here](#).

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

H.R. 1808 — Improving Support for Missing and Exploited Children Act of 2017 (Guthrie, R-KY)

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

FLOOR SCHEDULE:

Scheduled for consideration on May 22, 2017 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 1808](#) would amend the Missing Children’s Assistance Act to expand requirements regarding the grant to the National Center for Missing and Exploited Children and require the center to submit a report to the Office of Juvenile Justice and Delinquency Prevention.

COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting H.R. 1808 would have no significant cost to the federal government. Additionally, CBO estimates that enacting the bill would not affect direct spending.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 1808 amends the Missing Children’s Assistance Act to reflect best practices at the state and local level.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention currently makes an annual grant to the National Center for Missing and Exploited Children under [42 U.S.C. 5773](#). H.R. 1808 would specify additional duties for the center. Specifically, the bill specifies that the grant shall be used to provide state and local governments, nongovernmental agencies, education agencies and individuals training and assistance to: (1) help prevent, investigate and prosecute cases with missing and exploited children; (2) respond to missing foster child cases; and, (3) identify and locate children who are at risk of or victims of sex trafficking. In addition, the bill makes a number of technical and conforming amendments and clarifies the type of information and assistance that the grantee must provide to state and local governments, nongovernmental agencies, child-serving professionals, local education agencies, law-enforcement agencies, families, and the general public.

H.R. 1808 also inserts a new subsection requiring the grant recipient (the National Center for Missing and Exploited Children) to submit a report to the Office of Juvenile Justice and Delinquency Prevention and make this report available to the public. This report must include: (1) the number of mission children that have been reported to the grantee; (2) the number of children abducted from non-family members; (3) the number of children abducted by family members; and, (4) the number of recoveries reported to the grantee. The grantee must also track attempted child abductions in an effort to identify patterns and provide this information to law enforcement agencies and the general public.

The bill also amends [42 U.S.C. 5771](#) by updating the findings of Congress to include identification of sex-trafficking and sextortion as threats to children.

COMMITTEE ACTION:

H.R. 1808 was introduced on March 30, 2017 where it was referred to the Committee on Education and the Workforce. A mark-up session was held and the bill was reported by voice-vote.

The committee report (H115-110) accompanying H.R. 1808 can be found [here](#).

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

H.R. 2288 – Veterans Appeals Improvement and Modification Act of 2017, as amended (Bost, R-MI)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2288](#) would make changes to the process for appealing disability benefit claims at the Department of Veterans Affairs (VA) and require the VA and Government Accountability Office (GAO) to issue several related reports.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting this bill would cost about \$2 million over the 2018-2022 period, related to the cost of preparing reports. Based on information from the VA, CBO estimates that the new process could be implemented without an increase in workload, thus no cost associated with implementation is anticipated. Enacting this bill would not affect direct spending or revenues.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** The bill grants the Secretary of Veterans' Affairs significant latitude to develop alternative appeal processes to those prescribed by the bill.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 2288 would alter the process for appealing disability claims at the Department of Veterans Affairs (VA), with the goal of streamlining the process to allow appeals to be completed faster, while still protecting veterans' due process rights. Specifically, veterans seeking to appeal VA's initial decision on their claims could choose one of three options within one year of the original claims decision: (1) seek review by a higher-level adjudicator of the same evidence submitted to the original claims processor; (2) file a supplemental claim to submit new evidence for review, potentially including a hearing; or, (3) file a notice of disagreement to appeal directly to the Board of Veterans Appeals.

Veterans pursuing the third option could submit new evidence and request a board hearing, or they could opt for an expedited review, which would not involve a hearing. The board would be required to maintain at least two dockets, one for cases in which the veteran requests a hearing and one for cases in which the veteran does not request a hearing and no additional evidence would be submitted. Cases on each docket would be decided in the order received, unless the board advanced a case for earlier consideration – for example, if a veteran is seriously ill, under severe hardship, or for some other sufficient circumstance. The bill also authorizes the board to maintain more than two dockets, if Congress is first notified of each additional docket and the reasons for maintaining it.

Under H.R. 2288, once a veteran appeals his or her claim using any of the three options – filing a request for higher level review, filing a supplemental claim, or filing a notice of disagreement – the veteran may not take another action until the case is adjudicated or withdrawn. The bill gives the secretary authority,

however, to develop and implement a policy for veterans who wish to change appeals pathways before their case is adjudicated. According to the committee report, “it is expected that the Secretary will use their discretion to develop policies that are in the best interest of veterans.” Some conservatives may feel it is more appropriate for Congress to establish these policies should they be needed, rather than give deference to the secretary. The bill would also allow certain veterans with legacy appeals to opt-in to the new system if they receive a statement of the case or a supplemental statement of the case after the bill’s effective date. According to the committee report, the ability to opt-in is restricted to these veterans “in order to avoid overwhelming the new system.”

Veterans may maintain the original effective date of their claim regardless of how many times they appeal a decision or what level of review the claim reaches, so long as they continue to submit “new and relevant” evidence within one year of the most recent decision. The standard for maintaining the effective date is currently “new and material” evidence, and the committee report indicates that the new standard intends to “lower the current burden” on veterans. Additionally, the bill requires that if the board or a higher-level adjudicator finds that VA made a duty to assist error when determining the original claim, the claim would be returned to the regional office if it could not be granted in full, so that it could be re-adjudicated after errors were corrected. The VA would expedite this process by a higher-level reviewer or the board.

The bill also requires the secretary to establish a comprehensive plan to implement the new appeals process, including providing information about the current process, the number of appeals and how expediently they are decided, and how those metrics would change under the new system. The secretary would be required to evaluate potential costs for each component of the appeals process, report on how effectively the VA’s IT system could implement the new process and any changes needed, and provide Congress and GAO with quarterly reports on implementation and semi-annual reports for the seven years following implementation, including information on how many appeals are pending for both the new and old appeals process, associated average wait times, and the average age of appeals. H.R. 2288 further requires the GAO to assess and report to Congress on the comprehensive plan, including identifying potential improvements and making any appropriate recommendations, as well as describing whether the plan complies with sound planning practices.

The bill gives the secretary authority, after notifying Congress, to test: (1) any assumption used to develop the comprehensive plan; or, (2) the feasibility and advisability of any part of the new process before it is fully implemented. Some conservatives may be concerned that it is unnecessary to expand agency authority to run such pilot projects when, according to CBO, the VA indicates that it would not use this authority.

Finally, the VA will be required to publish certain metrics related to the new appeals process on the agency’s website, including the number and average duration of pending supplemental claims, pending requests for higher level review, and pending appeals on any docket.

The current appeals backlog exceeds 470,000 claims, and VA reports that under current law, final decisions on appeals take an average of three years, with some appeals taking more than six years.

COMMITTEE ACTION:

This bill was introduced by Representative Bost (R-MI) on May 2, 2017 and referred to the House Committee on Veterans Affairs. The committee reported the bill by voice vote on May 17.

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 identified.

H.R. 467 – VA Scheduling Accountability Act (Walorski, R-IN)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 467](#) would require each VA medical facility to annually certify that it is in full compliance with all provisions of law and regulation related to scheduling medical appointments, and prohibit the VA from awarding bonuses to senior staff in facilities unable to certify compliance. The bill would also require VA to ensure that policies are implemented in a standardized fashion across the department.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting this bill would cost less than \$500,000 over the 2018-2022 period, subject to the availability of appropriated funds. Enacting this bill would not affect direct spending or revenues.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 467 would direct the Secretary of Veterans Affairs (VA) to ensure that the director of each VA medical facility annually certify that the medical facility is fully compliant with all statutory and regulatory requirements related to scheduling medical appoints for veterans. This requirement would codify current VA practice, specified under [VHA Directive 1230](#). If the certification cannot be made, the VA medical facility director must report to the secretary explaining the reason and what actions will be taken to ensure full compliance with pertinent laws and regulations.

The VA is further prohibited from awarding bonus payments to senior staff – including the Director, Chief of Staff, Associate Director, Associate Director for Patient Care, and Deputy Chief of Staff – if compliance cannot be certified in any given year. The secretary must annually report to Congress a list of each medical facility making a certification and a list of each medical facility that did not make a certification, including a copy of any explanatory report submitted to the secretary.

Additionally, the bill requires the Secretary of Veterans Affairs to ensure that VA directives and policies are consistently applied to and implemented by each office and facility, and requires the secretary to notify Congress of any non-standard application or implementation of VA directive and policies, including an explanation if necessary.

COMMITTEE ACTION:

This bill was introduced by Representative Walorski (R-IN) on January 12, 2017 and referred to the House Committee on Veterans Affairs. A subcommittee hearing was held on March 29, and the subcommittee reported the bill by voice vote on April 6. The committee reported the bill by voice vote on May 17.

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 of the United States Constitution.

H.R. 1005 – To amend Title 38, United States Code, to improve the provision of adult day health care services for veterans (Zeldin, R-NY)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1005](#) would direct the Secretary of Veterans Affairs to enter into agreements with State Veterans Homes to provide adult day health care services for eligible veterans with severe service-connected disabilities. Payments would be made at 65 percent of the rate that would be paid to the State Veterans Home for nursing home care.

COST:

A Congressional Budget Office (CBO) estimate is not available at this time. Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

[CBO previously estimated](#) that a similar version of the bill, which passed the House by a voice vote in May 2016, would have no budgetary effect because CBO does not expect that VA would implement the bill given “an extensive and complex set of rules governing the federal government’s purchasing process” with regards to State Veterans Homes. In 2016, CBO expected that the VA would instead continue to pay State Veterans Homes at the current per-diem rate.

If implemented, however, the bill would tend to generate savings to the extent that veterans who would otherwise consume nursing home care shift to adult day health care services.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, this bill would allow the secretary to enter into new agreements to provide adult day health care services for veterans.
- **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 direct the Secretary of Veterans’ Affairs to enter into agreements with State Veterans’ Homes to provide adult day health care services to eligible veterans. State Veterans’ Homes are owned by state governments and provide nursing home, domiciliary, or adult day health care services to veterans. Adult day health care is an outpatient day program that provides veterans with social activities, peer support, companionship, and recreation. Services include help with activities of daily living, like taking medicines, bathing, dressing, and preparing meals. [Only three of the 153 State Veterans’ Homes in the United States offer adult day health care services, however, reportedly due to below cost reimbursement levels.](#) This bill would direct the Secretary of Veterans’ Affairs to enter into agreements with State Veterans’ Homes to provide adult day health care services for eligible veterans at a rate equal to 65 percent of the payment the Secretary would pay if the veteran received nursing home care.

Some conservatives may be concerned that [a previous CBO score](#) indicated that CBO does not expect the VA would implement this policy, considering that complicated rules governing the federal purchasing process have prevented the VA from securing agreements or contracts with any State Veterans' Home. If implemented, the bill would tend to generate savings to the extent that veterans who would otherwise consume nursing home care shift to adult day health care services.

The House passed a similar bill by voice vote in the 114th Congress. The previous legislative bulletin can be found [here](#).

COMMITTEE ACTION:

This bill was introduced by Representative Zeldin (R-NY) on February 13, 2017 and referred to the House Committee on Veterans Affairs. Subcommittee hearings were held on March 29, and the subcommittee reported the bill by voice vote on April 6. The committee reported the bill by voice vote on May 17.

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 identified.

H.R. 1162 – No Hero Left Untreated Act (Knight, R-CA)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1162](#) would require the Department of Veterans Affairs to carry out a one-year pilot program to provide veterans with access to magnetic EEG/EKG-guided resonance therapy.

COST:

According to information provided courtesy of the Majority Leader's office, the Congressional Budget Office (CBO) estimates that implementing H.R. 1162 would cost \$1 million in discretionary spending over the 2018-2022 period.

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. 1162 would require the Secretary of Veterans Affairs to carry out a one-year pilot program to provide access to magnetic EEG/EKG-guided resonance therapy for veterans experiencing post-traumatic stress disorder, traumatic brain injury, military sexual trauma, chronic pain, or opiate addiction. According to the bill's findings, Magnetic EEG/EKG-guided resonance therapy has successfully treated more than 400 veterans with this condition. The pilot project will be carried out at no more than two VA facilities, and the secretary shall provide access to magnetic EEG/EKG guided resonance therapy to no more than 50 veterans.

The bill includes a clause stating that no additional funds are authorized to be appropriated to carry out the bill.

A similar bill passed the House by voice vote on November 29, 2016. The former legislative bulletin can be found [here](#).

COMMITTEE ACTION:

This bill was introduced by Representative Knight (R-CA) on February 16, 2017 and referred to the House Committee on Veterans Affairs. A subcommittee hearing was held on March 29, and the bill was reported by the subcommittee by voice vote on April 6 and by the full committee by voice vote on May 17.

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 identified.

H.R. 1545 – VA Prescription Data Accountability Act (Kuster, R-NH)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1545](#) would expand the VA's authority to disclose information to state prescription drug monitoring programs to include disclosure of information related to all VA beneficiaries, rather than information related to just veterans and their dependents.

COST:

According to information provided courtesy of the Majority Leader's Office, the Congressional Budget Office (CBO) estimates that enacting this bill would cost less than \$500,000 over the 2018-2022 period.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, it expands the populations for which the VA is authorized to disclose information to state prescription drug monitoring programs.
- **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:

Current law requires the VA Secretary to disclose information about veterans and their dependents to state prescription drug monitoring programs if necessary to prevent the misuse and diversion of prescription medications. According to the bill sponsor, however, the Veterans Health Administration currently only transmits data for veterans, because the agency's electronic health record system cannot differentiate between dependent and non-dependent VA patients. H.R. 1545 would expand the VA's authority to disclose information related to all VA beneficiaries, thus ensuring that dependents' data is reported without requiring the VA to undergo an expensive and time-consuming update of their electronic health record system.

COMMITTEE ACTION:

This bill was introduced by Representative Kuster (R-NH) on March 15, 2017 and referred to the House Committee on Veterans Affairs. A subcommittee hearing was held on March 29, and the bill was reported by the subcommittee by voice vote on April 6 and by the full committee by voice vote on May 17.

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 identified.

H.R. 1725 – Quicker Benefits Delivery Act of 2017, as amended (Walz, D-MN)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1725](#) would require the Department of Veterans Affairs (VA), to submit a one-time report on the availability and use of private medical evidence reports in adjudicating VA claim for disability benefits and an annual report on the use of such reports and disposition of such claims for FY 2018-2024.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting this bill would cost less than \$500,000 over the 2018-2022 period, reflecting costs associated with filing reports. CBO estimates that this bill would not affect direct spending or revenues

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 1725 would require the VA to submit two reports to Congress. The first, required within 180 days after enactment, is a report on the VA's Acceptable Clinical Evidence Initiative, and progress made reducing the necessity for in-person disability examinations as well as recommendations for VA use of private medical evidence in its claims process. The second is an annual report, beginning one year after the date of enactment, for each VA regional office detailing the number of cases where private evidence was deemed unacceptable, the most common disabilities associated with those cases, and the most common reasons for which private evidence was considered unacceptable.

COMMITTEE ACTION:

This bill was introduced by Representative Kuster (R-NH) on March 15, 2017 and referred to the House Committee on Veterans Affairs. A subcommittee hearing was held on March 29, and the bill was reported by the subcommittee by voice vote on April 6 and by the full committee by voice vote on May 17.

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 identified.

H.R. 1329 – Veterans’ Compensation Cost-of-Living Adjustment Act of 2017 (Bost, R-IL)

CONTACT: [Amanda Lincoln](#), 202-226-2076

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1329](#) would, effective December 1, 2017, increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain disabled veterans by the same cost-of-living adjustment that Social Security recipients receive in 2018, which the Congressional Budget Office estimates to be 2.5 percent.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting this bill would increase spending for these programs by \$1.8 billion in FY18. Pay-as-you-go procedures do not apply, however, because enacting this bill would not affect revenues or direct spending relative to the baseline, given that the COLA is assumed in CBO’s baseline.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, it increases the size of benefits, thereby increasing spending relative to current law.
- **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. 1329 would increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain disabled veterans by the same cost-of-living adjustment (COLA) that Social Security recipients receive in 2018, which CBO estimates to be 2.5 percent. It would take effect December 1, 2017.

This would apply specifically to:

- Wartime disability compensation
- Additional compensation for dependents
- Clothing allowance
- Dependency and indemnity compensation to surviving spouse
- Dependency and indemnity compensation to children

The service-connected disability compensation program provides monthly cash benefits to veterans who have disabilities incurred or aggravated during active duty in the Armed Forces. The amount of compensation paid depends on the nature and severity of the veteran’s disability or combination of disabilities. Congress has provided annual COLA increases in these rates for every fiscal year since 1976.

COMMITTEE ACTION:

This bill was introduced by Representative Bost (R-IL) on March 2, 2017 and referred to the House Committee on Veterans Affairs. A subcommittee hearing was held on April 5, and the bill was reported by the subcommittee by voice vote on April 27 and by the full committee by voice vote on May 17.

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 identified.

H.R. 2052 – Protecting the Rights of Individuals Against Technological Exploitation (PRIVATE) Act (McSally, R-AZ)

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

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2052](#) would amend the Uniform Code of Military Justice to prohibit the wrongful distribution or broadcast of intimate visual images.

COST:

No Congressional Budget Office (CBO) estimate is available.

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

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

In March 2017, it was disclosed that an online group known as “Marines United” was wrongfully hosting and distributing intimate photographs of U.S. Marines. While the Marine Corps and Navy have the authority to discipline Marines and Sailors, and the Navy [recently issued](#) regulations prohibiting the nonconsensual distribution of intimate images there is no existing statutory authority for the discipline of individuals engaged in the prohibited conduct.

H.R. 2052 would amend the Uniform Code of Military Justice to make the wrongful distribution of intimate visual images punishable by court-martial. Individuals subject to the prohibition would be those who knowingly and wrongfully broadcast or distributes an intimate image of an identifiable individual without consent and who knew, or reasonably should have known, that image was made under circumstances in which the person depicted had a reasonable expectation of privacy.

COMMITTEE ACTION:

This bill was introduced on April 6, 2017 and referred to the House Committee on Armed Services.

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 14: "To make Rules for the Government and Regulation of the land and naval forces."

H.R. 1370 – Department of Homeland Security Blue Campaign Authorization Act of 2017, as amended (McCaul, R-TX)

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

FLOOR SCHEDULE:

Expected to be considered on May 23 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1725](#) would establish the Blue Campaign within the Department of Homeland Security and direct the secretary to issue guidance and develop training programs for personnel to better identify instances of human trafficking and raise public awareness of human trafficking.

COST:

No Congressional Budget Office (CBO) estimate is available.

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

CONSERVATIVE CONCERNS:

Some conservatives may be concerned that the bill authorizes \$4,095,000 in new spending without a commensurate offset, in violation of the [Majority Leader's Cut-Go protocol](#).

- **Expand the Size and Scope of the Federal Government?** The bill would authorize additional activities at the Department of Homeland Security.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** The bill would authorize the Secretary to develop and formulate guidance and training, as well as to carry out “any other activities determined necessary”.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 1370 would establish the Blue Campaign at the Department of Homeland Security in order to combat human trafficking. As part of the campaign, the Secretary of Homeland Security would be directed to issue guidance and provide training to personnel to better identify and raise awareness of human trafficking. Specifically, the secretary would provide guidance and training related to: (1) identifying link between human trafficking and potential connections to terrorist activities and along US borders; (2) techniques used to identify victims of trafficking, especially by the Transportation Security Administration; (3) improving information sharing and leveraging partnerships with state and local governmental and non-governmental entities; and, (4) increasing public awareness of human trafficking, including through advertising campaigns.

The bill would require that, within one year of enactment, the information technology systems of the department that are used to track individuals suspected of involvement in human trafficking are capable of

systematic and routine information sharing. The bill would also require the department to report to the House and Senate on the status and effectiveness of the Blue Campaign 18 months after enactment.

The bill would authorize \$819,000 for each FY 2018 through 2022.

COMMITTEE ACTION:

This bill was introduced on March 6, 2017 and referred to the House Committee on Homeland Security, which ordered the bill reported by voice vote on March 8.

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 and Article I, Section 8, Clause 3: “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” and “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”.

H.R. 2473 – Put Trafficking Victims First Act (Rep. Wagner, R-MO)

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

FLOOR SCHEDULE:

Scheduled for consideration on May 23, 2017 under a suspension of the rules, which requires 2/3 majority for final passage.

TOPLINE SUMMARY:

[H.R. 2473](#) would direct the Attorney General to provide training to prosecutors and state, local, and federal agencies on investigating and processing human trafficking cases, using a trauma-informed, victim-centered approach. It would also require reports to Congress regarding efforts to increase mandatory restitution orders and on the use of asset forfeiture in providing restitution to victims.

COST:

A Congressional Budget Office (CBO) estimate is not yet available.

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

CONSERVATIVE CONCERNS:

- **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:

Victims of human trafficking, [despite](#) having undergone a horribly traumatizing event, are largely underserved, failing to receive a victim-centered standard of care following horrifying ordeals.

H.R. 2473 would require, within three years following enactment, a report on the impact of state safe-harbor laws on the re-victimization of child trafficking victims and any best practices or recommendations on the development and implementation of state safe harbor laws.

It would direct the Attorney General to provide training and technical assistance to state, federal, and local prosecutors, government agencies, and law enforcement on: (1) increasing capacity and expertise on security for service providers to protect them from retaliation for their activities; (2) investigating, prosecuting, and preventing human trafficking, using a victim-centered approach; (3) facilitating evidence-based care, with a focus on physical and mental health services; (4) ensuring all human trafficking victims would be eligible for the above services; (5) ensuring law enforcement and prosecutors make every attempt to verify that a person involved in human trafficking did so free from force, fraud, or coercion, prior to their arrest or prosecution; (6) effectively prosecuting traffickers and facilitating access to needed legal services for victims of human trafficking; and, (7) encouraging states to identify locations of trafficking victims and to serve those victims.

This legislation would also direct the [National Institute of Justice](#) and [Human Smuggling and Trafficking Center](#) to create a working group that includes victims of human trafficking, to identify the barriers impeding data collection and report to Congress on estimations of the prevalence of human trafficking and

on the effectiveness of policies and procedures affecting victims' needs. It would require the Director of the Institute of Justice to implement a pilot program to test any promising methodologies studied by the working groups. H.R. 2473 would require the National Institute of Justice to implement a survey of survivors of human trafficking, to ascertain the level of care and services victims are receiving, and to determine how victims are accessing services.

H.R. 2473 would direct the Attorney General to submit a publicly published report to Congress regarding efforts to increase mandatory restitution orders and on the use of asset forfeiture in providing restitution to victims. Finally, this legislation includes a sense of Congress encouraging states to adopt survivor-centered protections for victims of trafficking, including emergency response plans, protections for child victims, and screening mechanisms for children entering child welfare systems.

COMMITTEE ACTION:

H.R. 2473 was introduced on May 16, 2017 and was referred to the House Committee on the Judiciary. It was ordered reported by voice vote on May 18, 2017.

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: Amendment XIII, Amendment XIV, Article I, Section 8, Clause 3 of the U.S. Constitution.

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