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S. 114 – Department of Veterans Affairs Bonus Transparency Act, as amended (A bill to authorize appropriations for the Veterans Choice Program) (Heller, R-NV)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[The House Amendments to S. 114](#) would authorize and appropriate \$2 billion for the Veterans' Choice Fund and as offsets extend through 2027 (1) the current law \$90 per month limitation on VA pensions paid to Medicaid-eligible veterans residing in nursing homes, (2) the Secretary's authority to collect fees for VA housing loans, and (3) the Secretary's authority to use IRS income information to verify VA pensions.

COST:

No Congressional Budget Office (CBO) estimate is currently available. According to the Majority Leader's Office, "CBO has informally estimated that the \$2B authorization and appropriation is mostly offset by the mandatory savings realized through the other provisions in the bill."

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 policies included to offset the \$2 billion in new mandatory spending are also used to offset H.R. 1058 (pension limitation), H.R. 3262 (loan fees), and H.R. 95 (pension limitation and loan fees). This is triple-counting, given that the same policy cannot simultaneously offset the cost of multiple bills. Some conservatives may also be concerned that a CBO score is not available for any of the bills relying on these offsets.

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would appropriate \$2 billion in new mandatory funding to the Veterans Choice Fund.
- **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.

BACKGROUND:

The Veterans Choice Program (Choice) allows certain eligible veterans to receive medical care in the community rather than through Veterans Administration (VA) Providers, and was established as a temporary program under the [Veterans Access, Choice, and Accountability Act of 2014](#). By law, Choice was scheduled to expire on August 7, 2017, or at such time as the \$10 billion appropriated to the Veterans Choice Fund in 2014 was exhausted, whichever came first.

Congress acted to eliminate the sunset date in order to allow the unspent funds to be used to allow eligible veterans to continue to receive community care through Choice, however, given that VA expected that somewhere between \$800 million and \$1.2 billion of the original appropriation would remain available after August 7 according to the [Committee Report. S. 544](#), the bill to eliminate the sunset date, passed the House by voice on April 5 and was signed into law on April 19.

VA has recently [revised the estimates](#) cited in the Committee Report, however, and anticipated balances have largely been exhausted given that VA is issuing substantially more Choice authorizations than expected, including 32 percent more authorizations in May and June of 2017 than during the same time period in 2016. As of June 9, 2017, VA has obligated \$9.2 billion of the Choice Fund and expended \$7.1 billion.

DETAILED SUMMARY AND ANALYSIS:

The House amendments to S. 114 would authorize and appropriate \$2 billion to the Veterans Choice Fund, to be available in any fiscal year. The bill would offset this \$2 billion appropriation by also (1) extending current law requirements that limit pensions to \$90 per month for any veteran or survivor who is receiving Medicaid coverage in a Medicaid-approved nursing home from September 30, 2024 through December 31, 2027; (2) extending the Secretary's authority to collect increased fees for certain housing loans made, insured, or guaranteed by VA from September 30, 2024 through December 31, 2027; and (3) extending the Secretary's authority to use IRS data to verify income for means-tested veterans' pensions.

According to the Majority Leader's office, CBO has "informally estimated" that these provisions offset the \$2 billion appropriation to the Veterans Choice Fund. Some conservatives may be concerned that these offsets are also included in H.R. 1058 (pension limitation), H.R. 3262 (loan fees), and H.R. 95 (pension limitation housing loan fees), which is triple-counting, given that the same policy cannot simultaneously offset the cost of multiple bills. Some conservatives may also be concerned that a CBO score is not available for any of the bills relying on these offsets. Additionally, although a CBO score is not available, some of the savings generated through extending the pension limitation would likely be offset by increased federal Medicaid spending and may shift costs to states.

COMMITTEE ACTION:

This bill was introduced by Senator Heller (R-NV) on January 12, 2017 and referred to the Senate Committee on Veterans Affairs where it was discharged by Unanimous Consent on May 25, 2017. The Senate passed the bill without amendment by Unanimous Consent on May 25, 2017. The House has amended and fully replaced the Senate-passed language. No Committee action has occurred in the House.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Statements of constitutional authority are not required for Senate bills.

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.*



**THE REPUBLICAN
STUDY COMMITTEE**

H.R. 3218 – Harry W. Colmery Veterans Educational Assistance Act of 2017 (Roe, R-TN)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3218](#) would extend and expand the GI Bill benefits available to veterans, their dependents, and their surviving spouses, including by increasing funding, removing certain time limitations on the use of such benefits, and creating new pilot programs. The bill is offset with a one percent reduction to living stipend payments for individuals who begin using their educational benefits on or after January 1, 2018.

COST:

No Congressional Budget Office (CBO) estimate is currently available. According to the Majority Leader's Office, CBO has "informally estimated that the bill would have no effect on direct spending or revenues."

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

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would extend and expand the GI Bill benefits available to veterans and their dependents and surviving spouses.
- **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. 3182 would extend and expand the GI Bill benefits available to veterans, their dependents, and their surviving spouses; offset through a one percent reduction to living stipend payments for individuals who first begin using Post 9/11 GI Bill benefits on or after January 1, 2018. This reduction would establish parity between the GI Bill living stipend and the Basic Allowance for Housing (BAH) payments paid to active duty service members, which are reduced by one percent under current law.

Specifically, the bill would:

- Allow time spent on active duty under orders authorized by [10 USC 12301\(h\)](#), which are used when a National Guardsman or Reservist is receiving authorized medical care or being evaluated for disability, to count as qualifying time for the Post 9/11 GI Bill.
- Increase by ten percent the amount of money that members of the National Guard and Reserve receive to 50 percent benefit payable for individuals who serve at between 90 days and six months on active duty and to 60 percent benefit payable for individuals who serve between six months and one year on active duty.
- Extend eligibility for the Post 9/11 GI Bill to any individual receiving a Purple Heart after September 11, 2001.
- Permit members of the Reserve to transfer to the Post-9/11 GI Bill if they lost educational assistance benefits when Congress repealed the [Reserve Educational Assistance Program](#) (REAP) under the 2016 National Defense Authorization Act.
- Adjust living stipend calculations so that they are based on the location where a student attends the majority of classes, rather than the location of the school as required under current law.
- Ensure that the amount a veteran is charged to pay for any national standardized test, such as the SAT, or any test required for state licensing is pro-rated to the amount of the cost of the test, rather than charging the veteran for a full month of benefits.
- Restore Post-9/11 Educational Assistance to individuals whose school closes in the middle of a semester, and authorize an additional living stipend for these students totaling no more than the length of the semester.
- Extend the [Yellow Ribbon GI Education Enhancement Program](#) to students receiving a Purple Heart after September 1, 2001, and students participating in the [Fry Scholarship Program](#) for surviving dependents of servicemembers who died serving on active duty.
- Permit veterans to transfer remaining months of their GI Bill entitlement to another dependent, if the first dependent dies before they can exhaust the benefit.
- Creates the “Edith Nourse Rodgers STEM Scholarship” and authorizes the Department of Veterans Affairs (VA) to provide \$30,000 or nine additional months of Post-9/11 GI Bill entitlement through the scholarship, whichever is less, to certain student veterans pursuing a STEM degree.
- Eliminate current law restrictions that require student veterans to use their GI Bill benefits within 15 years of the date of their last active duty discharge.
- Require VA to pro-rate the GI Bill housing stipend provided to Reservists who are called up for duty in the middle of the month.
- Authorize \$30 million to improve claims processing related to the GI Bill.
- Require the VA to conduct a five-year pilot program to provide tuition and fees payments on the behalf of veterans who enroll in high technology courses and authorize a living stipend payment equal to the Post-9/11 GI Bill rate for pilot program participants.
- Reduce the number of months of entitlement for individuals eligible for the [Survivors’ and Dependents’ Educational Assistance Program](#) from 45 to 36 months for individuals who become eligible on or after August 1, 2018.
- Increase the monthly payment provided under the [Survivors’ and Dependents Educational Assistance](#) Program by \$200.
- Increase mandatory funding for State Approving Agencies to \$21 million in 2018 and \$23 million in 2019 and thereafter, from \$19 million under current law.
- Authorize the VA to provide an additional \$3 million in discretionary spending to the State Approving Agencies out of amounts otherwise appropriated.
- Require the VA to provide the State Approving Agencies budget with a cost of living adjustment equal to that provided under the Social Security Act.
- Allow eligible individuals to use their GI Bill benefit for an accredited independent study program at a career and technical school or a post-secondary vocational school.
- Require the VA to include information regarding whether schools operate priority enrollment systems for veterans on its website.

- Authorize the VA to pay schools a \$16 fee to cover the costs of the reports or certifications schools are required to submit to VA about students receiving GI bill benefits for each student using GI bill benefits at the institution. Schools with more than 99 enrollees using GI Bill benefits would be required to use the fees to support veterans programs at that institution.
- Require the Secretary to establish training requirements for school certifying officials at educational institutions approved for GI Bill benefits.
- Authorize the VA to disapprove a course of education if the school fails to ensure that the school certifying official meets the new training requirements established under the bill.
- Reauthorize the VA’s [Advisory Committee on Education](#) for an additional five years, through December 2022.
- Codify the VA’s [Veterans Success on Campus](#) (VSOC) program, which provides assistance to help veterans transition from military to student life.
- Require the VA to allow educational institutions to view the remaining GI Bill benefit amount for each veteran attending that institution, and allow the veteran or dependent to opt out of sharing such information.
- Allow school certifying officials to certify an educational course as beginning on the first day of an academic term for the purposes of certifying a veteran for GI Bill benefits, so long as the course begins within seven days of the first day of an academic year.
- Makes Members of the Reserve eligible for Post 9/11 GI Bill benefits if they have served or will serve on [10 USC 12304](#), [10 USC 12304\(a\)](#) or [10 USC 12304\(b\)](#) orders.
- Makes Members of the Reserve eligible for benefits under the [Vocational Rehabilitation and Employment Program](#) if they have served or will serve on [10 USC 12304](#), [10 USC 12304\(a\)](#) or [10 USC 12304\(b\)](#) orders.

COMMITTEE ACTION:

This bill was introduced by Representative Roe (R-TN) on July 13, 2017, and referred to the House Committee on Veterans Affairs and the Committee on Armed Services. The Veterans Affairs Committee held a hearing on the bill on July 17, 2017, and reported the bill by voice vote on July 19, 2017.

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.

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.*



H.R. 282 – Military Residency Choice Act (Stefanik, R-NY)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 282](#) would authorize the spouse of a servicemember to elect to use the same residence as the servicemember.

COST:

No Congressional Budget Office (CBO) estimate is currently available. According to the Majority Leader's Office, CBO has "informally estimated that the bill would have no effect on direct spending or revenues." A [previous score](#) for a virtually identical bill estimated that enacting the bill would have no effect on the federal budget and thus pay-as-you-go procedures would not apply.

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?** Yes, the bill would preempt states from imposing taxes on income earned within their borders.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

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

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

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

COMMITTEE ACTION:

This bill was introduced by Representative Stefanik (R-NY) on January 4, 2017, and referred to the House Committee on Veterans Affairs. The Economic Opportunity Subcommittee reported the bill by voice vote on July 12, 2017, and the Veterans Affairs Committee reported the bill by voice vote on July 19, 2017.

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.

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H.R. 1058 – VA Provider Equity Act (Wenstrup, R-OH)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1058](#) would establish that podiatrists are to be included in the definition of physician for the purposes of pay grade and clinical oversight standards at the Department of Veterans Affairs (VA).

COST:

No Congressional Budget Office (CBO) estimate is currently available. According to the Majority Leader's Office, CBO has "informally estimated that all costs are fully offset."

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 new mandatory spending in H.R. 1058 is offset with a policy that is also used to offset S. 114 and H.R. 95. This is triple-counting given that the same policy cannot simultaneously offset the cost of three bills. Some conservatives may also be concerned that a CBO score is not available for any of the three bills relying on this offset.

- **Expand the Size and Scope of the Federal Government?** The bill would increase the pay grade of podiatrists at the Department of Veterans' Affairs, likely leading to increased mandatory spending.
- **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. 1058](#) would establish that podiatrists are to be included in the definition of physician for the purposes of pay grade and clinical oversight standards at the Department of Veterans Affairs (VA). Podiatrists diagnose and treat conditions of the foot and ankle, and are generally required to complete training similar to that of other physicians, including medical school and residency training.

In addition, the bill would extend current law requirements that limit pensions to \$90 per month for any veteran or survivor who is receiving Medicaid coverage in a Medicaid-approved nursing home from September 30, 2024 through December 31, 2027. Although the Majority Leader's Office reports that CBO has "informally estimated that all costs are fully offset," the size of the savings generated by the pension limitation may be offset by increased federal Medicaid spending and extending the pension limitation could shift costs to states. Further, because this offset is also used in two other bills considered by the House on the same day, H.R. 1058 would add to the deficit if either are enacted into law.

COMMITTEE ACTION:

This bill was introduced by Representative Wenstrup (R-OH) on February 14, 2017, and referred to the House Committee on Veterans Affairs. The Veterans Affairs Committee reported the bill by voice vote on July 19, 2017.

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.

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H.R. 1690 – Department of Veterans Affairs Bonus Transparency Act of 2017 (Tenney, R-NY)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1690](#) would require the Department of Veterans Affairs (VA) to report annually to Congress on performance awards or bonuses provided to senior executive employees.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting H.R. 1690 would cost less than \$500,000 over the 2017-2022 period, subject to the availability of appropriations. CBO estimates that enacting the bill would not affect direct spending or revenues, so 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. 1690 would require the Secretary of Veterans Affairs (VA) to provide an annual report to Congress on the performance awards and bonuses awarded to senior executive employees, including VA Regional Office Directors, Directors of VA Medical Centers, and Directors of Veterans Integrated Service Networks. The reports would be required to include (1) the amount of each award or bonus, (2) the individual's job title, and (3) the location where the individual works. More than [300 senior executives received \\$3.3 million](#) in bonuses in FY 2015, with average payments totaling about \$10,000 each.

COMMITTEE ACTION:

This bill was introduced by Representative Tenney (R-VA) on March 22, 2017, and referred to the House Committee on Veterans Affairs. The Economic Opportunity Subcommittee reported the bill with an amendment by voice vote on July 12, 2017, and the full Veterans Affairs Committee reported the bill by voice vote on July 19, 2017.

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.

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H.R. 2006 – VA Procurement Efficiency and Transparency Act (Coffman, R-CO)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2006](#) would require the Department of Veterans' Affairs (VA) to follow a standardized process for calculating any cost savings associated with encouraging competition in awarding procurement contracts and would direct the VA to use standardized procurement templates on a Department-wide basis.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting H.R. 2006 would cost less than \$500,000 over the 2017-2022 period, subject to the availability of appropriations. CBO estimates that enacting H.R. 2006 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. 2006 would require the Secretary of Veterans Affairs to record information on the amount of any cost or savings realized by using competitive procedures in awarding any contract that is reported in the Federal Procurement Data System. The amount of cost or price savings would be calculated by: (1) subtracting the total value of the selected offer or quote from the average of the total values of all offers or quotes evaluated or (2) subtracting the total value of the selected offer or quote from the total value of the median offer or quote evaluated. The bill would require the Secretary to make these calculations when obligating amounts under a contract or when exercising an option, if the contract contains options. It would also require the Secretary to make standardized procurement templates available and use them on a Department-wide basis, and allow the Secretary to customize templates to address particular procurement situations if appropriate.

COMMITTEE ACTION:

This bill was introduced by Representative Coffman (R-CO) on April 6, 2017, and referred to the House Committees on Veterans Affairs. The bill was reported on voice vote by the Subcommittee on Oversight and Investigations on July 12 and by the Committee on Veterans Affairs on July 19, 2017.

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.

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H.R. 2772 – VA Senior Executive Accountability (SEA) Act of 2017 (Taylor, R-VA)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2772](#) would require that Senior Executive Service (SES) employees within the Department of Veterans Affairs (VA) could not be reassigned to another SES position unless such reassignment is approved in writing and signed by the Secretary.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting H.R. 2772 would cost less than \$500,000 over the 2017-2022 period, subject to the availability of appropriations. CBO estimates that enacting the bill would not affect direct spending or revenues, so 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. 2772](#) would require that Senior Executive Service (SES) employees within the Department of Veterans Affairs (VA) could not be reassigned to another SES position unless the reassignment is approved in writing and signed by the Secretary. It would also require the Secretary to provide semiannual reports to Congress on the reassignment of senior executive employees, including the purpose and costs associated with reassignments. The bill follows [reports](#) of SES employees accused of poor performance or misconduct being reassigned to new positions within the VA.

COMMITTEE ACTION:

This bill was introduced by Representative Taylor (R-VA) on June 6, 2017, and referred to the House Committee on Veterans Affairs. The Economic Opportunity Subcommittee reported the bill by voice vote on July 12 and the full Veterans Affairs Committee reported the bill by voice vote on July 19, 2017.

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.

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H.R. 2781 – Ensuring Veteran Enterprise Participation in Strategic Sourcing Act (Dunn, R-FL)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2781](#) would require the Department of Veterans Affairs (VA) to certify to Congress that a sufficient number of small businesses owned by veterans and owned by service-disabled veterans are given preference in VA contracting and are represented on contracts under the Federal Strategic Sourcing Initiative. If the Secretary cannot make this certification, the bill would require VA to work with the General Services Administration (GSA) to increase their representation on the contracts or require the VA to stop using the contracts.

COST:

No Congressional Budget Office (CBO) estimate is 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:

Under current law, small businesses owned by veterans or service-disabled veterans are given preference in VA contracting, and the VA must compete contracts among them when the Agency expects that two or more of these businesses will submit a proposal. The VA, however, purchases many office supplies and janitorial products from contracts run by the General Services Administration (GSA) under the Federal [Strategic Sourcing Initiative](#), and these contracts are not subject to the same mandate related to service-disabled veteran and veteran-owned businesses.

H.R. 2781 would require the Secretary of Veterans Affairs (VA) to certify to Congress within 180 days after enactment that a “sufficient number” of small businesses owned by veterans or service-disabled veterans

are represented within each category of each contract awarded under the Federal Strategic Sourcing Initiative. If the Secretary cannot make this certification, the bill requires the Secretary to consult with the GSA to increase the number of concerns awarded contracts in each category or stop awarding orders under that category. The term “sufficient number” is defined as not fewer than two and enough to maximize the percentage of orders entered into by the Secretary with such businesses, as determined by the Secretary.

COMMITTEE ACTION:

This bill was introduced by Representative Dunn (R-FL) on June 6, 2017, and referred to the House Committees on Veterans Affairs. The bill was reported on voice vote by the Subcommittee on Oversight and Investigations on July 12 and by the Committee on Veterans Affairs on July 19, 2017.

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.

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H.R. 2749 – Protecting Business Opportunities for Veterans Act (Bergman, R-MI)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2749](#) would require small businesses owned by veterans or service-disabled veterans to certify when awarded a VA contract that they will meet current law requirements to perform a certain percentage of the work, and improve the VA Secretary's ability to enforce these requirements.

COST:

No Congressional Budget Office (CBO) estimate is 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:

Under current law, small businesses owned by veterans or service-disabled veterans are required to perform a certain percentage of the work when awarded a Department of Veterans Affairs (VA) contract. Some bad actors, however, profit from the contracts while assigning the work to other companies to complete, in what is known as an improper pass through. VA has struggled to identify and enforce the prohibition on improper pass-throughs, which are barred by the Small Business Act of 1953 and the Federal Acquisition Regulation.

H.R. 2749 would clarify that the Small Business Act's prohibition on improper pass-throughs applies to small businesses owned and controlled by veterans and require that the Secretary may award a contract only after the business owner certifies that it will perform the required percentage of work. If the Secretary determines, in consultation with the VA Office of the Inspector General (OIG), that a small business did not make the certification in good faith, the business owner could be subject to any or all of

the following penalties: (1) referral to the VA Debarment and Suspension Committee; (2) Small Business Act fines; and (3) prosecution for violating [18 USC 1001](#). Finally, the bill would also require the VA Inspector General to report to Congress annually between 2018 and 2022 on the referred violations and suspected violations and their disposition.

COMMITTEE ACTION:

This bill was introduced by Representative Bergman (R-MI) on May 26, 2017, and referred to the House Committees on Veterans Affairs. The bill was reported on voice vote by the Subcommittee on Oversight and Investigations on July 12 and by the Committee on Veterans Affairs on July 19, 2017.

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.

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.*



H.R. 3262 – Grow our Own Directive Physician Assistant Employment and Education Act (Kuster, D-NH)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3262](#) would require the Secretary of the VA to operate a pilot program known as the “Grow Our Own Directive” (GOOD) pilot program to provide educational assistance and training to certain veterans who possess medical or military health experience and commit to serve as a physician assistant at the Veterans Health Administration for three years.

COST:

No Congressional Budget Office (CBO) estimate is 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.

According to the Majority Leader’s office, CBO has “informally estimated that all costs are fully offset.”

CONSERVATIVE CONCERNS:

Some conservatives may be concerned that policies included to offset this bill are also used to offset H.R. 95 and S. 114. This is triple-counting, given that the same policy cannot simultaneously offset the cost of multiple bills. Some conservatives may also be concerned that a CBO score is not available for any of the bills relying on these offsets.

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would create a new pilot program and create three new positions within the Office of Physician Assistant Services.
- **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. 3262 would require the Secretary of the VA to operate a pilot program known as the “Grow Our Own Directive” (GOOD) pilot program to provide educational assistance and training to certain veterans who possess medical or military health experience and commit to serve as a physician assistant at the Veterans Health Administration for three years unless the Secretary specifies a different time period. Specifically, the Secretary would be required to provide scholarships that cover the costs of a master’s degree in physician assistant studies or a “similar” master’s degree. Individuals who fail to satisfy their period of obligated service would be liable to the federal government for the amount paid on their behalf, reduced by the amount associated with any time served.

Section 2 of the bill would establish that the pilot program would run for five years beginning 180 days after the date of enactment, and the VA would select no less than 250 individuals to participate, with priority given to individuals who (1) participated in the Immediate Care Technician Pilot Program; or (2) agree to be employed in a medically underserved area as defined under the Public Health Service Act that is also in a state with a veterans population exceeding nine percent. The bill would require the Secretary to provide no less than 35 scholarships each year, and partner with no less than 15 institutions of higher education that agree to guarantee seats for pilot program participants and provide those individuals with information on the admissions process and admissions criteria. The Secretary must also partner with other institutes of higher education, the Transition Assistance Program of the Department of Defense, the Veterans’ Employment and Training Service of the Department of Labor, and programs carried out under 38 USC 41 for marketing and advertising the program to veterans and members of the Armed Forces.

Additionally, the bill would require the Secretary to appoint or select three new positions within the Office of Physician Assistant Services at the Veterans Health Administration: (1) a Deputy Director for Education and Career Development of Physician Assistants, who would oversee the program, recruit participants, assist participants in applying and gaining admission to master’s programs, and provide information on the pilot project to eligible individuals; (2) a Deputy Director of Recruitment and Retention, who would be responsible for identifying and coordinating pilot program needs, assisting the Secretary in connecting pilot program participants with mentors, and coordinating the staff of VHA facilities with respect to identifying employment positions and mentors; (3) a recruiter who would be responsible for developing and implementing national recruiting strategic plans for the recruitment and retention of physician assistants and would report directly to the Deputy Director of Recruitment and Retention.

The bill would require the Secretary to report to Congress on the pilot program no later than one year after the date of enactment, and in collaboration with the Secretaries of Labor, Defense, and Health and Human Services. The report must include (1) the extent to which the pilot program is effective in improving the ability of eligible individuals to become physician assistants; (2) an examination of whether the pilot program is achieving the goals of enabling individuals to build on medical skills gained as members of the Armed Forces, meeting the shortage of VA physician assistants; (3) an identification of any program modifications necessary to meet these goals; and (4) an assessment of whether the pilot program could serve as a model for other programs to assist individuals in obtaining certification and employment in other health care fields.

Section 3 of the bill will also require the Secretary to establish standards to improve the use of the educational assistance program, including the pilot program, to educate and hire physician assistants. The standards are: (1) holding directors of medical centers of the department accountable for failure to use the educational assistance programs (a) to advance employees in their education; (b) to improve recruitment and retention of physician assistants; (2) ensuring that the VA Education Debt Reduction Program is available for pilot program participants to fill vacant physician assistants including; (3) monitoring compliance with the application process for educational assistance programs to ensure that such programs are being fully utilized; (4) creating programs, including through the VA Employee Incentive Scholarship Program, to encourage employees of the Department to apply to accredited physician assistant programs. The bill requires that the Secretary issue any appropriate regulations necessary to carry out this section.

Section 4 would establish pay grades for physician assistants and require the Secretary to implement a national strategic plan to recruit and retain physician assistants that includes establishing and adopting standards for providing competitive pay comparable to the pay of physician assistants in the private sector. The bill requires the Secretary to report to Congress on the implementation of the strategic plan within one year of enactment.

Section 5 would offset the bill by extending the Secretary's authority to increase fees for certain housing loans made, insured, or guaranteed by VA from September 30, 2024, through December 31, 2024. According to the Majority Leader's office, CBO has "informally estimated that all costs are fully offset." Some conservatives may be concerned that this offset is also included in H.R. 95 and S. 114, which is triple-counting given that the same policy cannot offset the cost of multiple bills.

COMMITTEE ACTION:

This bill was introduced by Representative Kelly (R-PA), on April 27, 2017, and referred to the House Committee on Veterans' Affairs. No further action has occurred.

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 is identified.

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.*



H.R. 95 – Veterans’ Access to Child Care Act (Brownley, D-CA)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 95](#) would expand and make permanent a pilot program that provides certain veterans access to private or public child care assistance during time periods when said veteran must travel to receive certain health care services at VA facilities.

COST:

No Congressional Budget Office (CBO) estimate is 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.

According to the Majority Leader’s office, CBO has “informally estimated that all costs are fully offset.”

CONSERVATIVE CONCERNS:

Some conservatives may be concerned that policies included to offset the new spending included in this bill are also used to offset H.R. 1058 (pension limitation), H.R. 3262 (loan fees) and S. 114 (pension limitation and loan fees). This is triple-counting, given that the same policy cannot simultaneously offset the cost of multiple bills. Some conservatives may also be concerned that a CBO score is not available for any of the bills relying on these offsets.

- **Expand the Size and Scope of the Federal Government?** Yes, the bill expands and makes permanent a pilot program providing child care assistance to certain eligible veterans.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** Some conservatives may be concerned that the bill gives substantial discretion to the Secretary to define the terms and scope of the new benefit.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Congress first authorized the VA Child Care Pilot Program through the Caregivers and Veterans Omnibus Health Services Act of 2010, in order to provide free child care assistance during time periods in which eligible veterans are seeking certain care at a small number of VA sites across the United States, including in Takoma, Washington; Buffalo, New York; Northport, New York; and Dallas, Texas. VA's authority to carry out the pilot program will expire on December 31, 2017.

H.R. 95 would extend these authorities and make the pilot program permanent. Specifically, it would require the Department of Veterans Affairs (VA) to provide child care assistance during any time period when a veteran, who is the primary caretaker of at least one child, must travel to and from a VA facility to receive regular mental health services, intensive mental health care services, or any other intensive health care services for which the Secretary determines that access to child care assistance would improve veterans' access to health care. Such child care assistance may take the form of (1) a stipend for the full cost of child care offered by a licensed child care center, which must be modeled after the [VA's Child Care Subsidy Program](#) to the extent practicable; (2) direct provision of child care at an on-site VA facility; (3) direct payment to a private child care agency; (4) collaboration with a facility or program of another federal department or agency; or (5) any other form of assistance the Secretary considers appropriate. Some conservatives may be concerned that the bill gives substantial discretion to the Secretary to define the terms and scope of the new benefit.

The bill would offset the cost of this benefit by (1) extending current law requirements that limit pensions to \$90 per month for any veteran or survivor who is receiving Medicaid coverage in a Medicaid-approved nursing home from September 30, 2024 through September 30, 2026; and (2) extending the Secretary's authority to collect increased fees for certain housing loans made, insured, or guaranteed by VA from September 30, 2024 through December 31, 2024. Although a CBO score is not available, some of the savings generated through extending the pension limitation would likely be offset by increased federal Medicaid spending and may shift costs to states. According to the Majority Leader's office, CBO has "informally estimated that all costs are fully offset." Some conservatives may be concerned that these offsets are also included in H.R. 1058 (pension limitation), H.R. 3262 (loan fees) and S. 114 (pension limitation and housing loan fees), which is triple-counting, given that the same policy cannot simultaneously offset the cost of multiple bills.

COMMITTEE ACTION:

This bill was introduced by Representative Brownley (D-NY) on January 3, 2017 and referred to the House Committee on Veterans Affairs. The Veterans Affairs Health Subcommittee reported the bill by voice vote on April 6, 2017, and the full Veterans Affairs Committee reported the bill by voice vote on July 19, 2017.

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.

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H.R. 1848 – Veterans Affairs Medical Scribe Pilot Act of 2017 (Roe, R-TN)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 1848](#) would require the Department of Veterans Affairs (VA) to conduct a pilot program to test whether employing or contracting with medical scribes improves physician efficiency and physician satisfaction and decreases patient wait times.

COST:

The [Congressional Budget Office \(CBO\)](#) estimates that implementing the pilot program and preparing reports would cost \$5 million over the 2018-2022 period, subject to the availability of appropriated funds. CBO estimates that enacting H.R. 1848 would not affect direct spending or revenues, so pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would require the Department of Veterans Affairs to hire new employees.
- **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. 1848 would require the VA to operate a two-year pilot program to test whether employing or contracting with medical scribes at VA medical centers (VAMC) improves physician efficiency and patient satisfaction and decreases patient wait times. Some medical providers in the private sector have begun to hire medical scribes in order to reduce time that providers spend entering information into a computer so that they might better spend that time interacting with patients. Medical scribes are defined within the bill as “unlicensed individuals hired to enter information into the electronic health record or chart at the direction of a physician or licensed independent practitioner.” Based on information from the VA, [CBO estimates](#) that pay and benefits for a medical scribe would be approximately \$48,000 in FY 2018.

Specifically, the pilot program would be operated in at least four medical centers located in rural areas, at least four medical centers located in urban areas, and two medical centers that the Secretary determines

are located in areas with need for increased access or increased efficiency. The Secretary would hire 20 new VA term employees as medical scribes, and contract with appropriate entities to employ 20 additional medical scribes. Four medical scribes would be assigned to each VAMC, and within each VAMC, two scribes would be assigned to each of two physicians, thirty percent of scribes would be employed in emergency care, and seventy percent of scribes in specialty care in the specialties that the Secretary determines have the longest patient wait times or lowest efficiency ratings. The Secretary would be required to report to Congress every six months, including an analysis of the effects of the medical scribes on (1) provider efficiency, (2) patient satisfaction, (3) average wait time, (4) the number of patients seen daily by each physician or medical practitioner; and (5) the amount of time required to hire and train medical scribes. The bill would also be required to report to Congress on the pilot program, including how it compares to similar private sector programs, no later than 90 days after the pilot program ends.

COMMITTEE ACTION:

This bill was introduced by Representative Roe (R-TN) on April 3, 2017, and referred to the House Committee on Veterans Affairs. The Veterans Affairs Committee reported the bill by a voice vote on May 17, 2017.

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.

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H.R. 2333 – Small Business Investment Opportunity Act of 2017 (Rep. Knight, R-CA)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under a suspension of the rules, which requires 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2333](#) would amend the Small Business Investment Act of 1958 by increasing the Individual Leverage Limit regarding how much capital can be deployed to a small business by a small business investment company (SBIC) from \$150 million to \$175 million.

COST:

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

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

CONSERVATIVE CONCERNS:

- **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:

While America's economy is continuing to rebound, America's small business [still](#) struggle with access to capital and difficulty obtaining small business loans, according to the committee report. The Small Business Administration operates the Small Business Investment Company (SBIC) program. [SBICs](#) are privately-managed for-profit funds that make use of both private capital and SBA loans to loan money to small businesses.

This legislation would increase the Individual Leverage Limit from \$150 million to \$175 million. This limit details how much capital can be loaned through the SBIC program to small businesses that only have one fund under management. The Individual Leverage Limit was last increased in 2009, from \$137 million to \$150 million.

The committee report can be found [here](#).

COMMITTEE ACTION:

H.R. 2333 was introduced on May 3, 2017, and was referred the House Committee on Small Business. It was reported, amended on July 12, 2017.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not yet available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, "Congress has the power to enact this legislation pursuant to the following: Article I Section 8 Clause 3 "To regulate commerce with foreign nations, and among the several states, and with the Indian Tribes."

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H.R. 2056 – Microloan Modernization Act (Rep. Murphy, D-FL)

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

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under a suspension of the rules, which requires 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2056](#) would amend the Small Business Investment Act of 1958 by giving microloan intermediaries more flexibility in providing loans to borrowers.

COST:

The Congressional Budget Office (CBO) [estimates](#) that “implementing H.R. 2056 would have no significant effect on the federal budget.”

CONSERVATIVE CONCERNS:

Some conservatives may be concerned that the bill would expand the taxpayers’ exposure to loans and that economic development is best left to the private sector. The government already has [trillions of dollars](#) in exposure to loans and loan guarantees on the books. Specifically, this bill would increase the lending limits from \$5 million to \$6 million, potentially increasing taxpayer exposure. In addition, some may be concerned that this bill would extend repayment terms for certain government-backed microloans.

- **Expand the Size and Scope of the Federal Government?** Yes. It would increase the lending limits for federal loans.
- **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 microloan program was created to provide credit to entrepreneurs who would otherwise not be able to access it. Through this program, the Small Business Administration (SBA) makes loans at below market rates to intermediaries, who then provide loans to borrowers. These loans are capped at \$50,000. The SBA provides these loans at lower interest rates to intermediaries who maintain an average loan size of under \$7,500. Because borrowers repay the intermediaries, who in turn repay the SBA, the default rate on the loans made by the SBA is effectively zero.

This legislation would give flexibility to the 25/75 rule under [section 7\(m\)](#) for intermediaries. Under current law, intermediaries are not permitted to use more than 25 percent of Technical Assistance funds to assist borrowers. The legislation would set the new ratio at 50/50.

Further, this legislation would increase the lending limit from \$5 million to \$6 million, a 20-percent increase, to allow lenders to meet additional demand at no cost to tax payers.

This legislation would also require a SBA study of U.S. microenterprise participation. This study would examine operations, including an examination of eligible intermediaries that choose to and choose not to participate. It would also look at why some non-participants do not join the program. The study would make recommendations on how to increase participation in the microloan program by eligible intermediaries. It would also require recommendations on how to decrease costs. H.R. 2056 would also require the GAO to perform a study on SBA oversight over the microloan program and processes used to ensure compliance and performance.

A similar bill passed the House in the 114th Congress as [H.R. 2670](#). A previous legislative bulletin can be found [here](#).

The committee report can be found [here](#).

COMMITTEE ACTION:

H.R. 2056 was introduced on April 6, 2017, and was referred the House Committee on Small Business. It was reported, amended on July 12, 2017.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not yet available.

CONSTITUTIONAL AUTHORITY:

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

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.*



H.R. 2364 – Investing in Main Street Act (Rep. Chu, D-CA)

CONTACT: [Jennifer Weinhart](mailto:jennifer.weinhart@rsc.house.gov), 202-226-0706

FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under a suspension of the rules, which requires 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 2364](#) would help small businesses get venture capital and private equity through the Small Business Investment Company (SBIC) program by increasing the amount of capital and surplus a financial institution or federal savings association can invest in an SBIC from 5% to 15%.

COST:

The Congressional Budget Office (CBO) [estimates](#) that “implementing the bill would have no significant effect on the administrative costs of operating the SBIC program because of the limited number of banks that would probably be affected.”

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:

While America’s economy is continuing to rebound, America’s small business [still](#) struggle with access to capital and difficulty obtaining small business loans, according to the committee report. The Small Business Administration operates the Small Business Investment Company (SBIC) program. [SBICs](#) are privately-managed for-profit funds use private capital and SBA loans to issue loans to small businesses.

Presently, financial institutions and federal savings associations may only invest up to 5% of capital and surplus in an SBIC. This legislation would increase the investment limit to 15%. It would also require financial institutions and federal savings associations seeking to invest more than 5% in an SBIC to gain approval by their federal regulator.

A committee report can be found [here](#).

COMMITTEE ACTION:

H.R. 2364 was introduced on May 4, 2017, and was referred the House Committee on Small Business. It was reported, amended on July 12, 2017.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not yet available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, "Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8--"The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and welfare of the United States."

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.*



H.R. 3180 — The Intelligence Authorization Act for Fiscal Year 2018 (Rep. Nunes, R-CA)

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

FLOOR SCHEDULE:

Scheduled for consideration on July 24, 2017 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 3180](#) would authorize funding for the U.S. intelligence community for Fiscal Year (FY) 2018, including for the intelligence activities of the Central Intelligence Agency (CIA), the Office of the Director of National Intelligence (ODNI), the National Security Agency (NSA), the National Geospatial Intelligence Agency (NGA), and the National Reconnaissance Office (NRO) among others.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the unclassified provisions of the bill would cost \$520 million over the 2018-2022 period, subject to appropriation of the specified amounts. CBO does not provide estimates for classified programs; therefore, this estimate addresses only the unclassified aspects of the bill. The bill would make changes to the CIA Retirement and Disability System that would enhance benefits for some retirees, therefore pay-as-you-go procedures apply. However, CBO estimates that those effects would be less than \$500,000 over the 2018-2027 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:

As is standard, the details of this legislation are largely contained in a classified annex. This information is available on a Members-only basis in HVC-301 of the Capitol. Members interested in viewing this annex should contact the House Permanent Select Committee on Intelligence.

The committee's section by section guide can be found [here](#) and one-page summary can be found [here](#).

A title-by-title summary of the non-classified portions of the bill follows below:

Title I:

- Title I of the bill would authorize funding for the following intelligence and intelligence-related entities: (1) the Office of the Director of National Intelligence, (2) the Central Intelligence Agency, (3) the Department of Defense, (4) the Defense Intelligence Agency, (5) the National Security Agency, (6) the Department of the Army, the Department of the Navy, and the Department of the Air Force, (7) the Coast Guard, (8) the Department of State, (9) the Department of the Treasury, (10) the Department of Energy, (11) the Department of Justice, (12) the Federal Bureau of Investigation, (13) the Drug Enforcement Administration, (14) the National Reconnaissance Office, (15) the National Geospatial Intelligence Agency, and (16) the Department of Homeland Security.
- Title I would also provide that the levels of the authorized amounts and personnel for intelligence and intelligence-related activities are contained in the classified Schedule of Authorizations made available to Congress and to the president. The Director of National Intelligence would be authorized to employ civilian personnel in excess of the number authorized if the director determines that such action is necessary to the performance of important intelligence functions. However, the number of personnel employed in excess of the authorized number may not exceed three percent of the total number of authorized civilian personnel.
- Section 104 of Title I would authorize \$526,900,000 for the Intelligence Community Management Account of the Director of National Intelligence for FY2018. The bill would also authorize 804 positions within the Intelligence Community Management Account of the Director of National Intelligence as of September 30, 2018.

Title II:

- Title II would authorize \$514,000,000 for the Central Intelligence Agency Retirement and Disability Fund for FY 2018.
- Section 202 would make technical conforming changes to the computation of annuities in the CIA Retirement System to align such computation with other federal retirement systems. This would include the ability for a retiree to elect to have a lower annuity payment in order to provide an insurable interest survivor annuity for a surviving spouse in the event of the retiree's death.

Title III:

- Title III would authorize appropriations for salary, pay, retirement, and other benefits for federal employees to be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits ordered on a government-wide basis.
- Section 301 would clarify that the bill's authorizations would not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.
- Section 303 would ensure that intelligence contractors are subject to congressional oversight. Specifically, the section would prohibit a contract from disallowing contractors from contacting congressional intelligence committees and Members and prohibiting retaliation for any such contact.

Title IV:

- Section 401 would authorize the DNI to provide protection to the immediate families of current and former employees if he deems it appropriate. Current law does not provide such authority to protect immediate family members.
- Section 402 would shift appointment of the [Information Sharing Environment program manager](#) from the president to the DNI.
- Section 412 would restructure the Defense Intelligence Agency. Specifically, it would transfer the Information Review Task Force and the Watchlisting Branch from the Defense Intelligence Agency to the Chairman of the Joint Chiefs of Staff. Funds authorized for the task force may not be obligated until the transfer is complete, which must occur within 180 days of enactment. Further, the Identity Intelligence Project Office would be eliminated. Finally, the National Intelligence University would be transferred from the DIA to the DNI.

Title V:

- Section 501 would require the Director of National Intelligence to submit to Congress a classified analytical assessment of the most significant Russian influence campaigns in the last three years. The assessment would include descriptions of the Russian activity, defenses available against such campaigns, and any actions the intelligence community undertook in response.
- Section 502 would require the DNI to make a report available online for each federal election detailing any foreign counterintelligence and cybersecurity threats to such election, and providing a summary of best practices to counter such threats as well as identifying any public resources available for such purpose. The report would be required to be published at least one year in advance of the election, but for 2018 elections by within 60 days of enactment.
- Sections 503 would require a report on Russian financing of threat activities, including cyber operations, influence campaigns, proliferation, and terrorism.

Title VI:

- Sections 601 would require individuals who receive training in critical languages as part of the Foreign Service to serve at least three consecutive 2-year tours, one of which must be overseas.
- Section 602 would require each intelligence component head to submit a semiannual report on the number of investigations conducted by the component related to unauthorized disclosure of classified information and the number of cases referred to the Attorney General for prosecution. Section 603 would require a report on the details and statistics of intelligence community personnel security clearances.
- Section 604 would require a report on the justification for expanding the jurisdiction of the CIA protective services beyond the current-law limit of within 500 feet of an installation.

COMMITTEE ACTION:

H.R. 3180 was introduced on July 11, 2017 and was referred to the House Permanent Select Committee on Intelligence. On July 13 the bill was ordered to be reported by the committee by voice vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: “Congress has the power to enact this legislation pursuant to the following: The intelligence and intelligence-related activities of the United States Government, including those under Title 50, are carried out to support the national security interests of the United States, to enable the armed forces of the United States, and to support the President in executing the foreign policy of the United States. Article I, section 8 of the Constitution of the United States provides, in pertinent part, that “Congress shall have power . . . to . . . provide for the common Defense and general Welfare of the United States”; “. . . to raise and support armies . . .”; to “make Rules concerning Captures on Land and Water”; and “To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.”

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.*



H.R. 3298 — Wounded Officers Recovery Act (Barton, R-TX)

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FLOOR SCHEDULE:

Expected to be considered on July 24, 2017, under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3298](#) would allow Capitol Police Officers that were injured in the line-of-duty to receive payments from the United States Capitol Police Memorial Fund.

COST:

No Congressional Budget Office (CBO) estimate is available at this time.

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

CONSERVATIVE CONCERNS:

There are no substantive concerns.

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 3298 would amend [2 U.S.C. 1952](#) to allow payments from the United States Capitol Police Memorial Fund to members of Capitol Police that have sustained serious injuries in the line-of-duty.

The bill also amends [2 U.S.C. 1954](#) to require the Capitol Police Board to issue regulations regarding payments to members of Capitol Police that have sustained serious injuries in the line-of-duty. The regulations must include: (1) conditions under which an employee is eligible to receive a payment; (2) the timing and amount of payments; and, (3) ensuring that payments do not affect any other form of compensation to the employee, including workers' compensation.

Finally, the bill amends [2 U.S.C. 1951](#) to clarify that donations received as a result of the shooting at the Congressional Baseball Game practice are to be deposited into the fund.

The United States Capitol Police Memorial Fund was originally created to benefit the families of Detective John Gibson and Private First Class Jacob Chestnut, who were killed in a shooting at the Capitol in 1998. This bill would enable David Bailey and Crystal Griner, U.S. Capitol Police Officers who were injured at the Congressional Baseball Game practice shooting in June of 2017, to receive payments from the fund. The U.S. Capitol Police Memorial Fund was one of the charities that benefitted from the Congressional Baseball Game for Charity.

COMMITTEE ACTION:

This bill was introduced on July 19, 2017, and referred to the House Committee on House Administration.

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 1"."